

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
FEBRUARY 7, 2012  
(9:00 A.M.)**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, held in the auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

Present: Mark Miner, District 3, Chair  
Jay Morris, District 4, Vice Chair  
Cyndi Stevenson, District 1  
Ron Sanchez, District 2  
J. Ken Bryan, District 5  
Michael Wanchick, County Administrator  
Patrick McCormack, County Attorney  
Lenora Newsome, Deputy Clerk

(02/07/12 - 1 - 9:00 a.m.)

CALL TO ORDER

Miner called the meeting to order.

(02/07/12 - 1 - 9:00 a.m.)

ROLL CALL

The clerk called the roll and all members were present.

(02/07/12 - 1 - 9:00 a.m.)

INVOCATION

Reverend Ron Rawls, St. Paul African Methodist Episcopal Church, gave the invocation.

(02/07/12 - 1 - 9:00 a.m.)

PLEDGE OF ALLEGIANCE

Bryan led the Pledge of Allegiance.

(02/07/12 - 1 - 9:00 a.m.)

PROCLAMATION DECLARING FEBRUARY 7, 2012, AS WALTER ROHRER DAY IN ST. JOHNS COUNTY

Bryan spoke on his first encounter with Walter Rohrer, and presented him with the proclamation. Rohrer accepted it, and said he was very proud of his Association.

(02/07/12 - 1 - 9:06 a.m.)

PROCLAMATION DECLARING FEBRUARY, 2012, AS TRAILS MONTH IN ST. JOHNS COUNTY

Stevenson invited Mike White, PARC Group; Ellen O'Brien, Equestrian; Ted McLemore, Southern Off Road Bicycling Club, SORBA; Matt Osteen, and Pam Murphy, up to the dias. She mentioned that St. Johns County had a wonderful network of trails; emerging

network of Blueways and Greenways, which was made possible by Federal, State, local and private sector funding.

(9:09 a.m.) Ellen O'Brian, 102 Lands End, spoke about the trail activities in St. Johns County, and accepted the proclamation.

(9:11 a.m.) Matt Osteen thanked the County for working with them at the Nocatee Reserve.

(9:12 a.m.) Will Smith, Parks & Recreation Department, thanked the volunteers for their help.

(9:13 a.m.) Ted McLemore, SORBA, stated that SORBA stood for, Southern Off Road Biking Association. He mentioned the projects they were working on and said that he looked forward to working with the County.

(02/07/12 - 2 - 9:14 a.m.)

#### DELETIONS TO CONSENT AGENDA

There were no deletions, but McCormack mentioned there were technical staff revisions in Consent Item 10; said the County would be responsible for performing the task in the physical monitoring plan, except for surveys in the beach and off shore within ninety days prior to commencement of the construction; an additional requirement for shore bird surveys to be conducted by the County, and more detail on the marine turtle nest surveys. He asked the Board for authority to make those changes as part of the Consent Agenda.

(02/07/12 - 2 - 9:16 a.m.)

#### APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Minutes: None.
3. Motion to adopt **Resolution No. 2012-26**, accepting a Bill of Sale and Schedule of Values conveying all personal property associated with the water and sewer lines to serve the Therapeutic Learning Center on ARC Drive, off State Road 16

#### **RESOLUTION NO. 2012-26**

**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 LINES, TO SERVE THE THERAPEUTIC LEARNING CENTER ON ARC DRIVE, OFF STATE ROAD 16**

4. Motion to adopt **Resolution No. 2012-27**, accepting an Easement for Utilities and Bill of Sale for the sewer system to serve Portofino at the Villages of Tuscany

**RESOLUTION NO. 2012-27**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR SEWER SERVICE TO SERVE PORTOFINO AT THE VILLAGES OF TUSCANY AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE SEWER SYSTEM**

5. Motion to accept the required triennial report from the Affordable Housing Advisory Committee
6. Motion to adopt **Resolution No. 2012-28**, authorizing the County Administrator, or his designee, to award Bid #12-25, to the lowest qualified bidder Yelton Construction Company, Inc., and to execute an agreement for completion of the Vilano Beach Floating Dock Project

**RESOLUTION NO. 2012-28**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 12-25, AND TO EXECUTE AN AGREEMENT FOR THE COMPLETION OF CONSTRUCTION RELATED TO THE VILANO BEACH FLOATING DOCK PROJECT**

