

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
FEBRUARY 19, 2013
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: Jay Morris, District 4, Chair
William A. McClure, District 3, Vice Chair
Cyndi Stevenson, District 1
Ron Sanchez, District 2
Rachael Bennett, District 5
Michael Wanchick, County Administrator
Patrick McCormack, County Attorney
James Whitehouse, Assistant County Attorney
Sindy Wiseman, Deputy Clerk

(02/19/13 - 1 - 9:00 a.m.)
CALL TO ORDER

Morris called the meeting to order.

(02/19/13 - 1 - 9:00 a.m.)
ROLL CALL

The clerk called the roll and all members were present.

(02/19/13 - 1 - 9:01 a.m.)
INVOCATION

Jeff Bennett, Ponte Vedra United Methodist Church, gave the invocation.

(02/19/13 - 1 - 9:02 a.m.)
PLEDGE OF ALLEGIANCE

Morris led the Pledge of Allegiance.

(02/19/13 - 1 - 9:02 a.m.)
DELETIONS TO CONSENT AGENDA

Item 3 was pulled by McClure and added as 7 on the Regular Agenda.

(02/19/13 - 1 - 9:04 a.m.)
APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Minutes:
 - BCC Regular 1/15/13
 - BCC Special 1/15/13

(Item 3 was pulled from the Consent Agenda and added as Item 7 on the Regular Agenda.)

3. Motion to adopt a resolution declaring certain County owned property as surplus; and authorizing the sale of the property (in the amount of \$35,000) at 1033 Hibiscus Street to the St. Johns Housing Partnership, pursuant to the provisions set forth in Section 125.35, Florida Statutes
4. Motion to adopt **Resolution No. 2013-33**, accepting a Bill of Sale and Schedule of Values for all personal property associated with the water and sewer lines that serve Las Calinas Parcel 3A, Unit 4, off US 1 North

RESOLUTION NO. 2013-33

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 A PORTION OF LAS CALINAS PARCEL 3A, UNIT 4, OFF US 1 NORTH

5. Motion to adopt **Resolution No. 2013-34**, authorizing the transfer of the real property located at 566 Fern Avenue and 7 Nesbit Avenue, St. Augustine, and 218 West Vivian Drive, Hastings, and all subsequent rental property acquisition to SJHP Home 1, LLC

RESOLUTION NO. 2013-34

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE TRANSFER OF THE REAL PROPERTY LOCATED AT 566 FERN AVENUE AND 7 NESBIT AVENUE IN ST. AUGUSTINE, FLORIDA, AND 218 WEST VIVIAN DRIVE IN HASTINGS, FLORIDA, AND ALL SUBSEQUENT RENTAL PROPERTY ACQUISITIONS TO SJHP HOME 1, LLC, A FLORIDA LIMITED LIABILITY CORPORATION, THE SOLE MEMBER OF WHICH IS ST. JOHNS HOUSING PARTNERSHIP, INC., A 501(C)(3) CORPORATION, BY THE HOUSING FINANCE AUTHORITY OF ST. JOHNS COUNTY, ON BEHALF OF ST. JOHNS COUNTY, FOR THE PURPOSE OF PROVIDING AFFORDABLE RENTAL HOUSING UNDER THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP), WITH NSP GRANT FUNDS IN ACCORDANCE WITH NSP REQUIREMENTS

6. Motion to adopt **Resolution No. 2013-35**, approving the terms and conditions of a Purchase and Sale Agreement of Easement for property along Sartillo Road; and authorizing the county administrator, or designee, to execute the agreement on behalf of the County

RESOLUTION NO. 2013-35

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A PURCHASE AND SALE AGREEMENT OF EASEMENT FOR PROPERTY ALONG SARTILLO ROAD; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

7. Motion to adopt **Resolution No. 2013-36**, accepting an Easement for Utilities for water service to serve Sawgrass Fitness Center in Ponte Vedra

RESOLUTION NO. 2013-36

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER SERVICE TO SERVE THE SAWGRASS FITNESS CENTER IN PONTE VEDRA

8. Motion to adopt **Resolution No. 2013-37**, accepting a Sovereignty Submerged Lands Easement for access across State lands to the Treasure Beach canals; and authorizing the chair of the Board to join in the execution of the easement on behalf of the County

RESOLUTION NO. 2013-37

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SOVEREIGNTY SUBMERGED LANDS EASEMENT FOR ACCESS ACROSS STATE LANDS TO THE TREASURE BEACH CANALS; AND AUTHORIZING THE CHAIR OF THE BOARD TO JOIN IN THE EXECUTION OF THE EASEMENT ON BEHALF OF THE COUNTY

9. Motion to adopt **Resolution No. 2013-38**, approving the final plat for Durbin Crossing North, Phase 2D

RESOLUTION NO. 2013-38

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR DURBIN CROSSING NORTH, PHASE 2D

10. Motion to adopt **Resolution No. 2013-39**, approving the final plat for Durbin Crossing North, Phase 2B , Unit 2

RESOLUTION NO. 2013-39

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR DURBIN CROSSING NORTH, PHASE 2B, UNIT 2

11. Motion to adopt **Resolution No. 2013-40**, approving the final plat for Kelly Pointe at Nocatee, Phase 4

RESOLUTION NO. 2013-40

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR KELLY POINTE AT NOCATEE, PHASE 4

