

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
AUGUST 21, 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: J. Ken Bryan, District 5, Chair  
Jay Morris, District 4, Vice Chair  
Cyndi Stevenson, District 1  
Ron Sanchez, District 2  
Michael Wanchick, County Administrator  
Patrick McCormack, County Attorney  
Sindy Wiseman, Deputy Clerk

(08/21/12 - 1- 9:00 a.m.)  
CALL TO ORDER

Bryan called the meeting to order.

(08/21/12 - 1 - 9:00 a.m.)  
ROLL CALL

The clerk called the roll and all members were present.

(08/21/12 - 1 - 9:00 a.m.)  
INVOCATION

Ronnie Warren, Christ Redeemer Church, gave the invocation.

(08/21/12 - 1 - 9:01 a.m.)  
PLEDGE OF ALLEGIANCE

Sanchez led the Pledge of Allegiance.

(08/21/12 - 1 - 9:02 a.m.)  
PROCLAMATION DECLARING AUGUST 19 - AUGUST 25, 2012, AS MUSCULAR DYSTROPHY ASSOCIATION/ST. JOHNS COUNTY FIRE FIGHTER APPRECIATION WEEK

Ron Sanchez presented the proclamation to Pamela Waldman, Muscular Dystrophy Association, and Matt Hooker, St. Johns County Fire Rescue. Bryan presented the proclamation to Shank. He commented that each year the firefighters were called on to collect for muscular dystrophy. Carl Shank accepted the award on behalf of St. Johns County Fire Rescue. Hooker, St. Johns County Fire Rescue, spoke about MDA collections. He stated that for the past 13 years, they had been working with the MDA, and had collected over \$200,000 in that time. They hoped to break that goal with this year's collections. Hooker asked the citizens to contribute if they saw the firefighters out collecting.

(08/21/12 - 2 - 9:09 a.m.)

PRESENTATION OF A COMMEMORATIVE 1968 ST. JOHNS COUNTY COURTHOUSE DEDICATION SHADOWBOX

Wanchick stated that he received the gavel used in the dedication ceremony for the county courthouse. It was donated to the Board, by Herbie Wiles, in appreciation for the County's accomplishments. The gavel was placed in a shadow box and will be displayed in the foyer of the Administration Building. Wanchick introduced Herbie Wiles. Wiles stated that Doug Laidlaw, a former County employee, found the gavel after the courthouse moved to its new building. Laidlaw repaired it and gave it to Wiles. The gavel was originally given to the Board by the Thibault family.

(08/21/12 - 2 - 9:14 a.m.)

APPROVAL OF PROCLAMATION

**Motion by Sanchez, seconded by Stevenson, and carried 4/0, to approve the proclamation.**

(08/21/12 - 2 - 9:14 a.m.)

DELETIONS TO CONSENT AGENDA

There were no deletions.

(08/21/12 - 2 - 9:14 a.m.)

APPROVAL OF CONSENT AGENDA

**Motion by Sanchez, seconded by Morris, carried 4/0, to approve the Consent Agenda, as submitted.**

1. Approval of the Cash Requirement Report
2. Minutes: None
3. Motion to declare items (unrepairable/obsolete computer equipment) as surplus; and authorize the county administrator, or his designee, to dispose of same in accordance with Purchasing Policy 308 and FL Statute 274
4. Motion to adopt **Resolution No. 2012-207**, accepting drainage easements for access and maintenance of an existing ditch and installation of pipe along Sartillo Road and Avenue D, as part of the Avenue D Drainage Basin improvements

**RESOLUTION NO. 2012-207**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING DRAINAGE EASEMENTS FOR ACCESS AND MAINTENANCE OF AN EXISTING DITCH AND INSTALLATION OF PIPE ALONG SARTILLO ROAD AND AVENUE D, AS PART OF THE AVENUE D DRAINAGE BASIN IMPROVEMENTS**

5. Motion to adopt **Resolution No. 2012-208**, accepting an Easement for Utilities for water and sewer service to serve Club Cove Unit One subdivision in Ponte Vedra

**RESOLUTION NO. 2012-208**

**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 CLUB COVE UNIT 1 SUBDIVISION**

6. Motion to adopt **Resolution No. 2012-209**, accepting an Easement for Utilities for water and sewer service to serve Crane's Lake One Condominium in Ponte Vedra

**RESOLUTION NO. 2012-209**

**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 CRANE'S LAKE ONE CONDOMINIUM LOCATED IN PONTE VEDRA**

7. Motion to adopt **Resolution No. 2012-210**, authorizing the rehabilitation of property located at 100 North McClung Avenue in Hastings by the Housing Finance Authority of St. Johns County on behalf of St. Johns County in connection with the NSP program funded by NSP grant funds, in accordance with NSP requirements

**RESOLUTION NO. 2012-210**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE REHABILITATION AND RENOVATION OF PROPERTY LOCATED AT 100 NORTH MCCLUNG AVENUE (F/K/A 8825 WEST CHURCH STREET) IN HASTINGS BY THE HOUSING FINANCE AUTHORITY OF ST. JOHNS COUNTY ON BEHALF OF ST. JOHNS COUNTY IN CONNECTION WITH THE NEIGHBORHOOD STABILIZATION PROGRAM ("NSP") FUNDED BY NSP GRANT FUNDS, IN ACCORDANCE WITH NSP REQUIREMENTS**