7. Motion to adopt **Resolution No. 2012-29**, authorizing the County Administrator, or his designee, to award Bid #12-11 - Lift Station Improvements - Group 4 to Petticoat-Schmitt Civil Contractors, Inc., and enter into an agreement for the improvements in the amount of \$683,000

**RESOLUTION NO. 2012-29**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 12-11, AND TO EXECUTE AN AGREEMENT FOR LIFT STATION IMPROVEMENTS-GROUP 4**

8. Motion to adopt **Resolution No. 2012-30**, approving an easement from St. Johns County, to Florida Power & Light Company, to install and provide electrical service to the new work release housing facility at St. Johns County Detention Center, and authorizing the County Administrator to execute the easement on behalf of the County

**RESOLUTION NO. 2012-30**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AN EASEMENT FROM ST. JOHNS COUNTY TO FLORIDA POWER & LIGHT COMPANY, TO INSTALL AND PROVIDE ELECTRICAL SERVICE TO THE NEW WORK RELEASE HOUSING FACILITY, AND AUTHORIZING THE COUNTY ADMINISTRATOR**

**TO EXECUTE THE EASEMENT ON BEHALF OF THE COUNTY**

9. Motion to adopt **Resolution No. 2012-31**, to authorize the County Administrator, or his designee, to award Bid #12-17, for the purchase of Cassidian Sentinel® Patriot® System components from the low bidder, AK Associates, in the amount of \$555,230

**RESOLUTION NO. 2012-31**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 12-17, AND TO EXECUTE A PURCHASE ORDER FOR THE PURCHASE OF CASSIDIAN SENTINEL® PATRIOT® SYSTEM COMPONENTS**

10. Motion to adopt **Resolution No. 2012-32**, approving the terms, provisions, conditions, and requirements of FDEP-St. Johns County Local Sponsor Agreement for St. Augustine Beach Shore Protection Sand Nourishment, and authorizing the County Administrator, or designee, to execute the Agreement, along with any supplemental documentation, on behalf of the County

**RESOLUTION NO. 2012-32**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND ST. JOHNS COUNTY; PROVIDING FOR THE EFFECT OF RECITALS; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT AND SUPPLEMENTAL DOCUMENTATION; PROVIDING FOR CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE**

11. Motion to approve **Resolution No. 2012-33**, authorizing the County Administrator, or designee, to enter into an Interlocal Agreement with Clay County to provide/receive automatic/mutual aid. The Clay County Fire Rescue Department and St. Johns County Fire Rescue desire to enter into an interlocal agreement to provide automatic aid and/or, mutual aid for structural fires or other emergencies that endangers life or property

**RESOLUTION NO. 2012-33**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH CLAY COUNTY FOR AUTOMATIC AID, FOR THE RESPONSE OF EMERGENCY APPARATUS, IN THE EVENT OF A STRUCTURAL FIRE OR OTHER EMERGENCY SITUATION THAT ENDANGERS LIFE OR PROPERTY IN A DESIGNATED RESPONSE AREA, AND MUTUAL AID WHEN**

**ASSISTANCE IS REQUESTED DURING OTHER LARGE  
SCALE EMERGENCIES**

12. Motion to transfer funds for Security Guard Services at the Health and Human Services Center at 1955 US 1 South, in the amount of \$17,500 from Social Services - Unemployment Compensation to HHS Building Maintenance - Contractual Services
13. Motion to approve the drafting of financing documents for the Series 2003 Transportation Improvement Revenue Bonds pursuant to potential County refunding. PFM, Inc., the County's Financial Advisor, has determined that current market conditions would allow the County to refund these bonds and realize a potential \$945,000 of net present value debt service savings and also achieve savings in excess of 3.86% of the refunded par amount (the County's Financial Policy generally requires savings in excess of 3% for refunding)
14. Motion to adopt **Resolution No. 2012-34**, authorizing the County Administrator or his designee, to approve the terms and conditions, and execute the amended Guaranteed Energy Performance Savings Contract with Trane U.S., Inc.

