

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
FEBRUARY 1, 2011  
(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  
Mark Miner, District 3, Vice Chair  
Cyndi Stevenson, District 1  
Ron Sanchez, District 2  
Jay Morris, District 4  
Michael Wanchick, County Administrator  
Patrick McCormack, County Attorney  
Terry Bulla, Deputy Clerk

(02/01/11 - 1 - 9:00 a.m.)

CALL TO ORDER

Bryan called the meeting to order.

(02/01/11 - 1 - 9:00 a.m.)

ROLL CALL

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

(02/01/11 - 1 - 9:00 a.m.)

INVOCATION

Dr. Warren, of Christ the Redeemer Church, gave the invocation.

(02/01/11 - 1 - 9:02 a.m.)

PLEDGE OF ALLEGIANCE

Sanchez led the Pledge of Allegiance.

(02/01/11 - 1 - 9:03 a.m.)

PROCLAMATION DESIGNATING FEBRUARY 2011 AS MANUFACTURING MONTH

Miner welcomed Lad Daniels, Ron Avery and others present for the event. Karen Pan, Public Affairs Specialist, read the Proclamation. Miner thanked the group for their contributions to the community. Avery thanked the Commission for recognizing the impact that manufacturing had on the community.

(02/01/11 - 1 - 9:07 a.m.)

RECOGNITION OF THE ST. JOHNS COUNTY FIRE FIGHTER AND PARAMEDIC OF THE YEAR

Bobby Hall, Fire Chief, explained that each year a committee received nominations from peers, which they then evaluated to determine who would be the firefighter and paramedic of the year. This year, the committee chose Luis Etchenique as the 2010

Firefighter of the Year. Hall said he had been a member of Fire and Rescue since 1995 as a volunteer, and became a career firefighter in 2005. Hall said he was an asset to the department and showed an unwavering drive and dedication to continually produce a positive work environment and a positive image for the St. Johns County Fire and Rescue Community. He was nominated by Captain Jason Gerona. Hall continued with many examples of Etchenique's fine attributes. Etchenique came forward to receive the award. Hall stated the committee, using the same process, also selected Firefighter Justin Estes as 2010 Paramedic of the Year. He said Estes had been a member of St. Johns County Fire and Rescue for the past seven years, and during that time he had consistently demonstrated an outstanding work ethic and an unwavering positive attitude towards both fellow personnel and citizens in the community. He came forward to receive the award. Hall listed many more of Estes' outstanding accomplishments. He was nominated by Isaac Frazier.

(02/01/11 - 2 - 9:14 a.m.)

#### DELETIONS TO CONSENT AGENDA

Wanchick mentioned that items 8-12 were a result of the comprehensive assessment of all properties throughout the County. He explained why these were on the agenda and noted they were properties being sold back to the adjacent property owners. He said it was a small amount of money but was just another means of financial savings.

(02/01/11 - 2 - 9:15 a.m.)

#### APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Sheriff Bonds: None
3. Minutes: BCC Regular 01/18/11
4. Motion to adopt **Resolution No. 2011-20**, accepting a Bill of Sale and Schedule of Values conveying all personal property associated with the water and sewer system serving the St. Johns County Transit Center on Old Moultrie Road

#### **RESOLUTION NO. 2011-20**

**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 AND SEWER SYSTEM SERVING THE ST. JOHNS COUNTY TRANSIT CENTER ON OLD MOULTRIE ROAD**

5. Motion to adopt **Resolution No. 2011-21**, approving the terms and authorizing the County Administrator, or designee, to execute two Purchase Agreements for property required for Phase II of the CR 210/I-95 Roadway Improvement Project

#### **RESOLUTION NO. 2011-21**

**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 CERTAIN PURCHASE AND SALE  
AGREEMENTS RELATED TO PHASE II OF THE CR 210  
AT 1-95 ROADWAY IMPROVEMENT PROJECT**

6. Motion to adopt **Resolution No. 2011-22**, approving the terms and authorizing the County Administrator, or designee, to execute a certain Purchase and Sale Agreement of Easement related to Phase II of the CR 210 at I-95 Roadway Improvement Project

**RESOLUTION NO. 2011-22**

**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 TWO PURCHASE AGREEMENTS FOR  
PROPERTY REQUIRED FOR PHASE II OF THE CR 210/I-  
95 ROADWAY IMPROVEMENT PROJECT**

7. Motion to adopt **Resolution No. 2011-23**, approving the terms and authorizing the County Administrator, or designee, to execute certain Purchase and Sale Agreements related to Phase II of the CR 210 at I-95 Roadway Improvement Project

**RESOLUTION NO. 2011-23**

**A RESOLUTION BY THE BOARD OF COUNTY  
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,  
APPROVING THE TERMS AND AUTHORIZING THE  
COUNTY ADMINISTRATOR, OR DESIGNEE, TO  
EXECUTE A CERTAIN PURCHASE AND SALE  
AGREEMENT OF EASEMENT RELATED TO PHASE II  
OF THE CR 210 AT 1-95 ROADWAY IMPROVEMENT  
PROJECT**

8. Motion to adopt **Resolution No. 2011-24**, accepting a Grant of Easement for vehicular ingress and egress (Palm Valley Road) and authorizing the County Administrator, or designee, to join in the execution of the easement on behalf of the County, in order to accommodate for the parking expansion of The Players Community Senior Center

**RESOLUTION NO. 2011-24**

**A RESOLUTION BY THE BOARD OF COUNTY  
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,  
ACCEPTING A GRANT OF EASEMENT FOR  
VEHICULAR INGRESS AND EGRESS AND  
AUTHORIZING THE COUNTY ADMINISTRATOR TO  
JOIN IN THE EXECUTION OF THE EASEMENT ON  
BEHALF OF THE COUNTY FOR THE PARKING  
EXPANSION OF THE PLAYERS COMMUNITY SENIOR  
CENTER**

9. Motion to adopt **Resolution No. 2011-25**, declaring certain County owned property as surplus (County Road 13 North) and approving a private sale to the adjoining property owner and authorizing the Board Chair to execute the County Deed prior to closing on the property

**RESOLUTION NO. 2011-25**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING CERTAIN COUNTY OWNED PROPERTY AS SURPLUS AND APPROVING A PRIVATE SALE TO THE ADJOINING PROPERTY OWNER PURSUANT TO THE PROVISIONS SET FORTH IN SECTION 125.35(2), FLORIDA STATUTES AND AUTHORIZING THE BOARD CHAIR TO EXECUTE THE COUNTY DEED PRIOR TO CLOSING ON THE PROPERTY**