8. Motion to adopt **Resolution No. 2012-211**, accepting a Deed of Dedication Right-of-Way from King's Trace Homeowners' Association, Inc., to St. Johns County, conveying additional right-of-way along Old Moultrie Road

**RESOLUTION NO. 2012-211**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION RIGHT-OF-WAY FROM KING'S TRACE HOMEOWNERS' ASSOCIATION, INC., TO ST. JOHNS COUNTY, CONVEYING ADDITIONAL RIGHT-OF-WAY ALONG OLD MOULTRIE ROAD**

9. Motion to adopt **Resolution No. 2012-212**, accepting a Bill of Sale and Schedule of Values conveying all personal property associated with the water lines within Oakbrook subdivision Phase 6B off Wildwood Drive

**RESOLUTION NO. 2012-212**

**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 LINE WITHIN OAKBROOK SUBDIVISION PHASE 6B LOCATED OFF WILDWOOD DRIVE**

10. Motion to adopt **Resolution No. 2012-213**, approving the terms and conditions of a Purchase and Sale Agreement for the purchase of a lot on West King Street; and authorizing the county administrator, or designee, to execute the agreement on behalf of the County

**RESOLUTION NO. 2012-213**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A PURCHASE AND SALE AGREEMENT FOR THE PURCHASE OF A LOT ON WEST KING STREET; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

11. Motion to adopt **Resolution No. 2012-214**, approving the terms, conditions, provisions, and requirements of a Non-Exclusive Franchise Agreement for Commercial/Industrial Solid Waste between St. Johns County, Florida, and Environmental Land Services of Flagler County, Inc., and authorizing the county administrator, or designee, to execute the Non-Exclusive Franchise Agreement for Commercial/Industrial Solid Waste on behalf of St. Johns County, Florida

**RESOLUTION NO. 2012-214**

**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 ENVIRONMENTAL LAND SERVICES OF FLAGLER COUNTY, INC.; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE NON-EXCLUSIVE FRANCHISE AGREEMENT FOR COMMERCIAL/INDUSTRIAL SOLID WASTE ON BEHALF OF ST. JOHNS COUNTY**

12. Motion to adopt **Resolution No. 2012-215**, approving the terms and conditions of the Non-Exclusive Franchise Agreements for Construction and Demolition Debris between St. Johns County, Florida, and nineteen independent contractors; and authorizing the county administrator, or designee, to execute each one of the Non-Exclusive Franchise Agreements on behalf of the County

RESOLUTION NO. 2012-215

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 CONSTRUCTION AND DEMOLITION DEBRIS BETWEEN ST. JOHNS COUNTY, FLORIDA, AND NINETEEN NON-EXCLUSIVE FRANCHISE HAULERS; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE EACH NON-EXCLUSIVE FRANCHISE AGREEMENT FOR CONSTRUCTION AND DEMOLITION DEBRIS ON BEHALF OF ST. JOHNS COUNTY

13. Motion to approve transfer of \$197,000.00 from the County Transportation Trust Fund Reserve (1111-1131-59920) to the Fleet Maintenance Division Cost of Parts (1111-1123-55219) for the purchase of parts
14. Motion to adopt **Resolution No. 2012-216**, approving the terms, provisions, conditions, and requirements of the Agreement allowing the temporary removal of the median in the right-of-way of Lewis Speedway at DOT Road in St. Johns County; and authorizing the county administrator, or designee, to execute the Agreement, along with any supplemental documentation, on behalf of the County; and motion to adopt a resolution to receive unanticipated revenue and authorize its expenditure on the right-of-way median on Lewis Speedway at DOT Road

RESOLUTION NO. 2012-216

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN ST. JOHNS COUNTY, FL OLD SEBASTIAN, LLLP, AND OLD SEBASTIAN POINT HOMEOWNERS ASSOCIATION, REGARDING TEMPORARY REMOVAL OF A RIGHT-OF-WAY MEDIAN; 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

15. Motion to adopt **Resolution No. 2012-217**, authorizing the county administrator, or his designee, to award Bid No. 12-39 and execute an agreement with the lowest qualified bidder, Advanced Roofing, Inc., for completion of the COA Transit Center Solar Energy System and Security System Upgrades, for a total contract price of \$619,128.00. This contract is funded through a Federal grant

RESOLUTION NO. 2012-217

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID #12-39, AND EXECUTE A CONTRACT FOR SAME ON BEHALF OF THE COUNTY

**WITH ADVANCED ROOFING, INC. IN THE AMOUNT OF \$619,128.00 FOR CONSTRUCTION OF THE COA TRANSIT CENTER SOLAR ENERGY & SECURITY SYSTEM UPGRADES PROJECT**