**RESOLUTION NO. 2012-34**

**A RESOLUTION BY THE BOARD OF COUNTY  
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,  
AUTHORIZING THE COUNTY ADMINISTRATOR, OR  
HIS DESIGNEE, TO APPROVE THE TERMS AND  
CONDITIONS, AND EXECUTE THE AMENDED  
GUARANTEED ENERGY PERFORMANCE SAVINGS  
CONTRACT WITH TRANE U.S., INC.**

15. Proofs:
  - a. Proof: Certificate of Liability Insurance for Applied Sciences Consulting, Inc.
  - b. Proof: Certificate of Liability Insurance for King Engineering Associate, Inc.
  - c. Proof: Certificate of Liability Insurance for CH2M Hill, Inc.
  - d. Proof: Certificate of Liability Insurance for Taylor Engineering, Inc.
  - e. Proof: Certificate of Liability Insurance for CH2M Hill, Inc.
  - f. Proof: Certificate of Liability Insurance for DRMP, Inc.
  - g. Proof: Certificate of Liability Insurance for Taylor Engineering, Inc.
  - h. Proof: Certificate of Liability Insurance for Eisman & Russo, Inc.
  - i. Proof: Certificate of Liability Insurance for King Engineering Associates, Inc.
  - j. Proof: Certificate of Liability Insurance for Connelly & Wicker, Inc.
  - k. Proof: Certificate of Liability Insurance for Connelly & Wicker, Inc.
  - l. Proof: Certificate of Liability Insurance for LG2 Environmental Solutions, Inc.
  - m. Proof: Certificate of Liability Insurance for Clary & Associates, Inc.
  - n. Proof: Certificate of Liability Insurance for Matthews Design Group, Inc.
  - o. Proof: Certificate of Liability Insurance for GAI Consultants, Inc.
  - p. Proof: Certificate of Liability Insurance for GAI Consultants, Inc.
  - q. Proof: Notice to Bidders, Bid #12-38, published January 12, 2012, and January 19, 2012, in *The St. Augustine Record*
  - r. Proof: Notice of Public Hearings, Land Development Code Ordinance, published January 5, 2012, in *The St. Augustine Record*

- s. Proof: Notice to Bidders, Bid #12-35, published January 10, 2012, and January 17, 2012, in *The St. Augustine Record*
- t. Proof: Notice to Bidders, Bid #12-33, published January 7, 2012, and January 14, 2012, in *The St. Augustine Record*
- u. Proof: Notice to Bidders, Bid #12-34, published January 7, 2012, and January 14, 2012, in *The St. Augustine Record*
- v. Proof: Legal Notice, Resolution 2011-357, Redistricting Plan, published December 30, 2011, in the *Ponte Vedra Recorder*

(02/07/12 - 6 - 9:17 a.m.)  
PUBLIC COMMENT

BJ Kalaidi, 8 Newcomb Street, spoke on the West Augustine CRA unit connection fee mortgage with the City of St. Augustine for sewer hookups, *Exhibit A*.

(02/07/12 - 6 - 9:20 a.m.)  
ADDITIONS/DELETIONS TO REGULAR AGENDA

Stevenson requested to add for discussion, as Item 9, the referendum that was voted on at the last BCC meeting. Miner requested to add, as Item 10, for consideration, an appointment to the North Florida TPO Citizen Advisory Committee.

(02/07/12 - 6 - 9:21 a.m.)  
APPROVAL OF REGULAR AGENDA

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

(02/07/12 - 6 - 9:21 a.m.)

1. A BRIEF INFORMATIONAL UPDATE WILL BE GIVEN ON THE STATUS OF MENTAL HEALTH SERVICES IN ST. JOHNS COUNTY BY MR. CHET BELL, CEO FOR STEWART-MARCHMAN-ACT BEHAVIORAL SERVICE

Jerry Cameron, Assistant County Administrator, gave a brief update on the transitional period of Mental Health Services in St. Johns County.

(9:23 a.m.) Chet Bell, Chief Executive Officer for Stewart-Marchman-Act Behavioral Health Care (SMA), mentioned that as SMA began services in St. Johns County, they were initially providing the following services as their part of a multi-agency system of care: Crisis Support/Emergency Services, Adult Comprehensive Community Support Team, Children's Psychiatric Services, Adult Substance Abuse Outpatient Services, Adolescent Substance Abuse Outpatient Services, Prevention Services, and Court Liaison.

(02/07/12 - 6 - 9:28 a.m.)

2. PRESENTATION OF A WILLIAM BARTRAM SCENIC HIGHWAY VIDEO, UP FROM THE ROOTS -REMEMBERING RURAL ST. JOHNS COUNTY

Al Abbatiello, Chairman of the William Bartram Scenic and Historic Highway Committee, gave a video presentation on preserving the early history of St. Johns County as seen through the eyes of long-term residents.

(02/07/12 - 6 - 9:43 a.m.)