10. Motion to adopt **Resolution No. 2011-26**, declaring certain County owned property (Zoratoa Avenue) as surplus and approving a private sale to the adjoining property owner and authorizing the Board Chair to execute the County Deed prior to closing on the property

**RESOLUTION NO. 2011-26**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING CERTAIN COUNTY OWNED PROPERTY AS SURPLUS AND APPROVING A PRIVATE SALE TO THE ADJOINING PROPERTY OWNER PURSUANT TO THE PROVISIONS SET FORTH IN SECTION 125.35(2), FLORIDA STATUTES AND AUTHORIZING THE BOARD CHAIR TO EXECUTE THE COUNTY DEED PRIOR TO CLOSING ON THE PROPERTY**

11. Motion to adopt **Resolution No. 2011-27**, declaring certain County owned property (Pomont Avenue) as surplus and approving a private sale to the adjoining property owner and authorizing the Board Chair to execute the County Deed prior to closing on the property

**RESOLUTION NO. 2011-27**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING CERTAIN COUNTY OWNED PROPERTY AS SURPLUS AND APPROVING A PRIVATE SALE TO THE ADJOINING PROPERTY OWNER PURSUANT TO THE PROVISIONS SET FORTH IN SECTION 125.35(2), FLORIDA STATUTES AND AUTHORIZING THE BOARD CHAIR TO EXECUTE THE COUNTY DEED PRIOR TO CLOSING ON THE PROPERTY**

12. Motion to adopt **Resolution No. 2011-28**, declaring certain County owned property as surplus (State Road 207) and approving a private sale to the adjoining property owner and authorizing the Board Chair to execute the County Deed prior to closing on the property

**RESOLUTION NO. 2011-28**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING CERTAIN COUNTY OWNED PROPERTY AS SURPLUS AND APPROVING A PRIVATE SALE TO THE ADJOINING PROPERTY OWNER PURSUANT TO**

**THE PROVISIONS SET FORTH IN SECTION 125.35(2),  
FLORIDA STATUTES AND AUTHORIZING THE  
BOARD CHAIR TO EXECUTE THE COUNTY DEED  
PRIOR TO CLOSING ON THE PROPERTY**

13. Motion to award RFP #11-15 Proposed IGP Reclaimed Water Main to Palencia to Camp Dresser & McKee, Inc. and authorize the County Administrator, or his designee, to negotiate with and, if negotiations are successful, enter into contract with the Number One ranked firm, Camp Dresser & McKee, Inc., for design permitting/bidding assistance of the Proposed IGP Reclaimed Water Main to Palencia. If an agreement cannot be reached with the Number One ranked firm, authorization is requested to cease negotiations with the Number 1 ranked firm and begin negotiations with the next ranked respondent and so continue until an agreement is reached
14. Motion to approve a transfer of \$11,825 from General Fund Reserves to the Fire/Rescue Communications Department Unemployment Insurance to cover the costs for an unemployment claim not appropriated for FY 2011
15. Motion to adopt **Resolution No. 2011-29**, authorizing the County Administrator, or his designee, to submit a grant application to the State of Florida EMS Bureau for up to \$191,765 to purchase auto lift stretchers for the County's ambulances

**RESOLUTION NO. 2011-29**

**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 STATE OF  
FLORIDA MATCHING EMS GRANT TO PURCHASE  
AUTO LIFT STRETCHERS AS PART OF THE  
DEPARTMENT'S INJURY PREVENTION PROGRAM**

16. Motion to approve a transfer in the amount of \$100,000 from the General Fund - Sheriff Inmate Medical Reserve to Detention Facility Subsidy - Contractual Services in order to make payment to Flagler Hospital for medical services provided
17. Motion to approve a transfer in the amount of \$25,000 from the Dori Slosberg Drivers Education Reserve to provide necessary funding for the St. Johns County School District's Driver Education Program
18. Proofs:
  - a. Proof: Notice to Bidders, Bid #10-91, published December 17, 2010 in the Ponte Vedra Recorder
  - b. Proof: Notice to Bidders, Bid #11-33, published December 17, 2010 in the Ponte Vedra Recorder
  - c. Proof: Notice to Bidders, Bid #11-34, published December 17, 2010 in the Ponte Vedra Recorder
  - d. Proof: Notice to Bidders, Bid #11-35, published December 17, 2010 in the Ponte Vedra Recorder
  - e. Proof: Notice to Bidders, Bid #11-37, published December 17, 2010 in the Ponte Vedra Recorder
  - f. Proof: Notice to Bidders, Bid #11-29, published December 17, 2010 and December 24, 2010 in The St. Augustine Record

- g. Proof: Notice to Bidders, Bid #11-29, published December 24, 2010 in the Ponte Vedra Recorder
- h. Proof: Request for Proposals, RFP #11-18 for Inspection Services for SHIP Rehab Program, published December 24, 2010 and December 31, 2010 in The St. Augustine Record
- i. Proof: Notice to Bidders, Bid #11-27, published December 24, 2010 and December 31, 2010 in The St. Augustine Record
- j. Proof: Notice to Bidders, Bid #11-30, published December 24, 2010 and December 31, 2010 in The St. Augustine Record
- k. Proof: Notice of Informational Workshop of the Office of the County Attorney on January 10, 2011, published December 28, 2010 in The St. Augustine Record
- l. Proof: Request for Proposals, RFP #11-18 for Inspection Services for SHIP Rehab Program, published December 31, 2010 in the Ponte Vedra Recorder
- m. Proof: Notice to Bidders, Bid #11-27, published December 31, 2010 in the Ponte Vedra Recorder
- n. Proof: Notice to Bidders, Bid #11-30, published December 31, 2010 in the Ponte Vedra Recorder
- o. Proof: Request for Qualifications, RFQ #11-23 for Supply of Polymer (Cationic Polyacrylamide), published January 1, 2011 and January 8, 2011 in The St. Augustine Record
- p. Proof: Amended Notice to Bidders, Bid #11-31, published January 4, 2011 and January 11, 2011 in The St. Augustine Record
- q. Proof: Notice of an Emergency Meeting of the Board of County Commissioners on January 4, 2011, published January 4, 2011 in The St. Augustine Record
- r. Proof: Notice of Cancelled and Rescheduled Informational Workshop of the Office of the County Attorney on January 19, 2011, published January 6, 2011 in The St. Augustine Record
- s. Proof: Notice of Public Hearing by the Board of County Commissioners on January 18, 2011, published January 7, 2011 in The St. Augustine Record
- t. Proof: Request for Qualifications, RFQ #11-23 for Supply of Polymer (Cationic Polyacrylamide), published January 7, 2011 in the Ponte Vedra Recorder
- u. Proof: Notice to Bidders, Bid #11-31, published January 7, 2011 in the Ponte Vedra Recorder
- v. Proof: Notice to Bidders, Bid #11-40, published January 8, 2011 and January 15, 2011 in The St Augustine Record
- w. Proof: Notice of Proposed Agency Action by FDEP regarding FDEP Site #COM 288929, published January 10, 2011 in The St. Augustine Record
- x. Proof: Notice of an Emergency Meeting of the Board of County Commissioners on January 11, 2011, published January 11, 2011 in The St. Augustine Record
- y. Proof: Notice of Public Hearing by the Board of County Commissioners on January 18, 2011, published January 13, 2011 in The St. Augustine Record
- z. Proof: Notice of Negotiation on January 18, 2011 for collective bargaining contract negotiations, published January 15, 2011 in The St. Augustine Record