16. Motion to adopt **Resolution No. 2012-218**, approving the terms, provisions and conditions of a Use Agreement between The North Florida Vendors Association and St. Johns County, Florida, and authorizing the county administrator or designee to execute the Use Agreement for the Alpine Grove Farmers Market

**RESOLUTION NO. 2012-218**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA AND THE NORTH FLORIDA VENDORS ASSOCIATION, ALSO KNOWN AS NFVA OF ST. AUGUSTINE, FLORIDA, FOR USE OF A PORTION OF ALPINE GROVES PARK FOR A WEEKLY FARMERS/ARTS MARKET, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY**

17. Motion to approve a transfer from LETF Reserves (1194-59920) in the amount of \$58,000 to LETF - Aid to Private Organizations (1194-58200) to support the non-profit organizations: Project SOS, PACT Prevention Coalition, Epic Community Services, and the St. Augustine Society
18. Motion to authorize the Chair to execute the "Certificate Regarding Matching Funds" for the Federal Election Activities grant for the Supervisor of Elections Office and include the grant funding in the FY 2013 Budget. The grant will be used to prepare, print and mail sample ballots to voters for federal elections as is required by Florida Statute
19. Motion to transfer \$6,913 from the General Fund [0083-59920] to the Circuit Court Department [0023-56400] to cover the cost of a walk-through metal detector and two hand-held metal detectors to accommodate employee and customer screening at the Richard O. Watson Judicial Center
20. Motion to adopt **Resolution No. 2012-219**, recognizing unanticipated revenue in the amount of \$453,408, increasing the revenue budget for Cultural Events Division Facility Fee (1450-34760), Co-Promoter (1450-34769), Ticket Royalties (1450-34779), Parking Facilities (1450-34450), Tax Exempt Merchandise Commission (1450-34914), and Concession Sales (1450-34903) and appropriating \$453,408 to the Cultural Events Co-Promoter expenditure line (1451-53131)

**RESOLUTION NO. 2012-219**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2012 COUNTY CULTURAL CENTER FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY CULTURAL EVENTS DIVISION**

21. Motion to approve a Budget Transfer of \$63,294 from the General Fund Reserve to the Beach Services Fund to replace lost revenue due to beach closures associated with two recent tropical storms
22. Motion to adopt **Resolution No. 2012-220**, approving the terms, provisions, conditions, and requirements of an Interlocal Agreement between St. Johns County, FL and City of St. Augustine, FL for provision of sewer services and authorizing the County Administrator to execute the agreement

**RESOLUTION NO. 2012-220**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND CITY OF ST. AUGUSTINE, FLORIDA REGARDING SEWER SERVICE PROVISION, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY**

23. Motion to transfer \$125,501 from General Fund reserves to the Convention Center Fund to provide payment for the 2012 outstanding debt service special assessments (per Resolution 96-104)
24. Motion to declare the 2003 Chevy Tahoe as surplus and authorize the County Administrator, or his designee, to donate same to the St. Johns County Beach Services Department
25. Motion to approve a Budget Transfer of \$200,000 from the General Fund Reserve to the Golf Course Fund Reserves as Fund Subsidy
26. Motion to adopt **Resolution No. 2012-221**, to authorize the County Administrator, or his designee, to enter into a 48 month copier lease agreement with the low bidder CopyFax Inc. from Bid No: 12-51 (Copier Lease Agreement)

**RESOLUTION NO. 2012-221**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD AND EXECUTE AN AGREEMENT FOR BID NO. 12-51, COPIER LEASE AGREEMENT**

27. Motion to adopt **Resolution No. 2012-222**, authorizing the County Administrator, or his designee, to award the purchase of the Trailer Mounted Centrifuge Dewatering System to Centrisys Corporation as the responsible bidder for Bid No. 12-54 in the amount of \$521,131.00. This bid is for the purchase of a trailer mounted Centrifuge Dewatering System to be installed at a new wastewater solids handling facility at the Sawgrass Wastewater Treatment Plant in Ponte Vedra. The project is estimated to reduce annual sludge hauling costs from approximately \$225,000 to \$65,000

**RESOLUTION NO. 2012-222**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 12-54 AND TO EXECUTE A PURCHASE ORDER FOR THE PURCHASE OF TRAILER MOUNTED CENTRIFUGE DEWATERING SYSTEM**

28. Motion to adopt **Resolution No. 2012-223**, authorizing the County Administrator, or his designee, to award a contract to R&B Contracting, Inc. as the lowest responsible bidder for Bid #12-60 (Palm Valley Area Sidewalks) for a total Total Lump Sum Bid of \$503,590

**RESOLUTION NO. 2012-223**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 12-60 AND TO EXECUTE AN AGREEMENT FOR PALM VALLEY AREA SIDEWALKS**

29. Motion to adopt **Resolution No. 2012-224**, to authorize the County Administrator, or his designee, to enter into a contract for RFP No. 12-61, Tennis Management Services at Treaty Park for one (1) year with three (3) available one year extensions, with St. Augustine Tennis, for tennis management services as described in the RFP Documents/Specifications and the firm's proposal

**RESOLUTION NO. 2012-224**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD AND EXECUTE AN AGREEMENT FOR RFP NO. 12-61 TENNIS MANAGEMENT SERVICES AT TREATY PARK**

30. Proofs:
- a. Proof: Notice of Hearing, Rescue Services Ordinance on August 21, 2012, published in *The St. Augustine Record* on August 6, 2012
  - b. Proof: Certificate of Liability Insurance, Applied Technology & Management, Inc.

