

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
MARCH 15, 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  
Lenora Newsome, Deputy Clerk

(03/15/11 - 1 - 9:04 a.m.)  
CALL TO ORDER

Bryan called the meeting to order.

(03/15/11 - 1 - 9:04 a.m.)  
ROLL CALL

All the Commissioners were present.

(03/15/11 - 1 - 9:05 a.m.)  
INVOCATION BY KEN VENSEL, MINISTRY DIRECTOR FOR CAMPUS CRUSADE FOR CHRIST

(03/15/11 - 1 - 9:06 a.m.)  
PLEDGE OF ALLEGIANCE - COMMISSIONER MARK MINER

(03/15/11 - 1 - 9:07 a.m.)  
DELETIONS TO CONSENT AGENDA

Wanchick requested to pull Item 13 because they might have found a home for the generator.

(03/15/11 - 1 - 9:07 a.m.)  
APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Minutes:  
March 1, 2011 - Regular Meeting
3. Motion to adopt **Resolution No. 2011-54**, approving the terms and authorizing the County Administrator, or designee, to execute the Lease Agreement between

St. Johns County and Tenant for a mobile home located on Palmo Fish Camp Road, on behalf of the County

**RESOLUTION NO. 2011-54**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE LEASE AGREEMENT BETWEEN ST. JOHNS COUNTY AND TENANT FOR A MOBILE HOME LOCATED ON PALMO FISH CAMP ROAD, ON BEHALF OF THE COUNTY**

4. Motion to adopt **Resolution No. 2011-55**, accepting five Temporary Construction Easements required for the U.S. 1 and S.R. 312 Intersection Improvement Transportation Project

**RESOLUTION NO. 2011-55**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING FIVE TEMPORARY CONSTRUCTION EASEMENTS REQUIRED FOR THE U.S. 1 AND S.R. 312 INTERSECTION IMPROVEMENT PROJECT**

5. Motion to adopt **Resolution No. 2011-56**, accepting an Easement for Utilities for water and sewer to serve the residents of Commodore's Club Phase 3A and 3B

**RESOLUTION NO. 2011-56**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO SERVE COMMODORE'S CLUB PHASE 3A AND 3B**

6. Motion to adopt **Resolution No. 2011-57**, accepting an Easement for Utilities for water and sewer to serve the residents of Boyd Beach Subdivision on A1A South

**RESOLUTION NO. 2011-57**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO SERVE BOYD BEACH SUBDIVISION**

7. Motion to adopt **Resolution No. 2011-58**, approving the terms and authorizing the County Administrator, or designee, to execute a Purchase and Sale Agreement for property required for a Grant of Easement and Temporary Construction Easement for the Ravenswood Drainage Improvement Project

**RESOLUTION NO. 2011-58**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHN COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO**

**EXECUTE A PURCHASE AND SALE AGREEMENT FOR PROPERTY REQUIRED FOR A GRANT OF EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FOR THE RAVENSWOOD DRAINAGE IMPROVEMENT PROJECT**

8. Motion to adopt **Resolution No. 2011-59**, approving the terms and authorizing the County Administrator, or designee, to execute certain Purchase Agreements for fee simple property and a Temporary Construction Easement required for Phase II of the CR 210 at I-95 Roadway Improvement Project

**RESOLUTION NO. 2011-59**

**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 AGREEMENTS FOR FEE SIMPLE PROPERTY AND A TEMPORARY CONSTRUCTION EASEMENT REQUIRED FOR PHASE II OF THE CR 210 AT I-95 ROADWAY IMPROVEMENT PROJECT**

9. Motion to adopt **Resolution No. 2011-60**, approving the St. Johns County Purchasing Policy as the County's Community Development Block Grant Procurement Policy for compliance with the Florida Department of Community Affairs Small Cities CDBG Program

**RESOLUTION NO. 2011-60**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE PROCUREMENT POLICY FOR DEPARTMENT OF COMMUNITY AFFAIRS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT**

10. Motion to adopt **Resolution No. 2011-61**, approving the amended FY 2009 St. Johns County CDBG Housing Assistance Program (HAP) for compliance with the Florida Department of Community Affairs Small Cities Community Development Block Grant Neighborhood Stabilization Program (NSP)

**RESOLUTION NO. 2011-61**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE HOUSING ASSISTANCE PLAN (HAP) FOR DEPARTMENT OR COMMUNITY AFFAIRS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT NEIGHBORHOOD STABILIZATION PROGRAM (NSP)**