(02/01/11 - 6 - 9:16 a.m.)

PUBLIC COMMENT

There was none.

(02/01/11 - 6 - 9:16 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

McCormack asked to add litigation settlements as Item No. 4a.

(02/01/11 - 7 - 9:17 a.m.)  
APPROVAL OF REGULAR AGENDA

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

(02/01/11 - 7 - 9:17 a.m.)

District 5

1. PUBLIC HEARING - VBTCNZV 2010-02 ST. AUGUSTINE BEACH HOUSE. THE APPLICANT SEEKS APPROVAL OF A NON-ZONING VARIANCE FROM SECTION 3.10.05.D.3.A IN ORDER TO ALLOW A MINIMUM DEPTH OF 26 FEET OF RETAIL FRONTAGE ALONG VILANO ROAD, AND A MINIMUM DEPTH OF 34 FEET OF RETAIL FRONTAGE ALONG THE BEACHFRONT INSTEAD OF THE REQUIRED MINIMUM DEPTH OF 50 FEET RETAIL FRONTAGE AND SECTION 3.10.05.G.17 IN ORDER TO ALLOW 42 SQUARE FEET OF GLAZING AREA (GLASS) ON THE SOUTH FAÇADE FACING VILANO ROAD INSTEAD OF THE MINIMUM 58.8 (70%) SQUARE FEET ON THE FIRST FLOOR. 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 on VBTCNZV 2010-02, St. Augustine Beach House, was received, having been published in *The St. Augustine Record* on January 17, 2011.

David Harrell, AICP, Planner I, gave the presentation. He explained that the request was based on a change in use of the motel/hotel to include a walk up deli. He said it would require a non-zoning variance and a recommendation from the Overlay Review Board, which was unanimous.

(9:22 a.m.) Karen Taylor, 77 Saragossa St., said the Owner, Dylan Cadwalader, the applicant, was with her. She said when they worked with the Overlay District, there was encouragement to create retail activity along Vilano Road. She said in order to meet the 50 feet requirement, it would require him to take another room and a half. She explained the details of the project.

(9:25 a.m.) Stevenson complemented the proposed change. She said a mixture of uses, especially restaurants, was a good addition.

**(9:28 a.m.) Motion by Sanchez, seconded by Stevenson, carried 5/0, to approve Vilano Beach Town Center Non-Zoning Variance 2010-02, adopting findings of fact and/or conditions one through six to support the motion.**

(02/01/11 - 7 - 9:28 a.m.)

DISTRICT 1

2. PUBLIC HEARING - MAJMOD 2010-01, RIVER OF LIFE. THIS IS A REQUEST FOR A MAJOR MODIFICATION TO JULINGTON CREEK PUD TO ADD THE UTILITY USE DESIGNATION, SPECIFICALLY FOR AN ANTENNA TOWER, TO PARCEL #40.1. THE PARCEL CURRENTLY ALLOWS ONLY USES UNDER THE WORSHIP USE DESIGNATION AS DEFINED BY THE JULINGTON CREEK PUD. THE APPLICATION FOR THE PROPOSED ANTENNA TOWER (TOWER 2010-01) WAS APPROVED BY THE PZA ON DECEMBER 2, 2010, CONTINGENT UPON APPROVAL OF THIS MAJOR MODIFICATION. THE PROPOSED TOWER WILL BE A 150' UNIPOLE. UNIPOLE DESIGN MEANS NO OUTSIDE ANTENNAS - SIMILAR TO A FLAGPOLE. THE PLANNING AND ZONING 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 MAJMOD 2010-01, River of Life, was received, having been published in *The St. Augustine Record* on January 17, 2011.

Mike Roberson, Planner I, Growth Management, gave the presentation. He reviewed the property and placement of a tower on the property. He said it was Utility use and specifically for a tower. He said PZA recommended approval with conditions, and he listed them. He noted that on the staff report, Exhibit B in the packet, it should be changed to a 150 foot unipole.

(9:33 a.m.) Stevenson declared ex parte, in that she had been contacted by a number of people in the community and had attended a community meeting. She asked the County Attorney's Office to review the criteria they were reviewing at that time. She said it was a land use type decision.

(9:34 a.m.) Whitehouse stated the item was an application for a Major Modification (MAJMOD) to the Julington Creek Planned Unit Development (PUD), and it was as if they were reviewing the whole zoning. He said they needed to determine whether the changes they were making met the guidelines as provided in the Comprehensive Plan in the Land Development Code (LDC). He said they had been granted a Special Use Permit on the property. He said the PZA had approved that it was an appropriate special use, with the conditions that were provided in that order, and agreed to by the applicant, for that location. He said they needed to look at the qualifications to see if the tower was appropriate language to be added to the PUD. Stevenson said they were not into the decisions on the tower type. It was more on compatibility, noise, buffering, site, etc. He said they could be guided by the granting of the special use. Stevenson asked if the unipole meant that there would be no outside antennas. Roberson said that was correct, they were internal and would not be seen.

(9:37 a.m.) Gary Hunter, 119 S. Monroe St., Tallahassee, with Hopping Green & Sams, there on behalf of the applicant, answered and said it was a unipole tower, and there was nothing external to the tower. He said the 150' tower could accommodate up to seven carriers within the pole.

(9:39 a.m.) Sanchez disclosed that he had had a telephone conversation with Mr. Hunter. Mr. Hunter said he did not recall the conversation.