(08/21/12 - 8 - 9:15 a.m.)  
PUBLIC COMMENT

Chuck Bromirski, 3550 Coastal Hwy, spoke about the beach erosion in Vilano Beach. (9:18 a.m.) Andrew Witt, 44 Magnolia Dunes, St. Johns Cultural Counsel, spoke about an article in the Sunday newspaper regarding the grant recommendations from the funding panel were just a recommendation. It goes before the TDC on Thursday, August 30, and would then come before the board as part of the budget process. Witt stated that the appointment of two outside people to the panel was a very positive move; then stated that the guidelines and funding process had been brought within the state statutes of tourism development. Stevenson commented about a phone call she received, from a gentleman who was upset about the grants, and asked Witt to explain



where money came from and why it was important to our economy to have it. Witt explained where the money came from and how by statute it was to be allocated. Stevenson stated that revenue source was sought by the industry to encourage tourism. She said it was an important part of leading the tourism industry out of the recession. Bryan said this was not usually something that is discussed in public comment however, he was glad that this was clarified because of all the confusion about it.

(08/21/12 - 9 - 9:25 a.m.)

#### ADDITIONS/DELETIONS TO REGULAR AGENDA

McCormack requested an item be added to the Regular Agenda pertaining to the proposed referendum regarding slot machines.

(08/21/12 - 9 - 9:25 a.m.)

#### APPROVAL OF REGULAR AGENDA

**Motion by Sanchez, seconded by Stevenson, carried 4/0, to approve the Regular Agenda, as amended.**

(08/21/12 - 9 - 9:26 a.m.)

1. INFORMATIONAL BRIEFING BY THE NORTHEAST FLORIDA REGIONAL TRANSPORTATION STUDY COMMISSION BY CHERYL LYNN FREEMAN, PE, PROJECT MANAGER

Joe Stevenson, Public Works Director, spoke about the Regional Transportation Study Commission. He introduced Brad Thoburn, Director of Staff, who gave an overview of the study. He said the Study Commission included seven counties and 20 members; pointed out how much growth there has been in these surrounding counties; said FDOT did an analysis of the 67 counties and five of the seven counties that were studied were in the top 25% of the commute in times and distances. Stevenson said there was a need for funding for regional transportation. (9:43 a.m.) Bryan said he was glad to see this move forward. He said it was important that these discussions take place. Morris said the commission did an excellent job pulling everything together. He noted that in previous conversations that this would boil down to the funding level. (9:45 a.m.) Stevenson commented that it was important for all entities to work together. She said she would be interested in hearing about it as it got closer. (9:48 a.m.) Sanchez commented that there were concerns out there; therefore it was hard for a local board to drop money into it without precise explanation. He said some counties felt left out.

(08/21/12 - 9 - 9:50 a.m.)

- 1a. CONSIDER A REQUEST FOR APPROVAL OF A RESOLUTION REPEALING RESOLUTION 2012-25, WHICH PROVIDED FOR A COUNTYWIDE REFERENDUM AT THE GENERAL ELECTION ON NOVEMBER 6, 2012 FOR DETERMINATION OF WHETHER SLOT MACHINE GAMING SHOULD BE AUTHORIZED AT LICENSED PARI-MUTUEL FACILITIES WITHIN ST. JOHNS COUNTY

McCormack gave the presentation. He said the statute as it is written does not make such facilities eligible and another statutory change would be needed. He stated the Supervisor of Elections was in the process of preparing the ballot for November 6<sup>th</sup>. He said there was a request for the board to adopt a resolution repealing the first resolution and taking the issue off the ballot for November 6<sup>th</sup>. McCormack stated that the ballot was already full with amendments. If the board adopted this present resolution, it would repeal the earlier resolution and the item would be taken off the ballot. (9:54 a.m.) **Motion by Sanchez, seconded by Stevenson, carried 4/0, to adopt Resolution No. 2012-225, repealing Resolution 2012-25.**

RESOLUTION NO. 2012-225

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, REPEALING RESOLUTION 2012-25, WHICH HAD PROVIDED FOR A COUNTYWIDE REFERENDUM TO BE PLACED ON THE BALLOT AT THE GENERAL ELECTION ON NOVEMBER 6, 2012, FOR THE PURPOSE OF DETERMINING WHETHER SLOT MACHINE GAMING SHOULD BE AUTHORIZED AT LICENSED PARI-MUTUEL FACILITIES LOCATED WITHIN ST. JOHNS COUNTY

(08/21/12 - 10 - 9:55 a.m.)