11. Motion to authorize the County Administrator, or his designee, to award RFP 11-17, CDBG Administration Services to Armstrong Grant Consultants, Inc., dba Jordan & Associates and enter into a contract agreement for an initial one year term with two available one year extensions. The contract shall be established for an amount not to exceed \$99,500 total for a three year period, noting that funding is contingent upon Board approved future Fiscal Year appropriations

12. Motion to authorize the County Administrator, or his designee, to award Bid# 11-38, Weed/Pest Control Maintenance at the St. Johns County Athletic Fields to Southeastern Turf Grass Supply, Inc., for weed/pest control maintenance at all 21 St. Johns County Athletic Fields and enter into a contract agreement for an initial one year term (with three available one year extensions). The contract shall be established for an amount not to exceed \$138,828 annually; noting that funding is contingent upon Board approved future Fiscal Year appropriations
13. Motion to declare the 300 KW ONAN Generator (located at the St. Johns County Jail) as surplus and authorize the County Administrator, or his designee, to dispose of the same in accordance with the County's Purchasing Policy Section 308 and FL Statute 274 (*This Item was pulled*)
14. Motion to adopt **Resolution No. 2011-62**, approving the terms, conditions, and requirements of Amendment #6 to the Community Based Care Contract #NJ204 between St. Johns County, Florida and State of Florida Department of Children and Families, and authorizing the County Administrator, or his designee, to execute Contract Amendment #6. This Amendment does not have any financial impact

**RESOLUTION NO. 2011-62**

**A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA,  
AUTHORIZING THE COUNTY ADMINISTRATOR TO  
SIGN THE SIXTH AMENDMENT TO THE CONTRACT  
NJ204 BETWEEN ST. JOHNS COUNTY BOARD OF  
COUNTY COMMISSIONERS AND THE DEPARTMENT  
OF CHILDREN AND FAMILIES**

15. Motion to adopt **Resolution No. 2011-63**, authorizing the County Administrator, or designee, to submit an application seeking funding assistance through the Florida Inland Navigation District Waterways Assistance Program Grant for the construction of a 150 ft. Vilano Beach Fishing Pier Floating Dock Addition. There are no additional funding requirements required from St. Johns County, if awarded this grant

**RESOLUTION NO. 2011-63**

**A RESOLUTION BY THE BOARD OF COUNTY  
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,  
AUTHORIZING THE COUNTY ADMINISTRATOR, OR  
DESIGNEE, TO SUBMIT AN APPLICATION SEEKING  
FUNDING ASSISTANCE THROUGH THE FLORIDA  
INLAND NAVIGATION DISTRICT WATERWAYS  
ASSISTANCE PROGRAM GRANT FOR  
CONSTRUCTION OF VILANO BEACH FISHING PIER  
FLOATING DOCK ADDITION**

16. Motion to adopt **Resolution No. 2011-64**, approving the terms, conditions, provisions, and requirements of a Non-Exclusive Franchise Agreement for Commercial/Industrial Solid Waste between St. Johns County, Florida, and Amason's Roll Offs, and authorizing the County Administrator to execute the Non-Exclusive Franchise Agreement for Commercial/Industrial Solid Waste on behalf of St. Johns County

**RESOLUTION NO. 2011-64**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A NON-EXCLUSIVE FRANCHISE AGREEMENT FOR COMMERCIAL/INDUSTRIAL SOLID WASTE BETWEEN ST. JOHNS COUNTY, FLORIDA, AND AMASON'S ROLL OFFS, AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY**