3. PUBLIC HEARING - VACROA 2011-001 - VACATING A PORTION OF YELVINGTON AVENUE. THE APPLICANT REQUESTS THE VACATION OF A PORTION OF THE YELVINGTON AVENUE RIGHT-OF-WAY. THE ROAD

DISTRICT 2

SEGMENT TO BE VACATED IS APPROXIMATELY 0.15 ACRES LOCATED SOUTH OF SR 207 IN THE ELKTON AREA. THE APPLICANT HAS PROVIDED A DRAINAGE EASEMENT AS REQUESTED BY THE ROAD & BRIDGE DEPARTMENT. ALTHOUGH THE PUBLIC HEARING FOR THIS ITEM WAS SET BY THE BOARD FOR JANUARY 17, 2012, THE APPLICANT FAILED TO PAY THE ADVERTISING COSTS ASSOCIATED WITH THE PUBLIC NOTICE NEWSPAPER REQUIREMENT. THE BOARD APPROVED A CONTINUANCE AT THAT TIME, AND THE NOTICE FEE HAS NOW BEEN PAID

Proof of publication of the notice of public hearing on VACROA 2011-001, vacating a portion of Yelvington Avenue was received, having been published in *The St. Augustine Record* on January 18, 2012.

John Burnham, P.E., Chief Engineer, Development Review Division, gave a presentation on vacating a portion of Yelvington Avenue, *Exhibit A*.

(9:46 a.m.) **Motion by Sanchez, seconded by Bryan, carried 5/0, to adopt Resolution No. 2012-35, vacating a portion of Yelvington Avenue as described.**

#### RESOLUTION NO. 2012-35

#### A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, VACATING A PORTION OF THE RIGHT-OF-WAY KNOWN AS YELVINGTON AVENUE

(02/07/12 - 7 - 9:46 a.m.)

DISTRICT 4

4. PUBLIC HEARING - REZ 2011-09, THE ST. AUGUSTINE-ST. JOHNS COUNTY AIRPORT AUTHORITY. THIS IS A REQUEST TO REZONE +/- 7 ACRES FROM COMMERCIAL GENERAL (CG) TO AIRPORT DISTRICT (AD). BASED ON THE INFORMATION AVAILABLE TO STAFF, THE PLANNING & ZONING SECTION FINDS THE REQUEST TO REZONE TO AD SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THE PLANNING AND ZONING AGENCY APPROVED THIS ITEM AT THEIR JAN 5, 2012 MEETING, BY A 7 TO 0 VOTE

Proof of publication of the notice of public hearing on REZ 2011-09, St. Augustine Airport Authority was received, having been published in *The St. Augustine Record* on December 21, 2011.

Bryan, Morris, Stevenson and Miner disclosed ex parte communication with Doug Burnett. Sanchez disclosed ex parte comments.

Michael Blackford, Planning and Zoning Manager, gave a presentation, *Exhibit A*. He stated that staff recommended approval of the request, and that they find it consistent with airport district land use designation, some of the rezonings in the area, and uses in place in the US 1 North corridor. He said the Planning and Zoning Agency recommended approval of the request, and they did not receive any adjacent property owner notices.

(9:50 a.m.) Doug Burnett, 509 Anastasia Blvd., representing the Airport Authority, gave a PowerPoint presentation, *Exhibit B*. Bryan asked about having additional hangars in the space discussed. Burnett responded that they would unlikely consider it due its location. Stevenson asked about the buffering and screening. Burnett said that the

Airport was not exempt from the County's requirements, when it came to complying with development standards.

(9:55 a.m.) **Motion by Bryan, seconded by Sanchez, carried 5/0, to enact Ordinance No. 2012-3, known as REZ 2011-09, adopting findings of fact 1-4 to support the motion.**

### ORDINANCE NO. 2012-3

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER, FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL GENERAL (CG) TO AIRPORT DISTRICT (AD); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

The meeting recessed at 9:55 a.m. and reconvened at 10:10 a.m.

(02/07/12 - 8 - 10:10 a.m.)