2. CONSIDER A REQUEST FOR APPROVAL OF DRAFTING FINANCING DOCUMENTS FOR THE REFUNDING OF THE COUNTY'S SALES TAX REVENUE BONDS, SERIES 2004A AND SERIES 2004B

Doug Timms, Director of Management and Budget, gave a presentation on the County's Sales Tax Revenue Bonds. Timms stated that by refinancing its outstanding debt it could save approximately \$1,675,000. He requested a motion, to approve the drafting of the financing documents, for the refunding of the county sales tax revenue bonds. Sanchez clarified that they were not approving bonds, they were merely refinancing to save money. Stevenson concurred with Sanchez. (9:59 a.m.) **Motion by Stevenson, seconded by Sanchez, carried 4/0, to approve the drafting of financing documents for the refunding of the County's Sales Tax Revenue Bonds, Series 2004A and Series 2004B, and authorizing the financing team to take all necessary steps in connection with such proposed refunding.**

(08/21/12 - 10 - 10:00 a.m.)

3. BRIEFING ON THE FORT MATANZAS NATIONAL MONUMENT'S DRAFT GENERAL MANAGEMENT PLAN AND ENVIRONMENTAL IMPACT STATEMENT. THE DRAFT GENERAL MANAGEMENT PLAN AND ENVIRONMENTAL IMPACT STATEMENT FOR FORT MATANZAS NATIONAL MONUMENT WAS PUBLISHED ON JUNE 22ND AND OPEN FOR PUBLIC REVIEW AND COMMENT. THE PLAN EXAMINES THREE ALTERNATIVES AND ASSOCIATED IMPACTS FOR MANAGING THE FORT MATANZAS NATIONAL MONUMENT OVER THE NEXT 15 - 20 YEARS. THE DRAFT GENERAL MANAGEMENT PLAN IS OPEN FOR A 60-DAY REVIEW AND COMMENT PERIOD ENDING ON AUGUST 24, 2012. THIS IS A BRIEFING TO THE BOARD OF COUNTY COMMISSIONERS ON THE THREE PROPOSED ALTERNATIVES IN THE DRAFT GENERAL MANAGEMENT PLAN TO SEEK THE DIRECTION OF THE BOARD PRIOR TO THE CLOSE OF THE PUBLIC COMMENT PERIOD

Jan Brewer, Environmental Division Director, gave the update on the National Park Services progress with the development of the general management plan for Fort Matanzas National Monument. She stated that the 60 day comment period would close August 24, 2012. She advised that the Draft General Management Plan had three alternatives. Alternative A was a No action alternative. Alternative B, which was the National Parks Services preferred alternative, allowed for some expansion of the facilities and off beach parking. Alternative C allowed for some expansion of facilities, off beach parking, the creation of some additional trails and identified some portion of the beach as an area for off road vehicles. Brewer stated that in 2009 the board passed a resolution supporting the continuation of off road vehicles at the national monument. Sanchez asked Brewer if the 2009 resolution would cancel out Plan C. Brewer said the board would like to rescind that resolution to the National Park Service that would

require them to analyze that during their review process of the draft plan. Stevenson asked if the A, B, C, alternatives were the only alternatives they would consider. Brewer said there would be public comment and other agencies would be allowed to comment on the draft plan. All comments would be considered and a hybrid alternative plan could be developed. Wanchick commented that looking at other alternatives could provide additional access to the beach. He said that a good compromise could be better than a principal stand. Wanchick stated that this was federal property, not county, and the county was only a participant in the discussion.

(10:09 a.m.) Brian Paradise, 13 Arbor Club Drive #315, on behalf of The Sierra Club, wanted the board to support Alternative B.

(10:10 a.m.) Ann Taylor, 1365 SR 206, was in support of Alternative A.

(10:12 a.m.) Jim McCartney, 9346 Old A1A, McCartney was in support of Alternative C.

(10:15 a.m.) Mitchell Perry, 3623 Bainbridge Perry, Palatka, commented on the environmentalists having too much control of government.

(10:16 a.m.) Caca Smith, 6974 Charles Street, was in support of Alternative C.

(10:19 a.m.) Teddy Shuler, 323 Arpieka Avenue, was in support of Alternative B.

(10:22 a.m.) Karen Miles, 7507 A1A South, was in support of Alternative C.

(10:24 a.m.) Marilyn Wiles, 8220 A1A South, on behalf of Michael Woodruff, 170 Pantano Cay Blvd Unit 4102, was in support of Alternative B.

(10:27 a.m.) Mike Vickers, 5960 N. A1A, Palm Coast, was in support of Alternative C.

(10:29 a.m.) Bill McClure, 353 Brantley Harbor Drive, was in support of Alternative C.

(10:31 a.m.) David Wiles, 8220 A1A South, was in support of either Alternative A or B.

(10:34 a.m.) Joe McIntire, 7265 A1A South, was not in support of Alternative C.

(10:36 a.m.) Monique Borboen, 9601 Ocean Shore Blvd, was in support of Alternative B.

(10:38 a.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd, was in support of Alternative B or C.

(10:40 a.m.) Mike Kyle, 10 Rio Vista, was in support of Alternative C.

(10:41 a.m.) Ed Paucek, 970 Irma Way, was in support of Alternative C.