(9:40 a.m.) Hunter said the Special Use was granted on December 2, contingent upon the Major Modification. He listed the criteria that should be covered: public facilities, access, surrounding properties, appropriateness of use and compatibility. He said many of those were already addressed by the County's Tower Ordinance. He said they had all been addressed. He said they were there that day to ask for the Major Modification. He said the 15 acre parcel was originally designated as Worship. He said they were simply adding a use to that parcel and not changing it. He said Utility use was a permissible use within the PUD and that was what they were requesting. He said they were asking them to approve an already allowable use of the PUD.

(9:43 a.m.) Jerry Muldowney, 3334 NW 34<sup>th</sup> Ave., Gainesville, FL, design engineer for the project, gave his credentials. He said he had designed similar facilities for the last 19 years. He said he had worked closely with staff to design a project that was compatible with their code, and that it met all the requirements set by the County. He said there was a radio frequency need in that area, and that parcel best met the needs for setbacks, with a willing landlord. He said they were proposing a stealth, unipole structure and explained its makeup. He said it was picked regarding the concern in that area. He stated that height was critical, and the tower was reduced to 150' in response to concerns by surrounding residents. He reviewed the buffers in the area, and noted that environmental impacts had been minimized.



(9:50 a.m.) Bryan noted that all Board members had received e-mails and he listed the names of those who had sent them.

(9:51 a.m.) Muldowney showed the picture of the unipole, which was painted white. He said however, the galvanized pole was best and would be used for that project. Pictures were also shown of the 150' unipole and how it would be viewed at various points.

(9:57 a.m.) Stevenson said it was a designated Utility use and wanted to make sure that it was restricted to the currently proposed Utility use and would not be changed to include additional utility uses.

(9:58 a.m.) Whitehouse said they could add that language.

(9:59 a.m.) Bryan said he understood the concerns of Stevenson and the citizens. He said it would help a lot to clarify it.

(10:00 a.m.) Lori Ann Hendel, 405 Tortise Trace, St. Johns, spoke in support of the cell phone tower. She said cell service was dismal where she lived, and it was a real need for Julington Creek Plantation. She said the applicant had met all the requirements and she saw it as the same as any other infrastructure issue for a rapidly developing area.

(10:02 a.m.) Becky Kimball, 1173 Lake Parke Dr., Julington Creek, also spoke in favor of the cell phone tower. She said it was often difficult to pick up a signal, especially in the back part of Julington Creek.

(10:03 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. South, Fruitcove, said there was competent substantial evidence presented. She disclosed that she was a member of the Methodist denomination, but was not a member of that church. She said members speaking should disclose that they were members of the church. She said the property should stay for worship and worship only. She said they would not be paying taxes on the property and the church should pay taxes if they were entering into a commercial relationship. She said there were devices that could be purchased to increase reception.

(10:05 a.m.) Terry Flesher, 432 Huckleberry Trail, Julington Creek Plantation, said he was opposed to the tower and to the modification to the PUD. He challenged the height of the tower. He said it would harm the esthetic quality of the surrounding area. He said he had found acceptable service throughout the Julington Creek Plantation area, and they had not met the substantial need threshold. He asked the Board to resolve the question of need before approving the tower. He referred them to a Resolution document presented by the Property Owners Association (POA) at the December 2, 2010, PZA hearing on that matter. He said the POA represented 6,500 homeowners; 12,000 to 13,000 adult voters. He said the Resolution was against the tower and he asked them to consider that.

(10:10 a.m.) Mat Mercer, 2804 N. Fifth St., expressed concern regarding the towers, which constituted visual pollution. He said they were enormous and diminished the property values. He said pictures could be taken for certain angles to mitigate the effect. He said it was an incompatibility issue, and suggested putting in more towers where they were already located, rather than adding them to residential areas, because of the vertical impact.

(10:12 a.m.) Judy Calvert, 868 Buckeye Lane West, spoke against the tower. She said the tower would bring down the property values. She said the church was using funds from the tower to build their new facility.

(10:14 a.m.) Miles Calvert, 868 Buckeye Lane West, asked to decline approval of the tower. He said the tower was not compatible with the surrounding area. He said the church and the tower was in the heart of their community and would reduce their property values by 2 to 20%. He said school boards and city councils had announced that they were against cell towers near schools. He challenged the allegation of poor cell phone reception and said others would testify that it was fine.

(10:18 a.m.) Martin Cappriotti, 884 Buckeye Lane West, said his major concern was the health ramifications which was closely associated with the financial ramifications. He said numerous countries had restricted the construction of cell towers, based on research. He said in the United States, the almighty dollar ruled. He said health ramifications were not even considered at the PZA meeting. He reviewed the health ramifications, including leukemia and cancer. He said children were the most vulnerable.

(10:21 a.m.) Bryan asked if he or his family used a cell phone. Cappriotti said they did, but he limited its use.

(10:23 a.m.) Stevenson asked if there was an e-mail from him. Bryan said he had received one from him and passed it down to Stevenson. Stevenson commented on property values and said that it did not constitute sufficient evidence. She said their purview did not include the health issues.

(10:24 p.m.) Wanchick said it was his understanding said they were prohibited from denying a cell tower based on health considerations. Cappriotti said the FCC had deemed cell towers as ok, but he had his doubts.

(10:25 a.m.) Mary Ausley, 876 Buckeye Lane West, said they would not appreciate having the tower in their backyard, and suggested they update existing towers. She said the balloon test was made on a windy day, they were present that day, and they could not see the balloon.

(10:26 a.m.) Ellen Gomez, 881 Buckeye Lane West, said they had good cell phone coverage at the current time. She said the tower was for the financial benefit of the church, which needed money.

(10:27 a.m.) Vince Gomez, 881 Buckeye Lane, said he agreed with everything that had been said. He added that he did not want his property values to be diminished.

(10:28 a.m.) Hunter said 95 percent of what he had heard was directed toward the tower ordinance, which was not before them that day. He said all those issues had been addressed on December 2<sup>nd</sup>. He refocused them on the issue of health concerns. He said the FCC prohibited that consideration. He said they were there to deal with the PUD modification criteria only. He said the PZA had recommended approval unanimously, and the evidence on the record was compelling for approval of the tower. He said it was not about the church making money, and they did not represent the church, but the carriers.

(10:31 a.m.) Morris asked if there was someone there from Towercom. Hunter said there was. He said the radio frequency data had been submitted in order for the Special Use to be granted. He said a demonstration of need had been submitted and granted and was not appealed. Morris said Towercom would not invest money where there was no need. He said he had never had a problem with coverage when in Julington Creek.