DISTRICT 1

5. PUBLIC HEARING - MAJMOD 2011-09, WORTHINGTON. THIS IS A REQUEST FOR A MAJOR MODIFICATION (MAJMOD) TO MODIFY PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE, 2008-19, AS AMENDED. THE REQUEST INCLUDES: 1) ADD 227 ACRES OF LAND, 2) ADD 251 SINGLE-FAMILY RESIDENTIAL UNITS, AND 3) DEVIATION TO PORTION OF 35-FOOT DEVELOPMENT EDGE. THE PLANNING & ZONING AGENCY (PZA) RECOMMENDED APPROVAL BY A 6-1 VOTE. RECOMMENDATIONS FROM STAFF AND THE PZA INCLUDED ADDING LANGUAGE TO THE MASTER DEVELOPMENT PLAN TEXT WHICH INCLUDED PLACING A TIMELINE ON WHEN THE RECREATIONAL FACILITIES WOULD BE BUILT, AND ADDING THE AVERAGE LOT SIZE. THE APPLICANT HAS SUBMITTED NEW MDP TEXT THAT INCLUDES BOTH CHANGES

Proof of publication of the notice of public hearing on MAJMOD 2011-09, Worthington was received, having been published in *The St. Augustine Record* on January 23, 2012.

Miner disclosed ex parte communication with the applicant, their representative and legal counsel. Stevenson disclosed ex parte communication with the applicant, owners of the project, and their legal counsel, discussing the project, market demand, market conditions, and transportation issues. Morris disclosed ex parte communication with the legal counsel, Doug Burnett. Sanchez disclosed ex parte communication with the applicant and legal counsel on two occasions. Bryan disclosed ex parte communication with the applicant, legal counsel, and drove out to the property.

Michael Roberson, Planner I, gave a presentation, *Exhibit A*. He offered details of the proposed development, reviewed requested waivers, and buffering for the site. He stated that staff found the application was a reasonable request and had no objections and added that the Planning and Zoning Agency recommended approval with a 5 to 2 vote.

(10:16 a.m.) Doug Burnett, 509 Anastasia Boulevard, spoke about the modification to an existing PUD, *Exhibit B*. He explained the uniqueness to the Alterra Development and why the Board should approve the proposed modification. He suggested that the



Worthington PUD was under developed. He continued with details involved in the proposed modification.

(10:35 a.m.) Phyllis Abbatiello, 1133 River Birch Road, spoke on keeping traffic off of Greenbriar and CR 210, and the William Bartram Scenic and Historic Highway. She spoke against adding more homes to the area.

(10:39 a.m.) Al Abbatiello, 1133 River Birch Road, spoke against the major modification.

(10:43 a.m.) Chris Shee, 734 Abby Mist Drive, owner of Master Craft Builder Group, spoke in favor of the major modification.

(10:47 a.m.) Burnett responded to building homes, schools, concurrency, making a better project than what was there, and already having the project approved. Morris asked about lot sizes, and houses sold in The Colony at Greenbriar. Burnett said their engineer scaled off the lot sizes in their computer program. Morris voiced concern about 79 percent of the lots being small. Stevenson asked Burnett to address school concurrency. Burnett spoke on land being rezoned and school concurrency. Stevenson asked about the privacy to neighbors and buffering. Burnett stated that in their site plan they included 30 acres of real wetland conservation, and that 30 acres would be subject to a conservation easement dedicated to the Water Management District. Stevenson said that the lot sizes were larger when they went before the Planning and Zoning Agency. Burnett said that the layout today was the same layout that went before the Planning and Zoning Agency. Discussion followed on the lot sizes, width, and depth. Roberson said that a permit would not be granted on something that the County did not allow.

(11:14 a.m.) Lindsay Haga, Development Review, spoke on front and rear yard setbacks, and minimum lot sizes. Bryan asked about the review on school concurrency. Whitehouse said the developer would have to meet the concurrency standards to move forward with development. Bryan asked if the development was half built-out. Burnett replied that Richmond only had four sites remaining. Discussion followed. McCormack mentioned there were a few technical changes that needed to be inserted before the Board voted.

(11:26 a.m.) Phong Nguyen, Transportation Planning Manager, reviewed the history of the project, and stated they needed additional right-of-way to achieve the planning configuration. He addressed the concerns expressed by Stevenson regarding the segments east of the development. Stevenson asked about the four-laning to SR 13. Phong responded yes, there was a need for it. Bryan asked about the funding source for the entire corridor. Phong responded that a substantial portion of it would be private funding.

(11:36 a.m.) Suzanne Konchan, Growth Management, mentioned that in the Planning & Zoning comments on page 5, there were changes that were committed to, also addressed the average lot size, as well as, the timing of when the recreational amenities would be provided. She said they needed to make sure that the provisions that appeared in the Planning & Zoning Division's comments on page 5 were included as part of the Board's motion, and they would be added into the text for recording in substantially that format. She said on the bottom of page 10 of 18, of the Master Development Plan Text, there was a provision: "*that internal roadways may be privately owned and may be maintained at the developer's discretion.*" She recommended changing the language to: "*that the internal roadways shall be privately owned and maintained.*" Burnett said that Konchan was accurate about the changes and they should be listed in the text. He said that the language should be; "*public solely at the County's discretion.*" Whitehouse suggested in that same Section under B, on page 11 of 18, add to the

language; “for full market value as Residential B designated lands,” the language; “as reasonably determined by the County.” Stevenson spoke on adding residential units in the northwest development area.