(10:43 a.m.) Jay Ginn, 9051 Gene Johnson Road, was in support of Alternative C.

(10:45 a.m.) James Arpaia, 3144 Kings Road, was in support of Alternative C.

(10:47 a.m.) Bill McCormick, 9224 July Lane, was in support of either Alternative A or B.

(10:50 a.m.) Terry Bottom, 6916 Cypress Lake Court, was in support of an Alternative that considers all the problems of the area.

(10:53 a.m.) Daniel Hayes, 4369 Palm Street, was in support of either Alternative A or B.

The meeting recessed at 10:57 a.m. and reconvened at 11:16 a.m.

Sanchez stated that the Resolution would remain as is, however they would support Alternative C. He wanted staff to start looking into adding it to the habitat plan. Sanchez stated that the entire board was in support of Alternative C. Stevenson commented on the erosion on the beaches. She stated that there should be some way for people and animals to co-habituate for a win-win solution. Morris commented that he would like to look at Alternative B with handicap access. He stated that it was not possible to satisfy everyone, however he would be in favor of a combination. Bryan asked for clarification from the attorneys on what power the board does or does not have to amend the ordinances, and with the mean high water mark. McCormack clarified that the portion of the beach that was from seaward to the mean high water mark was owned by the State of Florida, and the county could have jurisdiction to regulate it pertaining to beach driving. Stevenson made comment about the privilege of driving on the beach. Bryan commented that he had taken a tally of the speakers and it appeared that it was equal on all sides. He concurred with Morris about not being able to make everyone happy, but through discussion come up with a compromise. Bryan stated that it should be ADA compliant but also wanted to ensure safety. Sanchez stated that Alternative C would accommodate the handicap. Wanchick commented on the three alternatives. He wanted to send a letter that did not endorse any of the three alternatives, but left it open for discussion.

(11:58 a.m.) *It was the Consensus of the board for Wanchick to draft the letter.*

(08/21/12 - 12 - 11:59 a.m.)

4. PUBLIC HEARING - REPEAL OF ORDINANCE 95-17 AND REVISED ORDINANCE GOVERNING THE STANDARDS FOR CERTIFYING LIFE SUPPORT AND NON-EMERGENCY MEDICAL TRANSPORTATION SERVICES WITHIN ST. JOHNS COUNTY. SECTION 401.25 OF THE FLORIDA STATUTES REQUIRES THAT EVERY PERSON OR ENTITY THAT ENGAGES IN THE BUSINESS OR SERVICE OF PROVIDING PRE-HOSPITAL OR INTERFACILITY LIFE SUPPORT TRANSPORTATION SERVICES BE PROPERLY LICENSED PRIOR TO OFFERING SUCH SERVICES TO THE PUBLIC. ONE OF THE REQUIREMENTS OF SUCH LICENSURE IS THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ("COPCN") BY THE GOVERNING BOARD IN THE COUNTY IN WHICH THE SERVICES ARE OPERATED AND PROVIDED. ON MAY 9, 1995, THE BOARD ENACTED ORDINANCE 95-17 TO PROVIDE UNIFORM STANDARDS FOR CERTIFYING LIFE SUPPORT AND NON-EMERGENCY MEDICAL TRANSPORTATION SERVICES WITHIN THE COUNTY. SINCE THAT TIME, APPLICABLE PROVISIONS OF THE FLORIDA STATUTES HAVE BEEN AMENDED AND CHANGED. ACCORDINGLY, REPEALING ORDINANCE 95-17 AND ENACTING THE ATTACHED PROPOSED ORDINANCE IN ACCORDANCE WITH THE STATUTORY AMENDMENTS AND CHANGES WILL ENHANCE THE DELIVERY OF CERTAIN MEDICAL SERVICES, REDUCES INJURIES AND BETTER PROTECT THE PUBLIC HEALTH, WELFARE, AND SAFETY OF COUNTY RESIDENTS

Proof of publication of the notice of public hearing on repeal of Ordinance No. 95-17 and revised Ordinance governing the standards for certifying life support and non-emergency medical transportation services within St. Johns County, was received, having been published in *The St. Augustine Record* on August 6, 2012.

Carl Shank, St. Johns County Fire Rescue Chief, gave the presentation. He gave an overview of Ordinance No. 95-17. He said that EMS providers operating in St. Johns County must have a COPCN to operate; said Ordinance 95-17 was adopted April 1995,

which established the COPCN process; said St. Johns County Fire Rescue became the Class A certificate holder for governmental entities. After Ordinance 95-17 was adopted, a decision was made to issue one Class B COPCN certificate, to a private ambulance provider, through a franchise agreement for specific non-emergency transportation services within the county; ASI was selected to provide those services. (12:04 p.m.) **Motion by Morris, seconded by Sanchez, carried 4/0, to repeal Ordinance No. 95-17 and to enact Ordinance No. 2012-20, which establishes uniform standards for certifying basic life support, advanced life support, and non-emergency medical transportation and services by promulgating rules and regulations for the operation of ambulances, first-responder agencies and non-emergency medical transportation services within St. Johns County.**