(10:33 a.m.) Bryan said he visited the area and said he could not get a signal.

(10:33 a.m.) Whitehouse said they needed to stay focused on the specific legal issues.

(10:34 a.m.) Stevenson mentioned that they did require co-location and staff was required to pursue that to prevent the proliferation of cell towers. She also addressed the removal of trees and said that most trees would remain in place because of the buffers, even though some of the trees would come down. She said she had seen the balloon test. She asked what the circumference of the tower would be at the top. Muldowney said the diameter was approximate 3 to 4 feet. Stevenson said she was surprised that the visual impact was not more significant.

(10:36 a.m.) Bryan said it was always a controversial decision, but they had to stay focused on the legal concerns. He said they had to decide on the Special Use, itself.

(10:37 a.m.) Stevenson mentioned the additional verbiage to be added. Whitehouse showed the additional verbiage to be included on the overhead. Stevenson suggested additional language. She said when they made the motion they would include the language, as presented on the projector. She asked if that was agreeable to the applicant. The applicant said it was agreeable.

*Text inserted (underlined) to Ordinance 1993-43, as amended, Section G: Parcel 40.1 of Tract F, designates as "W" (Worship Center) on the Julington Creek Master Development Plan Map is authorized for construction of a 150' stealth unipole tower with associated ground equipment. This change will allow a "Utility" use within the aforementioned parcel designated for worship, solely to allow the aforementioned applied for and approved tower and associated ground equipment as depicted on the MDP documents.*

*The development of any wireless telecommunications facility shall be in conformance with Section 2.03.06 and Section 6.08.12 of the St. Johns County Land Development Code.*

(10:39 a.m.) **Motion by Stevenson, seconded by Miner, carried 4/1 with Morris dissenting, to enact Ordinance No. 2011-5 Major Modification 2010-01, adopting findings of fact and/or conditions one through six to support the motion, and incorporating the amendments to Exhibit B as discussed.**

#### ORDINANCE NO. 2011-5

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,  
STATE OF FLORIDA, APPROVING A MAJOR  
MODIFICATION TO THE JULINGTON CREEK  
PLANNED UNIT DEVELOPMENT, ORDINANCE  
NUMBER 1993-43, AS AMENDED, MAKING FINDINGS  
OF FACT; REQUIRING RECORDATION; AND  
PROVIDING FOR AN EFFECTIVE DATE**

The meeting recessed at 10:42 a.m. and resumed at 10:55 a.m.

(02/01/11 - 11 - 10:55 a.m.)

#### 3. DISCUSSION OF BOARD OF COUNTY COMMISSION DECORUM AND CIVILITY

Patrick McCormack, County Attorney, gave the presentation on the rules of decorum and civility. He reviewed the proposed changes. He said these were tools for the Board to use for itself, and possibly for other appointed boards and committees.

(10:58 a.m.) Stevenson commented on Item D; avoidance of surprises. McCormack said he had searched various governments for language and he had gotten the language from California. He said the intent was not to purposely surprise other board members.

(10:59 a.m.) Sanchez said he wanted to be sure to cover their board as well as other boards. He said he wanted to be sure that negative comments were not made about the public whether they were in the room or out of the room.

(11:00 a.m.) Bryan said they were all in agreement that it was imperative that they conduct their business in an orderly and civil manner. He said it applied to their constituents as well. He said he wanted everyone to know that there were conditions in place, that they had dusted off, and brought forward in order to conduct business in a professional and civil manner. He said it would also be followed by other committees and boards.

(11:02 a.m.) McCormack said he would presume that they wanted him to return with the language at the next available meeting. (11:03 a.m.) *There was Board consensus to do so.*

(02/01/11 - 12 - 11:03 a.m.)

4. UPDATED IMPACT FEE STUDY - BCC DIRECTION. A JOINT BCC AND SCHOOL BOARD WORKSHOP ON THE 2010 UPDATED IMPACT FEE STUDIES WAS HELD JANUARY 25, 2011. THE CURRENT SCHEDULE IS FOR THE BCC TO GIVE DIRECTION ON THE IMPACT FEE RATE SCHEDULE (EXCLUDING PUBLIC EDUCATION) AT THEIR FEBRUARY 1, 2011 MEETING. AT THE WORKSHOP, TWO IMPACT FEE RATE SCHEDULE OPTIONS (EXCLUDING PUBLIC EDUCATION) WERE DISCUSSED. OPTION A REFLECTS THE FEES SUPPORTED BY THE UPDATED STUDY AND OPTION B (STAFF RECOMMENDED) REFLECTS A 25 PERCENT REDUCTION FROM THE FEES SUPPORTED BY THE UPDATED STUDY. OPTION B RESULTS IN NO FEE INCREASE TO RESIDENTIAL LAND USES AND SIGNIFICANT FEE DECREASES TO ALL THE NON-RESIDENTIAL LAND USES. THE BOARD DIRECTION SOUGHT TODAY ADDRESSES THE RATE SCHEDULE OF THE STUDY (EXCLUDING PUBLIC EDUCATION)

Darrell Locklear, Assistant County Administrator, gave the presentation. He stated that last Tuesday, a joint meeting had been held with the School Board regarding impact fees. Dr. Nicholas was there to present the findings of both of the studies that he had conducted, one for the County and one for the School Board. Locklear said no action was taken at that workshop, but two rate schedule options were discussed, excluding education, relative to the BCC portion of the capital improvement plan for impact fees. He said Option A reflected the fees that were supported by the updated study and Option B represented some percentage of reduction from the fees, as supported by the study. He said Option B reflected a 25% reduction in the updated study. He reviewed Option A and noted there were considerable reductions from the current fees in most all of the non-residential categories. He said the study supported a 32% increase on the residential side. He reviewed Option B which showed a 25% reduction shown, with further reductions on the non-residential components, and holding the residential flat at the existing rates. He said some considerations were: for revenue, they were currently generating \$4.5 million per year for capital programs. To replace that with a millage increase would require an increase of about 0.25 to fully replace current BCC impact fee funding. He explained that impact fees currently funded 33% of the total roadway Capital Improvement Program. He said reductions to impact fees in excess of 25% would require further reduction in the General Funds due to debt obligation. He reviewed the public comments made at the workshop and added that there were many interesting ideas. He said they were not prepared that day to act on those comments. He said there was nothing to prevent them from acting on the impact fee rates that had been presented. He asked them to consider moving forward on adopting a fee structure, and that staff was seeking BCC direction on the impact fee rate schedule, excluding public education. He reviewed the next steps: a recommendation from the

School Board on February 11<sup>th</sup>. There would then be a hearing of the PZA on February 17<sup>th</sup>, and the BCC would have the final adoption hearing on March 1<sup>st</sup>.