17. Proofs:
- a. Proof: Notice to Bidders, Bid #11-25, for Purchase and Installation of Marquee and LED Signs for the Ponte Vedra Concert Hall, published November 3, 2010 in the St. Augustine Record
  - b. Proof: Request for Proposals Part I, RFP #11-18R, for Inspection Services for SHIP Rehabilitation Program, published February 5, 2011 and February 12, 2011 in the St. Augustine Record
  - c. Proof: Request for Proposals, RFP #11-13, for Compensation and Classification Study, published February 10, 2011 and February 17, 2011 in the St. Augustine Record
  - d. Proof: Request for Proposals, RFP #11-13, for Compensation and Classification Study, published February 11, 2011 in the Ponte Vedra Recorder
  - e. Proof: Request for Proposals Part I, RFP #11-18R, for Inspection Services for SHIP Rehabilitation Program, published February 11, 2011 in the Ponte Vedra Recorder
  - f. Proof: Notice to Bidders, Bid #11-51, for Moultrie Creek Pipe Crossing, published February 11, 2011 and February 18, 2011 in the St. Augustine Record
  - g. Proof: Notice of Public Hearing of the Board of County Commissioners on March 1, 2011 to consider adoption of an Ordinance amending County Impact Fees, published February 17, 2011 in the St. Augustine Record
  - h. Proof: Notice of Public Hearing of the Board of County Commissioners on March 1, 2011 to consider adoption of an Ordinance amending Educational Facilities Impact Fees, published February 17, 2011 in the St. Augustine Record
  - i. Proof: Notice of Public Hearing of the Board of County Commissioner on March 1, 2011 to consider adoption of an Ordinance amending County Impact Fees, published February 18, 2011 in the Ponte Vedra Recorder
  - j. Proof: Notice to Bidders, Bid #11-51, for Moultrie Creek Pipe Crossing, published February 18, 2011 in the Ponte Vedra Recorder
  - k. Proof: Notice to Bidders, Bid #11-22, for Disaster Recovery Initiative (DRI) Infrastructure Improvements, published February 19, 2011 and February 26, 2011 in the St. Augustine Record
  - l. Proof: Request for Proposals, RFP #11-54, for Summer Camp Programs, published February 19, 2011 and February 26, 2011 in the St. Augustine Record
  - m. Proof: Notice to Bidders, Bid #11-59, for Purchase of Sign Post and Sign Hardware, published February 19, 2011 and February 26, 2011 in the St. Augustine Record
  - n. Proof: Public Notice of Negotiation Meetings on March 1, 2011 and March 15, 2011 with representatives of the Collective Bargaining Teams of St. Johns County and of the International Association of Firefighters Local #3865, published February 22, 2011 in the St. Augustine Record

- o. Proof: Notice to Bidders, Bid #11-22, for Disaster Recovery Initiative (DRI) Infrastructure Improvements, published February 25, 2011 in the Ponte Vedra Recorder
- p. Proof: Request for Proposals, RFP #11-54, for Summer Camp Programs, published February 25, 2011 in the Ponte Vedra Recorder
- q. Proof: Notice to Bidders, Bid #11-58, for Construction of West Augustine District Park Phase 3 - Ball Fields and Concession Stand, published February 25, 2011 in the Ponte Vedra Recorder
- r. Proof: Notice to Bidders, Bid #11-59, for Purchase of Sign Post and Sign Hardware, published February 25, 2011 in the Ponte Vedra Recorder
- s. Proof: Notice to Bidders, Bid #11-39, for Annual Tire Removal & Disposal at Tillman Ridge Landfill, published January 28, 2011 in the Ponte Vedra Recorder
- t. Proof: Notice to Bidders, Bid #11-50, for Purchase of one 2011, 12,000 GVWR, Regular Cab, Cab & Chassis. 60" CA, DRW, 4X2 with 108" Service Body, published January 28, 2011 in the Ponte Vedra Recorder
- u. Proof: Notice to Bidders, Bid #11-39, for Annual Tire Removal & Disposal at Tillman Ridge Landfill, published January 25, 2011 and February 1, 2011 in the St. Augustine Record
- v. Proof: Notice to Bidders, Bid #11-50, Purchase of one 2011, 12,000 GVWR, Regular Cab, Cab & Chassis. 60" CA, DRW, 4X2 with 108" Service Body, published January 25, 2011 and February 1, 2011 in the St. Augustine Record

(03/15/11 - 6 - 9:07 a.m.)

PUBLIC COMMENT

Derek Hankerson, 734 Medina Avenue, spoke on an African American travel study.

(9:12 a.m.) Rene Morris, 825 Alhambra Avenue, Director of the St. Francis House, spoke on serving the poor, needy, and homeless.

(9:15 a.m.) Jerry Blount, 135 Ford Street, spoke on his land that the County dug a ditch on. He asked the County to give his land back to him.

(9:18 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, spoke on scenic beauty and metal barricades running along the sidewalks on Fruitcove Road, *Exhibit A*.

(9:21 a.m.) Ken Taylor, 70 Washington Street, spoke on living at the St. Francis House and how they helped him.

(9:22 a.m.) Dusty Brown, 70 Washington Street, spoke on living at the St. Francis House and how they helped him.

(9:24 a.m.) John Childers, 74 Onida, spoke on St. Francis House helping him out.

(03/15/11 - 6 - 9:26 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick requested to add, as Item 9, discussion of the SAFER Grant.