(11:42 a.m.) **Motion by Stevenson, seconded by Sanchez, carried 3/2 with Morris and Bryan dissenting, to enact Ordinance No. 2012-4, approving Major Modification 2011-09, adopting findings of fact 1-6 to support the motion, and including the amendments that were presented at the meeting.**

#### ORDINANCE NO. 2012-4

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE WORTHINGTON PLANNED UNIT DEVELOPMENT, ORDINANCE NUMBER 2008-19, AS AMENDED, AND REZONING TWO HUNDRED TWENTY-SEVEN ACRES FROM OPEN RURAL (OR) TO PUD, ADDING THEM TO THE EXISTING PUD AND MODIFYING THE PUD; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

The meeting recessed at 11:43 a.m. and reconvened at 11:50 a.m.

*The meeting moved to Item 9.*

(02/07/12 - 10 - 12:04 p.m.)

6. **CONSIDER A NEW ST. JOHNS COUNTY FIRE RESCUE DEPARTMENT REORGANIZATIONAL PLAN**

Wanchick stated that Carl Shank was reviewing something that was very important to both the Commission and Administration as their ongoing endeavor to make county government more efficient and effective. He said Shank was going to present a redesigned Fire Rescue Service that they could be proud of. He mentioned that it would be more functional, more people on the street and less in Administration, and there was going to be a substantial financial benefit to the County.

(12:06 p.m.) Bryan left the meeting.

(12:06 p.m.) Carl Shank, Fire Rescue Chief, gave a presentation, *Exhibit A*. He gave a brief history on fire rescue. He reviewed the organizational chart, reorganization opportunities, fire station locations, reorganization goals, new organizational chart to implement, and reorganization benefits. Morris mentioned that Shank was involved in a lot of planning, did a good job, was more efficient, and saved a half million dollars in such a short time period. Shank said he had a good team working on it to try and stabilize their budget situation. Stevenson echoed comments made by Morris and said that they felt very fortunate to have Shank and his team prepared to innovate and work on the efficient delivery of essential services to the taxpayers of the County. She said it helped when they could find ways to save money without reducing levels of service. Sanchez asked Shank to thank his staff and everyone involved.

(12:23 p.m.) **Motion by Sanchez, seconded by Morris, carried 4/0 with Bryan absent, to approve the 2012 Fire Rescue Reorganization Plan and changes of FTE job classifications necessary to effect the plan, amending FY 2012 Salary budget within Fire Rescue needed to accommodate the change.**

Wanchick said between the new reorganization and the new contract which was signed a few months ago, they had completely transformed service delivery in fire rescue over the last few months.

(02/07/12 - 11 - 12:24 p.m.)

7. CONSIDER THREE APPOINTMENTS TO THE CULTURAL RESOURCE REVIEW BOARD (FORMERLY KNOWN AS THE HISTORIC RESOURCE REVIEW BOARD)

Miner stated there were four vacancies on the Cultural Resource Review Board, and were due to expired terms.

**(12:25 p.m.) Motion by Sanchez, seconded by Miner, carried 4/0 with Bryan absent, to reappoint Christine Newman to the Cultural Resource Review Board for a full four-year term scheduled to expire February 7, 2016.**

(12:26 p.m.) Stevenson stated that this was one of the boards that she served on, and it was a board that required certain skill sets. (12:27 p.m.) **Motion by Stevenson, seconded by Sanchez, carried 4/0 with Bryan absent, to reappoint Sarah Miller to the Cultural Resource Review Board for a full four-year term scheduled to expire February 7, 2016.**

**(12:27 p.m.) Motion by Morris, seconded by Sanchez, carried 4/0 with Bryan absent, to appoint Madie Martin to the Cultural Resource Review Board for a full four-year term scheduled to expire February 7, 2016.**

(02/07/12 - 11 - 12:27 p.m.)

8. CONSIDER TWO APPOINTMENTS TO THE PONTE VEDRA ZONING & ADJUSTMENT BOARD

Miner stated there were two vacancies on the Ponte Vedra Zoning & Adjustment Board due to an expired term and resignation.