(11:10 a.m.) Bryan clarified that the decision they had to make was whether to proceed on Option A or B. He said Option B was the most viable, and hurt the County the least. He said people should understand the things that would be impacted, such as public buildings, law enforcement, fire and rescue, parks and recreation, and upgrading roads, etc. He said the sacrifice would have to be made if they eliminated or suspended impact fees.

(11:12 a.m.) Wanchick said Option A was developed by Dr. Nicholas. Option B was developed at the request of staff with Dr. Nicholas, to be in tune with the Board's desire to stimulate economic development and to hold impact fees on non-residential development as low as possible. He said working with the Office of Management and Budget, they had determined that they could tolerate a 25% reduction. He said they could go lower, but the money had to come from somewhere, and it would compound the budget process. He said they would like to see it adjusted as quickly as possible. He said they would look at the list of six items and there might be more. He said they were asking for their concurrence to look at them and bring them back. He said they were running a business and could not cut off a revenue stream in the midst of times when the demand for public service was increased. He said the 0.25 increase in millage would be the only way they could make up the revenue stream.

(11:14 a.m.) Stevenson said she had been struck by the observation that the Board had not indexed the impact fees for inflation for the last two years, to protect the business climate, and she was looking forward to the revision. Wanchick said they had the option in the Ordinance to increase the impact fees based on the cost of living index. Stevenson said it was also an opportunity to point out that services did not move with the cost of living. She said she was surprised to see that the road building costs were still so high.

(11:15 a.m.) Sanchez said that he was dead set on increasing ad valorem taxes to cover impact fee charges and things associated with development. He said he would like to have seen residential impact fees come down, and it bothered him that it had gone up. He said they were giving 25% off what the consultant had recommended on residential.

(11:16 a.m.) Ed Paucek, 970 Irma Way, said he was speaking as an official member of the Builder's Council, and said he would need six or seven minutes. He said he had delivered a two-page memorandum (*Exhibit A*) to the Board, the County Administrator, and Locklear outlining their stand and their opinions. He said the letter indicated seven items that were appropriate and reviewed them. He reviewed their proposal of items on Option C compared to Option B. He reviewed their recommendations. He said they had found a method to bring the residential down from what staff had indicated. He said they were going to be unable to do away with Impact Fees; it would not be fiscally possible. He added, however, they could find the money in the existing system. He said they were asking for the additional 27%, which was a big selling package for bringing in business. He said they were not asking for five years, but for a shorter period of time. He said he looked forward to working with them.

(11:26 a.m.) Beth Breeding, 10175 Fortune Parkway #1005, Jacksonville, said if road impact fees were reduced without modifying developers' ability to recoup the full value of the credits, it would cause irreparable harm to their businesses. She said the road impact fee was "their money" and she just wanted to protect their funds. She said it would be difficult to get developers to build roads, if they would not be able to recoup the full amount spent. She cited issues with one of their projects. She said if those impact fees were taken away, it would be painful for them. She asked about impact

fees and proportionate fair share, and what figures would be used to determine proportionate fair share for the same type of projects in the coming year, and how it would differ from the current calculations. She asked how St. Johns County would reconcile the figures used for impacts made by their projects. She said their improvements were based on higher traffic generators, and whether the County planned on paying them the difference, or another additional option, that the additional concurrency that had been paid for, might be transferrable in the nearby area.

(11:29 a.m.) Wanchick said Breeding had identified a couple of issues they needed to work through, and they would have to be dealt with no matter which option they would choose. He said they were committed to doing it in as fair and equitable manner as possible, but it was going to take some time.

(11:30 a.m.) Ellen Avery Smith, 100 Whetstone Place, stated she was there on behalf of Steineman Development Florida, the developer of the World Commerce Center (WCC) DRI. She said the WCC was one of the first contributors in the county to economic development, and they were instrumental in bringing Ring Power to the community. She said they understood what they were trying to do with the impact fee reductions for non-residential purposes. She said Steineman had a DRI development order and had other agreements with the County in regard to impact fee credits and proportionate fair share payments. She stated that he relied on those to build over \$10 million in roadway improvements and other public infrastructure. She said they needed to think about whether they were going to reduce impact fees by 50% or more on non-residential development. She noted that it would reduce by 50% or more his ability to recapture his investment. She said basically he fronted the County, or the public, that money, and was counting on getting reimbursement. She said she liked Paucek's idea of a Transportation Backlog Authority. She said it allowed counties to not have transportation concurrency. She said they might want to consider a Transportation Backlog Authority to fund those kinds of improvements and to reimburse developers over time. She offered other suggestions for how developers could recoup investments. She said they looked forward to having more dialogue with them.

(11:33 a.m.) Duke Steineman, 185 Sea Hammock Way, Ponte Vedra Beach, CEO Steineman Development Florida, master developer for World Commerce Center, said they would like an opportunity to talk with the Commissioners prior to the March 1 deadline. He said they would like to reiterate that they had built roads at the request and demand of the County, and in some cases, it was 3 times the anticipated original cost. He said they were told that they would be able to recoup those costs. He said he understood that the reimbursements would be cut to 50%, and if he had misunderstood, he would like to be enlightened.

(11:35 a.m.) Wanchick said it was a complicated area. He said if the County was liable for the additional loss of revenue, it made a case of not to go with the additional 25%. He said they had to go at least as far as Option A, because that was all Dr. Nicholas's study would support, and was the best available data that was current. He said there was no obligation to go beyond 25%. He said they believed that they could work out the issues, and he remained optimistic. He said they would like to go with Option B, but it would take some creativity if it was to work.

(11:36 a.m.) Stevenson said she would like to know why they could not recoup their costs in the pricing of their product. She said her understanding was that there were a lot of people who had a lot of problems in the projects. She said it was complex, and each project was not the same from the beginning.

(11:38 a.m.) Charles Young, 2646 Longboat Court, South Ponte Vedra Beach, said he was with Steineman Development Florida. He reiterated that this was not a positive

impact for their project. He responded to Stevenson's question, and said land values had dropped, and they were already in a state of flux as to how they were going to sell the land. He said money was already committed. He said inflation had not taken them over budget, but had required a change in the scope of the work. He said they had worked hard to fulfill their commitments to the County. He said it was going to make it a lot more difficult for them to perform and sell the property. He said they had brought Ring Power to the county. He said he hoped there would be more dialogue with the County.