McCormack requested to add, as Item 9a, Consent Item 14 from the March 1<sup>st</sup> BCC meeting, because there was a technicality in the motion.

(03/15/11 - 7 - 9:26 a.m.)  
APPROVAL OF REGULAR AGENDA

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

(03/15/11 - 7 - 9:27 a.m.)

1. INDUSTRIAL DEVELOPMENT AUTHORITY PRESENTATION OF:

A. SPECIAL RECOGNITION OF FORMER COMMISSIONER RAY QUINN FOR HIS SERVICE TO THE IDA

Jim Browning, IDA Chair, recognized Ray Quinn for his service to their board, giving him a plaque. Quinn expressed his gratitude and thanked them for his recognition.

B. INDUSTRIAL DEVELOPMENT AUTHORITY'S ANNUAL REPORT

Jim Browning, IDA Chair, 148 River Marsh Drive, gave a presentation on the history of the Industrial Development Authority (IDA), *Exhibit A*. He reviewed their attractive features, projects, projects eligible for financing with Industrial Revenue Bonds (IRBs), the process for issuing IRBs, job creation, and sustainability of tax revenue. He also reviewed the spreadsheet on bonds, *Exhibit B*, examples of IDA projects, recent accomplishments to promote economic development, and the IDA role. Bryan mentioned that he spoke with a company about moving to St. Johns County. Sanchez thanked Browning for his dedication and hard work. Stevenson stated that she appreciated all the hard work Browning had done. Morris spoke on IDA getting things done. Browning stated that he felt that they had the Board's support. Miner stated that they were doing a tremendous job.

(03/15/11 - 7 - 10:03 a.m.)

2. CONTRACT FOR PRIMARY CARE CLINIC WITH FLAGLER HOSPITAL

A. CONSIDER A RESOLUTION AMENDING THE FLAGLER PRIMARY CARE CLINIC CONTRACT IN ORDER TO PARTICIPATE IN THE STATE'S ENHANCED FEDERAL MEDICAL ASSISTANCE PERCENTAGE PROGRAM

Jerry Cameron, Deputy County Administrator, spoke on the contract the County had with Flagler Hospital to provide indigent health care. Bryan asked if legislative changes that were being proposed, would affect them greatly. Cameron stated that they were already seeing some reduction and anticipated even more. Bryan stated that the cuts would have dramatic impacts on the level of service they would be able to provide. Cameron stated that they were very concerned about the direction that was being taken. Stevenson spoke on the inmate health care. Cameron said that they were in the process of setting up a meeting with the Sheriff and the executive team at Flagler Hospital to explore a number of different opportunities for cooperation. Wanchick spoke on legislature and reductions. Bryan said that it was something that would be on-going, and that he would be in Tallahassee again on Thursday morning, having meetings with several of the legislators to discuss that very issue. Stevenson spoke on reductions and the reactions they cause.

(10:11 a.m.) **Motion by Sanchez, seconded by Miner, carried 5/0, to adopt Resolution No. 2011-65, amending the terms, provisions and conditions and requirements of the contract between St. Johns County and Flagler Hospital to provide Adult Primary Care Services, in order to participate in the State's Enhanced Federal Medical Assistance Percentage Program and authorizing the County Administrator, or designee, to execute the Agreement on behalf of St. Johns County.**

**RESOLUTION NO. 2011-65**

**A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN THE AMENDMENT TO THE CONTRACT BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND FLAGLER HOSPITAL FOR ADULT PRIMARY CARE SERVICES**

- B. CONSIDER RESOLUTIONS THAT AUTHORIZE THE COUNTY TO ENTER INTO A CONTRACT WITH FLAGLER HOSPITAL TO PARTICIPATE IN THE STATE'S ENHANCED FEDERAL MEDICAL ASSISTANCE PERCENTAGE PROGRAM AND ACCEPTING A LETTER OF AGREEMENT TO PARTICIPATE IN THE STATE'S PROGRAM

Cameron mentioned that this was the second part of that, to re-allocate the funds to the Medicaid buy back.

(10:12 a.m.) Motion by Stevenson, seconded by Sanchez, carried 5/0, to adopt Resolution No. 2011-66, accepting the terms provisions and conditions and requirements of the contract between St. Johns County and Flagler Hospital to participate in the State's Enhanced Federal Medical Assistance Percentage Program and authorizing the County Administrator, or designee, to execute the Agreement on behalf of St. Johns County.