**(12:28 p.m.) Motion by Morris, seconded by Sanchez, carried 4/0 with Bryan absent, to reappoint Mr. Thomas "Brad" Scott to the Ponte Vedra Zoning and Adjustment Board for a full four-year term scheduled to expire February 7, 2016.**

**(12:28 p.m.) Motion by Morris, seconded by Sanchez, carried 4/0 with Bryan absent, to appoint Mr. Alva A. Hollon, Jr., to the Ponte Vedra Zoning and Adjustment Board for a partial term scheduled to expire January 7, 2015.**

(02/07/12 - 11 - 11:51 a.m.)

9. REFERENDUM GAMBLING

Stevenson said that she withdrew her support for placing gambling on the referendum and asked the Board to reconsider their vote. She said that it would be regulated by the State of Florida and the State was indicating that it was not ready to regulate an expansion of gambling. Miner said he appreciated the issues raised by Stevenson and that they were valid concerns. He said allowing the voters to have a voice in this matter was not support or endorsement of any course of action. He said that he was not prepared to change his vote. Bryan and Morris echoed Miner's sentiment, and said that they needed to give people a choice. They also said that they were not prepared to change their vote. McCormack read rules of the Board regarding voting on a motion.

(12:03 p.m.) Motion by Stevenson, seconded by Sanchez, failed 2/3 with Morris, Bryan and Miner dissenting, to reconsider the question of a gambling initiative on the November 2012 ballot.

*The meeting moved to Item 6.*

(02/07/12 - 12 - 12:28 p.m.)

10. CONSIDER AN APPOINTMENT TO THE NORTH FLORIDA TPO CITIZEN ADVISORY COMMITTEE

Miner stated there were vacancies for the Citizen Advisory Committee on the Transportation Planning Organization. He said last week the Recreation Advisory Board recommended two appointments; one reappointment and one new appointment that would come before the BCC at the next meeting.

**(12:29 p.m.) Motion by Miner, seconded by Morris, carried 4/0 with Bryan absent, to appoint Warren E. Butler to the North Florida TPO's Citizen Advisory Council as an at-large St. Johns County representative.**

(02/07/12 - 12 - 12:30 p.m.)

COMMISSIONERS' REPORTS

Commissioner Sanchez:

Sanchez announced that he would be at the Reef Restaurant tonight waiting on tables, which was sponsored by EPIC to help the Big Brothers/Big Sisters Organization.

(12:31 p.m.) Commissioner Stevenson:

Stevenson mentioned a few items listed on the Consent Agenda; also addressed an opportunity for refinancing the County's transportation bond at a significant savings of nearly a million dollars in net present value of debt service savings. She said an item that was on the agenda for the awarding of the floating dock at Vilano, which was being funded by a partnership of dedicated funding between the Florida Inland Navigation District and the Port and Waterway Authority came in through the County process at about \$50,000 under budget according to the funding that was allocated for consideration of that project, and those funds would be returned to those agencies.

Stevenson mentioned that she went to Tallahassee, and there was an active discussion on the Medicaid in-patient hospital cost being shifted to the County. She spoke on home rule and unfunded mandates.

Commissioner Bryan:

He was absent.

(12:37 p.m.) Commissioner Morris:

Morris mentioned that he would be waiting tables at the Aqua Grill in PonteVedra Beach to help the Big Brothers/Big Sisters Organization.

Morris spoke on a bogus locksmith service using fictitious addresses. McCormack said Mr. Cameron relayed the information to him, and he discussed the matter with Art May at the Sheriff's Office. He said they could develop a County regulation pertaining to that. (12:39 p.m.) *There was consensus of the Board to authorize the County Attorney's Office to investigate, and if appropriate, to develop such a regulation.*

(12:39 p.m.) Commissioner Miner:

Miner mentioned placing on the agenda, for the next meeting, the County changing the way they receive anonymous complaints from citizens. Cameron said that the Sheriff's Office did an investigation on it. He said the Sheriff's Office was very concerned about the activity and went to the State Attorney's Office to see if they could make it fit under some existing laws. He said the State Attorney was cautious about bringing a case under an existing law.

(12:43 p.m.) Stevenson spoke on eliminating business licensing fees.

(12:44 p.m.) McCormack mentioned that sometimes there were problems with repeated complaints, and the Board may want to consider after a certain number of frivolous complaints, from the same complainant, about the same matter, which would automatically provide a time period for non-action. He said the Board may want to consider, when they discuss it as an agenda item, with the decreasing budget, there should be some thought that not every technical violation should necessarily be actionable and there should be some judgment by the Code Enforcement Director to Administration on certain things. Miner said it would be great, if McCormack could bring to the Board, to consider at the next meeting, a couple of those suggestions mentioned and some options.