#### ORDINANCE NO. 2012-20

**AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, RELATING TO THE OPERATION OF PRIVATE, VOLUNTARY AND GOVERNMENTAL AMBULANCE AND RESCUE SERVICES WITHIN THE INCORPORATED AND UNINCORPORATED AREAS OF ST. JOHNS COUNTY FLORIDA; PROVIDING FOR PURPOSE; PROVIDING DEFINITIONS; PROVIDING FOR REQUIREMENT OF CERTIFICATION; PROVIDING CERTIFICATE CLASSIFICATIONS; PROVIDING FOR REVIEW OF APPLICATIONS; PROVIDING REQUIREMENTS FOR APPROVAL; PROVIDING FOR APPOINTMENT OF HEARING OFFICER; PROVIDING RIGHTS AND DUTIES; PROVIDING FOR CERTIFICATE RENEWAL, TRANSFER, SUSPENSION, MODIFICATION OR REVOCATION; PROVIDING FOR EMERGENCIES; PROVIDING FOR RECORD KEEPING; PROVIDING INSURANCE REQUIREMENTS; PROVIDING FOR FIRST RESPONDERS; PROVIDING FOR RATES; PROVIDING FOR COMPLIANCE WITH LAWS; PROVIDING FOR CONDUCT OF CREW MEMBERS; PROVIDING FOR VIOLATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR JURISDICTION; PROVIDING FOR AUTHORITY TO ENFORCE; PROVIDING FOR REPEAL OF ORDINANCE 95-17; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

(08/21/12 - 13 - 12:05 p.m.)

5. PRESENTATION BY MARIA JOY, EXECUTIVE DIRECTOR OF COUNTY COURT MEDIATION SERVICES, REGARDING NO-COST MEDIATION SERVICES NOW AVAILABLE TO ST. JOHNS COUNTY CITIZENS

Regina Ross, Assistant County Attorney, introduced Maria Joy, Executive Director of County Court Mediation Services, who gave presentation. Joy gave a summary of the process to get the program implemented. She said they had a scheduling system that was integrated with CCMS and the County for easy tracking. Members of Florida Supreme Court Certified Mediators introduced themselves: Jim Zimmerman, St. Augustine; Eric Toden, Ponte Vedra; Galeb Powers, Jacksonville; Bill Mapper, Elkton. Joy said there would be a 1-800 number so none of the citizens would have to pay for the phone call. She said there was also a St. Johns page on their website for people to go on and request mediation. Joy said last week she spoke with the heads of the departments, and gave them a card with contact information. Bryan stated that this was something that county and legal staff had been working on for a while. He

thanked the mediators for coming forward and helping the county. Bryan mentioned a number of things they would be handling. Joy stated that once up and running they would provide quarterly reports of the mediations held and the success rate. Morris asked Joy to clarify that the services would be for any monetary values of \$15,000 or less. Joy confirmed and said that was by statute. McCormack said there had been a press release done. He requested Ross to work with Michael Ryan, Communications Manager, to send an informational packet to the county's partners. Stevenson asked McCormack if he could also let the HOA, POA, and Property Managers know about it. McCormack agreed that it would be a good idea. Bryan commented that this would be a good way to expedite some of the issues that came before the board.

(08/21/12 - 14 - 12:14 p.m.)

6. CONSIDER AN APPOINTMENT TO THE VALUE ADJUSTMENT BOARD

Melissa Lundquist requested the reappointment of Heather L. Allen to the Value Adjustment Board. (12:15 p.m.) **Motion by Sanchez, seconded by Stevenson, carried 4/0, to reappoint Ms. Heather L. Allen to the Value Adjustment Board**

(08/21/12 - 14 - 12:16 p.m.)

7. CONSIDER APPOINTMENTS TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE

**Motion by Sanchez, seconded by Bryan, carried 4/0, to reappoint Harry Maxwell to the Affordable Housing Advisory Committee for a full four-year term scheduled to expire August 21, 2016 (Citizen actively engaged as a for-profit provider of affordable housing), Bill Lazar to the Affordable Housing Advisory Committee for a full four-year term scheduled to expire August 21, 2016 (Citizen Actively engaged as a not-for-profit provider of affordable housing), Barbara Goll to the Affordable Housing Advisory Committee for a full four-year term scheduled to expire August 21, 2016 (Citizen Actively engaged as a Real Estate Professional).**

(08/21/12 - 14 - 12:18 p.m.)

COMMISSIONERS' REPORTS

Commissioner Stevenson:

Stevenson shared a story about Mike Brown and his wife Valerie. They lost their daughter Denise Silverman from injuries sustained on SR13. She was a graduate of Bartram Trail High School. Brown told Stevenson that the monument they had decorated for her birthday had been vandalized. Denise was an organ donor. Her heart was given to a youth in Texas. Brown wanted yellow roses to commemorate her passing. Stevenson wanted to take this time to honor the family; and to try to rectify the inappropriate act. She placed yellow roses on the board bench.