**RESOLUTION NO. 2011-66**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, AND FLAGLER HOSPITAL, INC., AS TO THE STATE'S ENHANCED FEDERAL MEDICAL ASSISTANCE PERCENTAGE PROGRAM, AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

(10:13 a.m.) Motion by Stevenson, seconded by Sanchez, carried 5/0, to adopt Resolution No. 2011-67, accepting the terms, provisions, conditions and requirements of the letter of agreement between St. Johns County and the State of Florida, through the Agency for Health Care Administration, to participate in the State's Enhanced Federal Medical Assistance Percentage Program and authorizing the County Administrator, or designee to execute the Agreement on behalf of St. Johns County.

**RESOLUTION NO. 2011-67**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN THE STATE OF FLORIDA, AGENCY FOR HEALTHCARE ADMINISTRATION, AND ST. JOHNS COUNTY, FLORIDA, AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR**



**DESIGNEE, TO EXECUTE THE AGREEMENT ON  
BEHALF OF THE COUNTY**

(03/15/11 - 9 - 10:14 a.m.)

3. R&D DEVELOPMENT - REQUEST TO AMEND ECONOMIC DEVELOPMENT GRANT AGREEMENT. IN FEBRUARY 2006 R&D DEVELOPMENT (R&D) SUBMITTED NINE SEPARATE APPLICATIONS FOR ECONOMIC DEVELOPMENT INCENTIVES TO BUILD NINE SPECULATIVE SPACE BUILDINGS ON LOTS IN THE DAVIS INDUSTRIAL PARK WITH THE INTENDED USE AS INDUSTRIAL. DUE TO ECONOMIC CONDITIONS, R&D WAS UNABLE TO COMPLETE THE PROJECT BY THE ESTABLISHED DEADLINE, HAVING COMPLETED ONLY TWO OF THE NINE SPECULATIVE SPACE BUILDINGS. R&D HAS SUBMITTED A REQUEST TO AMEND THE AGREEMENT TO INCLUDE ONLY THE TWO COMPLETED BUILDINGS AND MAKE ALLOWANCE FOR A FULL TEN YEAR PAYOUT PERIOD. IN ACCORDANCE WITH SECTION 9 OF ORDINANCE 2006-99 (AS AMENDED), THE ST. JOHNS COUNTY ECONOMIC DEVELOPMENT AGENCY IS REQUIRED TO MAKE A WRITTEN REPORT TO THE BOARD, BUT THE ORDINANCE SPECIFICALLY STATES NO ADVICE OR RECOMMENDATION MAY BE PROVIDED

Darrell Locklear, P.E., Assistant County Administrator of Operations, gave an overview of R&D Development's request to amend the Economic Development Grant Agreement, *Exhibit A*. He said that R&D Development requested to include only the two completed buildings and to make allowance for a full ten year payout period. Stevenson said that this was in line with what they saw the State doing, taking into consideration economic conditions, and not inadvertently penalizing someone they meant to create a reasonable incentive for.

**(10:19 a.m.) Motion by Stevenson, seconded by Miner, carried 5/0, to instruct the County Attorney, or designee, to prepare an Amended Grant Agreement for R&D Development, in accordance with Ordinance 2006-99 (as amended) using the associated revised grant calculations, and place the proposed Amended Grant Agreement on a future consent agenda.**

(10:19 a.m.) Wanchick stated that the last item was a good example of how the County tried to reach out to the community.

(03/15/11 - 9 - 10:20 a.m.)

District 3

4. PUBLIC HEARING - MAJMOD 2009-04, ANCIENT CITY PLAZA. THIS IS A REQUEST FOR A MAJOR MODIFICATION TO ANCIENT CITY PLAZA PUD TO ADD 2.85 ACRES OF LAND, 39,700 SQUARE FOOTAGE; AND ADD SOME USES WHICH FALL UNDER THE LIGHT INDUSTRIAL USE CATEGORY. THE LOCATION OF THE SUBJECT PROPERTY IS ON THE WESTSIDE OF US 1 SOUTH, JUST NORTH OF LAMBERT'S NURSERY. THE PLANNING AND ZONING DIVISION FINDS THE REQUEST, SUBSTANTIALLY, MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THE PLANNING & ZONING AGENCY (PZA) RECOMMENDED APPROVAL BY A 6-0 VOTE. THE PZA ALSO RECOMMENDED LANGUAGE TO BE PLACED WITHIN THE PUD TEXT THAT LIMITS THE TEMPORARY RV/BOAT STORAGE TO FIVE (5) YEARS

Proof of publication of the notice of public hearing for MAJMOD 2009-94, Ancient City Plaza, was received, having been published in *The St. Augustine Record* on February 28, 2011.