(02/07/12 - 13 - 12:46 p.m.)

#### COUNTY ADMINISTRATOR'S REPORT

No report.

(02/07/12 - 13 - 12:46 p.m.)

#### COUNTY ATTORNEY'S REPORT

McCormack gave an update on the adult entertainment ordinance.

McCormack spoke on having a local ordinance on scrap metal, and recommended to see how the State legislation proceeded on the issue, and decide after that, if there was a need for a local ordinance.

McCormack asked the Board if the County Attorney's Office should develop and pursue a regulation on street solicitation pan handling. *There was consensus of the Board to do so.*

(12:49 p.m.) Miner mentioned that the City of St. Augustine also had an ordinance addressing boats in the Intercoastal waterways. He said there were transients living in dilapidated sail boats in District 3 and 5. He asked McCormack to also address that issue. *There was consensus of the Board to do so.*

(12:50 p.m.) McCormack spoke on the Attorney General's Opinion regarding firearms and it's relation to emergency management.

McCormack said at the last TDC meeting, there was discussion about increased coordination with the City of St. Augustine pertaining to the 450<sup>th</sup> Anniversary and having an Interlocal Agreement with the City to maximize communication and coordination. McCormack asked for Board's support to develop an Interlocal Agreement. Wanchick said that he would have to discuss it with McCormack because he was uncertain about the need for it.

(12:52 p.m.) Stevenson mentioned that she read a nice article in The St. Augustine Record about a meeting Miner had with the St. Augustine South Improvement Association regarding transient boats and people using the parks specifically. Discussion followed.

(02/07/12 - 14 - 12:56 p.m.)  
CLERK OF COURT'S REPORT

No report.

With there being no further business to come before the Board, the meeting adjourned at 12:56 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 478818-478819, totaling \$638.92 (01/11/12)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 478820-478839, totaling \$45,492.19 (01/12/12)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 478840-479082, totaling \$2,571,462.49 (01/17/12)
4. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 8215-8258, totaling \$2,047,875.54 (01/17/12)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 479083-479096, totaling \$14,600.68 (01/18/12)
6. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 8259-8269, totaling \$12,212 (01/18/12)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 479097-479282, totaling \$1,436,631.77 (01/24/12)
8. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 8270-8322, totaling \$397,567.55 (01/24/12)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 479283-479342, totaling \$34,341.51 (01/25/12)
10. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 8323-8378, totaling \$32,006 (01/25/12)
11. St. Johns County Board of County Commissioners Check Register, Check Nos. 479343-479371, totaling \$68,238.07 (01/26/12)
12. St. Johns County Board of County Commissioners Check Register, Check Nos. 479372-479373, totaling \$34,877.84 (01/26/12)
13. St. Johns County Board of County Commissioners Check Register, Check Nos. 479374-479383, totaling \$155,514.12 (01/18/12)
14. St. Johns County Board of County Commissioners Voucher Register, Voucher No. 8379, totaling \$295 (01/25/12)
15. St. Johns County Board of County Commissioners Check Register, Check Nos. 479384-479577, totaling \$628,585.93 (01/31/12)
16. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 8380-8421, totaling \$499,351.46 (01/31/12)
17. St. Johns County Board of County Commissioners Check Register, Check Nos. 479578-479598, totaling \$25,994.28 (02/01/12)
18. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 8422-8432, totaling \$13,277.51 (02/01/12)

CORRESPONDENCE:

1. St. Johns River Water Management District's 2012 Governing Board Meeting Schedule dated December 5, 2011

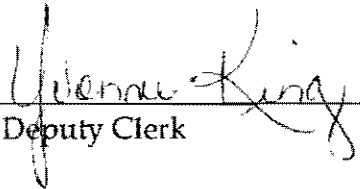
2. Letter dated January 19, 2012, to Liz Cloud, Program Administrator, Department of State, filing St. Johns County Ordinance Nos. 2012-1 and 2012-2
3. Letter dated January 19, 2012, to Liz Cloud, Program Administrator, Department of State, filing Resolution No. 2011-357 which adopted a redistricting plan, established and fixed boundaries of the five county commission districts in St. Johns County, Florida

Approved March 20 2012

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By:   
Mark P. Miner, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By:   
Deputy Clerk