(12:20 p.m.) Commissioner Morris:

Morris commented that only 19% of registered voters voted in the primary election. He wanted to put the word out for citizens to vote.

(12:21 p.m.) Commissioner Sanchez:

Sanchez said that it was disgraceful that so few citizens voted. Sanchez also thanked County Staff and let them know how appreciated they were. He wanted to recommend to congress to put a limit to only three Amendments on the ballot. Bryan and Stevenson said they would support it. Sanchez requested administration to prepare a letter for the board. Stevenson commented about the election and consoled Bryan. Bryan said it had been a very productive four years. He said that he and his wife were looking forward

to taking some vacations. He said there were a few projects he would continue to work with.

(12:30 p.m.) Commissioner Bryan:

Bryan commented that he had received the St. Johns County Impact. It is a small flyer from the SBDC (Small Business Development Center); reported that from January to June 30<sup>th</sup> there were 32 jobs created; jobs were retained; \$62,000 in sales growth and nine new businesses were started. He commented on receiving his T.R.I.M. notice and that his taxes had gone down.

(08/21/12 - 15 - 12:21 p.m.)

#### COUNTY ADMINISTRATOR'S REPORT

Wanchick said he had sent the board a memo regarding some Jax USA protocols for economic development within the region. He indicated that those protocols were not in the county's best interest. He said unless they told him otherwise he was going to send a letter back to say they did not plan on being a signatory to those protocols. The board concurred. Bryan referenced a new business, Custom and Classic Cars of St. Augustine, off SR207. They had nothing but praise for the county staff. Wanchick commented that they bid the contract on copiers and would save \$250,000 over the next few years. He said the next thing they were going to look at was phones.

McCormack reminded the board about the special meeting and wanted to reserve his comments until then.

The regular meeting recessed at 12:37 p.m. and reconvened at 1:59 p.m. with Bryan, Morris, Stevenson, Wanchick; Erica Moore, Assistant County Attorney; and Natasha Lirette, Deputy Clerk, present.

The regular meeting recessed at 1:59 p.m., to call to order the special meeting at 2:00 p.m. After the special meeting concluded, the regular meeting reconvened at 2:47 p.m.

(08/21/12 - 15 - 2:47 a.m.)

#### COUNTY ATTORNEY'S REPORT

McCormack spoke on the private attorney/client meeting, Alachua County, Florida Et Al., v. Elizabeth Dudek, Et Al. Case No. 2012-CA-1328, that was discussed at the August 21, 2012, special meeting. McCormack discussed the following on the case: certified charges from ACHA, State agency for Health Care Administration, the 15% discount offered by ACHA, the Petition filing procedures for DOAH, State of Florida Division of Administration Hearings. He asked the Board of County Commissioners for authority to file a petition to DOAH, by September 1, 2012. Discussion ensued.

**(3:05 p.m.) Motion by Sanchez, seconded by Morris, carried 4/0, to authorize the county attorney to file a petition by September 1, 2012, to the State of Florida.**

(08/21/12 - 15 - 3:06 p.m.)

#### CLERK OF COURT'S REPORT

No report.

With there being no further business to come before the Board, the meeting adjourned at 3:06 p.m.

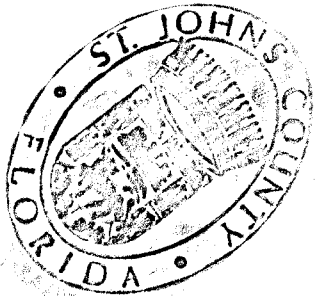
REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 485853-485856, totaling \$149,481.00 (08/02/12)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 485857-486039, totaling \$719,412.65 (08/07/12)
3. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 10252-10302, totaling \$306,606.19 (08/07/12)
4. St. Johns County Board of County Commissioners Check Register, Check No. 486040, totaling \$5,226.02 (08/07/12)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 486041-486063, totaling \$44,765.55 (08/09/12)
6. St. Johns County Board of County Commissioners Check Register, Check No. 486064, totaling \$1.00 (08/10/12)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 486065-486246, totaling \$1,616,274.03 (08/14/12)
8. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 10303-10355, totaling \$719,705.48 (08/14/12)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 486247-486256, totaling \$8,890.00 (08/15/12)
10. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 10356-10364, totaling \$10,480.50 (08/15/12)

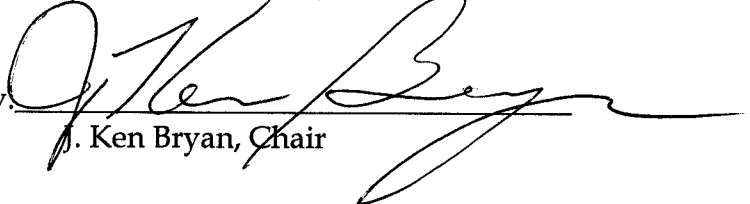
CORRESPONDENCE:

1. Letter dated August 9, 2012, to Liz Cloud, Program Administrator, Department of State, filing St. Johns County Ordinance No. 2012-19.

Approved October 2, 2012



BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By:   
Ken Bryan, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By:   
Deputy Clerk