Michael Roberson, Planner I, gave a presentation, *Exhibit A*. He reviewed the special use, buffering, and site plan. Stevenson questioned the temporary uses. Roberson responded. Stevenson commented further on the staff layout. Roberson and Stevenson had dialogue.

(10:28 a.m.) Karen Taylor, 77 Saragossa Street, St. Augustine, addressed the allowable uses, signs, and additional property. Bryan questioned the type of signage. Taylor responded that there was one out front and another one back to the side at the entrance. Miner commented.

(10:31 a.m.) **Motion by Miner, seconded by Sanchez, carried 5/0, to enact Ordinance No. 2011-8, approving Major Modification 2009-04, adopting findings of fact one through six to support the motion.**

#### ORDINANCE NO. 2011- 8

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,  
STATE OF FLORIDA, APPROVING A MAJOR  
MODIFICATION TO THE ANCIENT CITY PLAZA  
PLANNED UNIT DEVELOPMENT, ORDINANCE  
NUMBER 2002-52, AS AMENDED, MAKING FINDINGS  
OF FACT; REQUIRING RECORDATION; AND  
PROVIDING FOR AN EFFECTIVE DATE

The meeting recessed at 10:31 a.m. and reconvened at 10:45 a.m.

(03/15/11 - 10 - 10:45 a.m.)

District 3

5. PUBLIC HEARING - MAJMOD 2010-08, CANOPY SHORES PARK. THIS IS A REQUEST FOR A MAJOR MODIFICATION TO ST. AUGUSTINE SHORES PUD TO ALLOW A PUBLIC PARK JUST NORTHWEST OF THE CHRISTINA DRIVE AND SHORES BOULEVARD INTERSECTION. THE PLANNING AND ZONING DIVISION FINDS THE REQUEST, SUBSTANTIALLY, MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THE PLANNING & ZONING AGENCY RECOMMENDED APPROVAL BY A 5-0 VOTE

Proof of publication of the notice of public hearing for MAJMOD 2010-08, Canopy Shores, was received, having been published in *The St. Augustine Record* on February 28, 2011.

Michael Roberson, Planner I, gave a presentation of the requested major modifications. He reviewed the item, distributing emails, *Exhibit A*. Sanchez voiced concern on the buffer area and the adjacent properties. Discussion followed on the number of meetings held regarding the proposed public park, recent notices on the hearings, being a good asset to the Shores community, and the residents in the area supporting it.

(10:51 a.m.) Will Smith spoke on writing a grant and moving forward. Bryan spoke on writing the grant and the County getting it for practically nothing. Smith said there was a small local match required.

(10:53 a.m.) **Motion by Miner, seconded by Bryan, carried 5/0, to enact Ordinance No. 2011-9, approving Major Modification 2010-08, adopting findings and/or conditions one through six to support the motion.**

#### ORDINANCE NO. 2011-9

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,  
STATE OF FLORIDA, APPROVING A MAJOR  
MODIFICATION TO THE ST. AUGUSTINE SHORES  
PLANNED UNIT DEVELOPMENT, ORDINANCE  
NUMBER 1979-73, AS AMENDED, MAKING FINDINGS  
OF FACT; REQUIRING RECORDATION; AND  
PROVIDING FOR AN EFFECTIVE DATE

(03/15/11 - 11 - 10:54 a.m.)

District 2

6. PUBLIC HEARING - REZ 2011-01, WESTCHESTER. THIS IS A REQUEST TO REZONE +/- 375 ACRES FROM PLANNED RURAL DEVELOPMENT (PRD) TO OPEN RURAL (OR). THE REQUEST WOULD REDUCE UNITS FROM 56 TO APPROXIMATELY NINE. BASED ON THE INFORMATION AVAILABLE TO STAFF, THE CURRENT PLANNING & ZONING SECTION FINDS THE REQUEST TO REZONE TO OR SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR FEBRUARY 17TH MEETING BY A 6 TO 0 VOTE

Proof of publication of the notice of public hearing for MAJMOD 2011-01, Westchester, was received, having been published in *The St. Augustine Record* on February 28, 2011.

Sanchez disclosed ex parte communications with the applicant by phone to discuss it. Michael Blackford, Planning and Zoning Manager, gave a presentation, *Exhibit A*.

Karen Taylor, 77 Saragossa Street, said she was available for questions. Stevenson disclosed ex parte communications with the applicant, briefly at break, before the hearing.