(11:40 a.m.) Bryan asked if they had other recommendations. He said they were open for dialogue. Young said they didn't at the current time but would welcome dialogue.

(11:40 a.m.) Stevenson said she was not clear on their ability to recoup the cost of their land, plus a higher impact fee, and why that couldn't just be reflected as a higher cost of their land. Young explained that it was money that had already been spent.

(11:41 a.m.) Michael Sills, 220 South Shipwreck Ave., also of Steineman Development Florida, gave a hypothetical example of land and impact fees. Stevenson said the way they could recoup the cost from the buyer was through impact fees. He said in today's market, the value of the land was the value of the land, and that did not mean they could increase the value of the land. He said an increase in price was competition with others. He said they would look first at the value of the land. He said the World Congress Center was a commercial developer. He said if they had to build roads and could not recoup the costs; it was going to impact commercial development within the county. He said it was extremely hard to make the numbers work. Bryan mentioned, if the economy turned around, they could make money on the land. Sills said the value of the land was still the value of the land.

(11:45 a.m.) Wanchick said the tentative date of March 1 could be extended if they needed more time for discussions.

(11:45 a.m.) Bryan reviewed the decision before them that day. Wanchick said it was to endorse one of the options and to continue dialogue with the community. He said they had to work through some of the issues. He said it was clear that they needed to approve at least Option A, but they preferred B.

(11:46 a.m.) Miner said people would be impacted whichever option they chose, and he was in favor of option B. He said he would like to see staff come up with some options for the developers to recoup some funds.

(11:47 a.m.) Morris said if they did nothing, then nothing would happen. He said there was no better place to live than St. Johns County, but they were not competitive. He said they were leaving way more on the table than what they were receiving from impact fees, and they had to be competitive to move the county forward. He said he was in agreement with Miner. He said they only had 11% tax base from industrial, and he was in favor of Option B and for looking at ways to offset other costs. He said they needed to have additional input from developers.

(11:51 a.m.) McCormack said they were not making a final decision that day, and staff was looking for direction. He said the Board would only make a final decision after the public hearing and the ordinance was amended.

(11:51 a.m.) Stevenson said Option B was the most appropriate. She said she wanted to mention to staff that there were older DRI projects that would have put more commercial and business internal to the project, but the formulas on the DRI projects made it cost prohibitive. She said they wanted communities that worked with

economic stability and allowed families to work close by. She discussed new concurrency rules, and said that some of the questions raised would be consistent with them.

(11:54 a.m.) Sanchez said they were trying to do their very best to draw commercial activity to the County. He said they would have problems, but they had to move forward with everything possible to produce the good neighbor attitude with commercial activity. He said they would work out the issues, and staff would have to deal with whatever legal adjustment they could make.

(11:55 a.m.) Bryan said they appreciated the development by Steineman, his bringing in Ring Power, and the investment they had made in their property. He said they would continue to work with them, as well as with others. He said they had to focus on changing the tax base and growing the commercial climate within the County.

(11:57 a.m.) Wanchick said he recommended Option B, with 25% over the already reduced rates for non-residential, or approximately 50-60% reductions. He said if they were not ready to come back on March 1, they could delay it. He said they had made major changes on concurrency, and they had found a way to work together to get there. He cited other examples where they had worked together with the community. He said if they worked together, they would get through it fairly.

**(11:59 a.m.) Motion by Sanchez, seconded by Miner, carried 5/0, to direct staff to prepare the appropriate agenda item that adopts the Final "Technical Memorandum on the Method of Updating Roads, Public Buildings, Law Enforcement, Fire & Rescue, and Parks & Recreation Impact Fees" prepared for St. Johns County by Dr. James C. Nicholas, Ph.D. including the fees supported by the study reduced by 25 percent. (Excluding Public Education)**

(02/01/11 - 16 - 12:01 p.m.)

#### 4A. LITIGATION ITEMS

McCormack asked for authorization to settle eminent domain case, St. Johns County v. Early, Case No. CA10-2892, pertaining to the Volusia Road improvements. He noted that in September of 2010, the Board authorized by Resolution, the eminent domain action of a particular piece of property, so that the project could avoid other property that had a residential unit on it. He said the actual appraisal was \$44,900 and the counter offer was \$50,000, about 12% over the appraisal. He noted that if they incurred legal expenses, cost of expert witnesses and reports, new appraisals and other miscellaneous costs, it would far exceed that amount. *He asked for authorization to settle for \$50,000 with requisite releases and dismissals of the eminent domain action.*

**(12:03 p.m.) Motion by Miner, seconded by Sanchez, carried 5/0, to support authorization to settle for \$50,000 with requisite releases and dismissals of the eminent domain action pertaining to Case No. CA10-2892, pertaining to Volusia Road improvements.**

McCormack said the second item of litigation was the Townsend v. St. Johns County matter. He said the County filed a counter claim, Case No. CA08-1387. He said it pertained to road realignment on Roberts Rd., and an associated drive to a drainage pond. He said that W. R. Townsend was the contractor for that work, and noted that the contract had a time constraint for construction. He said change orders and weather events resulted in the project not being completed in a timely manner. He explained that there was a dispute over the cause for the delay. He said the County retained \$110,000 in liquidated damages, and it had been in negotiations for about two years. He said the proposed settlement would be to remit \$46,500 of the retained liquidated damages back to Townsend, and Townsend would convey to the County an easement



that they got as part of the project, the Granatos easement, which would be beneficial to the County. He said as part of the settlement, the claim against the County, the County's counterclaim for breach of contract, and other counts would be dismissed. He recommended that the County settle the matter for that figure.

**(12:05 p.m.) Motion by Sanchez, seconded by Bryan, carried 5/0, to authorize the County Administrator to execute a settlement agreement with the provisions related to the description that McCormack had provided to the Board.**

(02/01/11 - 17 - 12:06 p.m.)  
COMMISSIONERS' REPORTS

(12:06 p.m.)  
Commissioner Stevenson

Stevenson reported on the St. Johns River Alliance meeting and said that the new car tags were out. She asked the Board to allow them to make a presentation at an upcoming meeting. She said she was going to support Tips for Kids to support the Big Brother and Big Sisters program. She commented on the existing building and infill lots, and asked if there was anything they could do to help people, and whether it would be appropriate to use what was already there. She asked the Board if they had any interest, regarding business practices, if they would be able to consider a two public hearing requirement or a two hearing notice on all ordinances they would be hearing. She said it dealt with transparency. Sanchez said he was not in favor of adding to the staff time and paperwork. He said he had not heard any complaints. Miner said it was a good suggestion, but said there would be some instances in which it would not be helpful. He said some would not require two public hearings. He said it might be useful for controversial ones. Bryan agreed that he did not want to add work and time to the staff as well. He said it could drag issues out for quite a while. He said perhaps on controversial issues they might consider it. Morris said he felt the same way.