(10:57 a.m.) **Motion by Sanchez, seconded by Miner, carried 5/0, to enact Ordinance No. 2011-10, known as REZ 2011-01, adopting findings of fact one through four to support the motion.**

ORDINANCE NO. 2011-10

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,  
STATE OF FLORIDA, REZONING LANDS AS  
DESCRIBED HEREINAFTER FROM THE PRESENT  
ZONING CLASSIFICATION OF PLANNED RURAL  
DEVELOPMENT (PRD) TO OPEN RURAL (OR);  
MAKING FINDINGS OF FACT; REQUIRING  
RECORDATION; AND PROVIDING AN EFFECTIVE  
DATE

(03/15/11 - 11 - 10:58 a.m.)

7. REPORT OF A PROPOSED FIREARMS ORDINANCE REPEAL. THE BOARD HAS DIRECTED THAT THE OFFICE OF COUNTY ATTORNEY REVIEW ORDINANCES 88-1 AND 82-18 TO DETERMINE IF THEY ARE SUPERSEDED BY STATE LAW IN WHOLE OR PART, AND WHETHER THEY SHOULD BE REPEALED OR REVISED

McCormack gave a report, *Exhibit A*. He stated that Miner brought to his attention, that some of the County regulations, going back to the 1980s, did not appear to be in compliance with Florida Law pertaining to firearms. He said that two weeks ago the Board directed him to bring a report back on some particular ordinances and recommendations for them. He reviewed Ordinance No. 82-18, stating that it was

declared null and void by F.S. 790.33 and he recommended, appealing it in total, for the purposes of clarification and conformance with State law. He reviewed Ordinance No. 88-1, pertaining to weapons in County structures and buildings. He recommended amending Ordinance No. 88-1 to expressly conform to the Florida Statutes, to bring it in line and to preserve the regulations against weapons in general. He reviewed the County Park Ordinance, in Section 20, and stated that it needed a technical change to come into compliance with the State laws. He recommended revising Section 20 to closely conform to Chapter 790, Florida Statutes. He spoke on House Bill 45. He stated that it actually reiterated that the State had preempted regulation of firearms, and if any local government or authority attempted to improperly regulate firearms, there was a criminal penalty in doing so. McCormack said it was his firm recommendation to repeal Ordinance No. 82-18, revise Ordinance No. 88-1 and to revise the County Park Ordinance pertaining to weapons. He stated that he had briefed representatives from the Sheriff's Office on the above issues. Miner mentioned that they would be eliminating the confusion for the constituents who did have concealed weapon permits and would come into compliance with State law to essentially prevent possible penalties, if House Bill 45 passed. McCormack asked the Board to give the County Attorney direction to repeal Ordinance No. 82-18, revise Ordinance No. 88-1, and revise the County Park Ordinance. He said there may be language pertaining to weapons in some of the other County Ordinances, so in the revision of Ordinance No. 88-1, he recommended including some language and in any other Ordinances in conflict. (11:07 a.m.) **There was a consensus of the Board for the direction asked by McCormack.**

(03/15/11 - 12 - 11:07 a.m.)

8. CONSIDER AN APPOINTMENT OF A BOARD OF COUNTY COMMISSIONER TO THE VALUE ADJUSTMENT BOARD

(11:08 a.m.) **Motion by Miner, seconded by Sanchez, carried 5/0, to appoint Commissioner Morris to serve on the Value Adjustment Board.**

(03/15/11 - 12- 11:09 a.m.)

9. SAFER GRANT (*This item was added.*)

Wanchick reviewed this item, *Exhibit A*. He stated that Fire Station 15 was badly needed. He reviewed the staffing options. He said that their application had been accepted for the SAFER (Staffing for Adequate Fire and Emergency Response) grant. He said that the grant paid for 12 firefighters for two years, with the responsibility on the County to pay for the third year. He said that Fire Rescue was currently living off of reserves. He reviewed the staffing options. He mentioned that he needed for the Commission to reaffirm, on the record, their willingness to accept the SAFER Grant. Discussion followed. Sanchez spoke on the email from Randy Covington, and reviewed the issues mentioned by him. Bryan said that the public understood that they did research before making decisions. Miner mentioned that he was not supporting the item. Stevenson spoke on applying for money that had been allocated. Wanchick spoke about the on-fire rescue, and the economy going down.

(11:26 a.m.) **Motion by Sanchez, second by Bryan, carried 4/1 with Miner dissenting, to direct staff to proceed with accepting the SAFER Grant and do whatever was necessary to get the grant delivered to St. Johns County.**

(03/15/11 - 12 - 11:26 a.m.)

9a. CONSENT ITEM 14 FROM MARCH 1<sup>ST</sup> BCC MEETING (*This Item was added.*)

McCormack stated the item contained a grant pertaining to hazardous material training and equipment that the Board had approved. He said it was a grant for \$55,000 with no County match required. He stated that the State was the recipient, and the County was the sub recipient. There was a sub recipient agreement for expenditure of local

government unit funding for Florida, pertaining to the grant, in the packet that needed to be completed. He stated that it was not included in the motion to authorize the Chair to execute that grant application.

(11:27 a.m.) **Motion by Sanchez, seconded by Bryan, carried 5/0, to authorize the Chair to execute the grant application.**

(03/15/11 - 13 - 11:28 a.m.)  
COMMISSIONER REPORTS:

Commissioner Morris:

Morris said Jim Browning did an excellent job explaining what the IDA was. He spoke on bringing businesses to St. Johns County.

(11:31 a.m.)  
Commissioner Sanchez:

No report.

(11:33 a.m.)  
Commissioner Miner:

Miner asked about the joint meeting with City of St. Augustine; and spoke on the North Florida TPO meeting.

(11:34 a.m.)  
Commissioner Stevenson:

Stevenson spoke on Whitmer's comments regarding new railing standards along sidewalks; and on having a Sheriff's Deputy at Palmo Fish Camp.

Stevenson stated that she appreciated all the people who finished the Gate River Run.

(11:37 a.m.)  
Commissioner Bryan:

Bryan asked for the Board's consensus to send a copy of a letter of support to Senator Steve Wise regarding the enhanced value for the tax dollar, amending the Consultants Competitive Negotiation Act, *Exhibit A*. ***There was Board consensus.***

Bryan spoke on being in Tallahassee last week regarding the not for profit self insurance pool and risk management issues.

Bryan spoke on business opportunities regarding a soap manufacturing company.  
Bryan spoke on attending the Sheriff's Awards Banquet and stated it was phenomenal.

(03/15/11 - 13 - 11:43 a.m.)  
COUNTY ADMINISTRATOR'S REPORT

Wanchick spoke on the joint meeting with the City; and mentioned that all the counties were dealing with same thing.

(11:45 a.m.) Bryan mentioned that he talked to staff about negativity being spread by people. He told them not to listen to it and to stay positive.

(03/15/11 - 14 - 11:46 a.m.)  
COUNTY ATTORNEY'S REPORT

McCormack said that the Economic Development Agency Ordinance 2006-99 provided for that, and as it was listed, they could not even advise the Board, which was not an ideal way to be set up. He spoke on the Administrator recruiting a Director of Economic Development. He said, after speaking with the Administrator, that position, itself, should be the Economic Development Agency, and to revise the Statute to allow that position to actually advise the Board on economic development issues. *He asked the Board, by consensus, to allow the County Attorney and Administrator to jointly develop that and bring it back to the Board. There was a consensus of the Board.*

(03/15/11 - 14 - 11:47 a.m.)  
CLERK OF COURTS' REPORT

No report.

With there being no further business to come before the Board, the meeting adjourned at 11:47 a.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 467296, totaling \$1,500.00 (2/23/2011)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 467297 through 467326, totaling \$66,506.20 (2/24/2011)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 467327 through 467339, totaling \$204,372.26 (2/28/2011)
4. St. Johns County Board of County Commissioners Check Register, Check No. 467340, totaling \$399.58 (2/28/2011)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 467341 through 467544, totaling \$646,586.35 (3/01/2011)
6. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 5139 through 5179, totaling \$139,910.57 (3/01/2011)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 467545 through 467551, totaling \$173,548.49 (3/02/2011)
8. St. Johns County Board of County Commissioners Voucher Register, Voucher No. 5180, totaling \$150,000.00 (3/01/2011)
9. St. Johns County Board of County Commissioners Check Register, Check No. 467552, totaling \$50.00 (3/04/2011)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 467553 through 467565, totaling \$4,879.98 (3/07/2011)

CORRESPONDENCE:

1. Letter to Liz Cloud, Program Administrator, Bureau of Administrative Code and Weekly, filing Ordinances, Number 2011-6 and 2011-7 (3/1/2011)

Approved April 5, 2011

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: 

J. Ken Bryan, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By:   
Deputy Clerk