(12:12 p.m.)  
Commissioner Miner

Miner said he had spent about an hour with each department head over the past several weeks in order to catch up, and thanked them for their hard work. He said he would like to hold an informal community meeting at each library to talk with the people. Wanchick said there was a policy, that staff would not get involved with individual meetings. He said the meeting to get re-acquainted was appropriate, but that he did not want to set a precedent. There was Board consensus that the meetings were acceptable. Wanchick said they supported transparency, and he was asking them to bring it before the Board, as they were pretty stretched right now.

(12:15 p.m.)  
Commissioner Sanchez

Sanchez said he would be at the Barnacle Bills Beachside tonight waiting tables to raise funds for Big Brothers and Big Sisters and Morris would be doing the same at the Aqua Grill.

(12:17 p.m.)  
Commissioner Morris

Morris told of the grand opening of the Ponte Vedra Concert Hall on February 13th, with Great Big C, a Canadian Celtic rock act. He said Leon Redbone would be there on February 17th. He said the Jacksonville Symphony Orchestra would be playing in the near future. He also said he would be at the Aqua Grill that night waiting tables.

(12:18 p.m.)

Commissioner Bryan

Bryan said he would be attending the concert in Ponte Vedra that night. He mentioned the Wild Flower Clinic and said it was a phenomenal program. He asked if there was anything more they could do to help the clinic, as it was performing a great service to the community. He said last weekend he was over at West Augustine helping to clean up the cemetery with some community kids. He said he and Stevenson were at Oyster Creek the previous weekend cleaning up. He said he had heard about Fort Mose closing up, and community members had asked them what they could do. He said there was little the County could do. He said it was unfortunate, but there was little the County could do with limited funds. Stevenson commented on the parks, and suggested they write letters to their representatives on how important Fort Mose was with the 450<sup>th</sup> anniversary coming up, along with the Scenic A1A program. She said they could let the Legislature know that it was important. Bryan said they might act in conjunction with the City. Sanchez said he had no problem supporting that. He returned to the Wild Flower Clinic and said they had approved a loan for \$80,000 for construction of the clinic. He said they should ask the Administrator if they could absorb that cost, and asked for a proposal on that matter. Wanchick said he would be happy to look at that, and it was a wonderful success story. Sanchez cited how many people had been seen at the clinic over a period of time. He said they could imagine what it would cost if they went to Flagler Hospital. (11:25 a.m.) *There was Board Consensus to investigate the possibility of the County absorbing the \$80,000 loan made to the Wild Flower Clinic.*

(12:26 p.m.) McCormack commented on Fort Mose, and said one of the criteria was attendance. He said Fort Mose was a new park and had not had time to build up attendance. He asked whether the park was actually being closed or suspended for some period of time. He said maybe further inquiry could be done by some interns within his department to provide information and recommendations for the Board to consider, and maybe even to develop a Resolution upon. Bryan said he appreciated that. He said start park fees went into a general fund and allocations were made base upon what the State believed the park needed.

(02/01/11 - 18 - 12:28 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick asked for permission to enter into a contract with Colin Baenziger & Associates, an executive recruiting firm, to retain an Economic Development Director. (11:29 p.m.) *There was Board consensus to do so.*

(02/01/11 - 18 - 12:29 p.m.)

COUNTY ATTORNEY'S REPORT

There was none.

(02/01/11 - 19 - 12:29 p.m.)

CLERK OF COURT'S REPORT

There was none.

With there being no further business to come before the Board, the meeting adjourned at 12:29 p.m.

REPORTS:

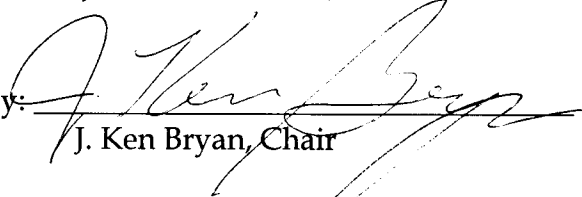
1. St. Johns County Board of County Commissioners Check Register, Check No. 465651 through 465672, totaling \$45,693.77 (01/13/11)
  2. St. Johns County Board of County Commissioners Check Register, Check No. 465673 through 465913, totaling \$1,149,122.93 (01/18/11)
  3. St. Johns County Board of County Commissioners Voucher Register, Voucher No. 4709 through 4762, totaling \$342,301.65 (01/18/11)
  4. St. Johns County Board of County Commissioners Check Register, Check No. 465914, totaling \$6,000 (01/20/11)
  5. St. Johns County Board of County Commissioners Check Register, Check No. 465915 through 465925, totaling \$146,733.99 (01/18/11)
  6. St. Johns County Board of County Commissioners Check Register, Check No. 465926 through 466189\*, totaling \$900,918.66 (01/25/11)
  7. St. Johns County Board of County Commissioners Voucher Register, Voucher No. 4763 through 4874, totaling \$285,596.55 (01/25/11)
  8. St. Johns County Board of County Commissioners Check Register, Check No. 466198\* through 466206, totaling \$14,298.22 (01/27/11)
  9. St. Johns County Board of County Commissioners Check Register, Check No. 466207 through 466239, totaling \$53,024.07 (01/27/11)
  10. St. Johns County Board of County Commissioners Check Register, Check No. 466240 through 466242, totaling \$32,106.78 (01/27/11)
- \*Check numbers 466190 through 466197 were not used per June Cutts in Finance.

CORRESPONDENCE:

1. Letter dated January 18, 2011 to Liz Cloud, Program Administrator, Department of State, filing St. Johns County Ordinance Number 2011-1
2. Letter dated January 21, 2011 to Liz Cloud, Program Administrator, Department of State, filing St. Johns County Ordinance No. 2011-2 through 2011-4

Approved \_\_\_\_\_ February 15 \_\_\_\_\_, 2011

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By:   
J. Ken Bryan, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By:   
Deputy Clerk