12. Motion to adopt **Resolution No. 2013-41**, approving the final plat for Marshall Creek DRI, Unit EV-7A/EV-8A

RESOLUTION NO. 2013-41

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR MARSHALL CREEK DRI, UNIT EV-7A/EV-8A

13. Motion to approve the transfer of salary and benefits from the Facilities Maintenance Department [Department 0031] to the Sheriff's Complex Maintenance Department [Department 0105]
14. Motion to approve the public official bond for Clerk of the Court, Cheryl Strickland, in the amount of \$5,000 for the period of 01/2013 through 01/2017
15. Motion to adopt **Resolution No. 2013-42**, approving the terms, conditions, and requirements of the Agreement between St. Johns County and the Seventh Judicial Circuit Court, in order to fund the activities of the Seventh Circuit Court Administration Juvenile Drug Court Program, to include staffing, drug testing, treatment, and other essential elements in accordance with RFP 12-42, as recommended by the St. Johns County Health and Human Services Advisory Council; and to authorize the county administrator, or his designee, to execute the agreement on behalf of the County. The cost of program is \$63,714

RESOLUTION NO. 2013-42

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERM, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT, BETWEEN ST. JOHNS COUNTY AND THE SEVENTH JUDICIAL CIRCUIT COURT, ON BEHALF OF THE SEVENTH CIRCUIT COURT ADMINISTRATION JUVENILE DRUG COURT PROGRAM; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

16. Motion to adopt **Resolution No. 2013-43**, authorizing the county administrator to award Bid No. 13-26, a 48 month lease of golf course maintenance equipment to Golf Ventures, Inc.; and further authorizing the county administrator, or designee, to execute a legally sufficient Lease Agreement, in substantially the same format as the attached agreement, for the lease of golf course maintenance equipment, and motion to approve the transfer of \$28,200 from Golf Course

Surcharge Projects - Capital Equipment (4432-56400) to Lease Debt Service - Lease Principal (4436-57101) and Lease Interest (4436-57201)

RESOLUTION NO. 2013-43

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 13-26; AND TO EXECUTE A LEASE AGREEMENT FOR GOLF COURSE MAINTENANCE EQUIPMENT

17. Motion to adopt **Resolution No. 2013-44**, authorizing the county administrator, or designee, to submit an application seeking funding assistance through the Office of Greenways and Trails Recreational Trails Program Grant for construction of the Mussallem Trailhead. St. Johns County currently has allocated funding of \$275,000 for the Mussallem Trailhead Capital Improvement Project

RESOLUTION NO. 2013-44

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 DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF GREENWAYS AND TRAILS RECREATIONAL TRAILS PROGRAM GRANT FOR CONSTRUCTION OF THE MUSSALLEM TRAILHEAD

18. Motion to adopt **Resolution No. 2013-45**, authorizing the county administrator, or designee, to submit an application seeking funding assistance through the Florida Inland Navigation District Waterways Assistance Program Grant for phase 1 engineering of the Vilano Beach fishing pier renovation project. This program is a 50/50 matching grant and St. Johns County has a dedicated match to make application. On January 15, 2013, the Board of County Commissioners approved \$90,000 for this project. This application will offset \$45,000 of this project

RESOLUTION NO. 2013-45

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 A PHASE 1 ENGINEERING FOR THE VILANO BEACH FISHING PIER RENOVATION PROJECT

19. Motion to commit to allocate, in the FY 2014 budget cycle, the use of Nocatee DRI mitigation funds in the amount of \$157,000 for the Enhanced Hurricane Protection Area (EHPA) at K-8 identified as school "HH". This new Enhanced Hurricane Protection Area (EHPA) school will provide an additional 500 shelter spaces

20. Motion to declare a list of County items (from various County departments that are of varying conditions) as surplus and authorize the county administrator, or his designee, to dispose of the same, in accordance with County Purchasing Policy 308 and Florida Statute 274

(02/19/13 - 6 - 9:04 a.m.)
PUBLIC COMMENT

There was none.

(02/19/13 - 6 - 9:04 a.m.)
ADDITIONS/DELETIONS TO REGULAR AGENDA

Item 3 was pulled from the Consent Agenda and added to the Regular Agenda as Item 7. Morris requested that an item, submitted by Press Tompkins, regarding an application request for the Florida Department of Environmental Protection Water Quality Restoration Grant Program, be added as Item 8. Morris pulled Item 3 from the Regular Agenda to a date uncertain.

(02/19/13 - 6 - 9:05 a.m.)
APPROVAL OF REGULAR AGENDA

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

(02/19/13 - 6 - 9:06 a.m.)

1. PUBLIC HEARING - TREASURE BEACH CANALS MSBU NOTICE OF INTENT TO USE UNIFORM METHOD. ST. JOHNS COUNTY ORDINANCE 91-47 CREATED THE TREASURE BEACH CANALS MUNICIPAL SERVICE BENEFIT UNIT (MSBU) TO DREDGE THE CANALS. THE ASSESSMENTS HAVE EXPIRED AND THE CANALS ARE AGAIN FILLING IN AND REPRESENTATIVES OF THE PROPERTY OWNERS HAVE PRESENTED COUNTY STAFF WITH AN ENGINEER'S PLAN AND ESTIMATE, AND PETITIONS FROM A MAJORITY OF PROPERTY OWNERS, ASKING FOR AN MSBU TO FINANCE A DREDGING PROJECT THAT WOULD BE REPAID, WITH INTEREST, WITH NON-AD VALOREM ASSESSMENTS. THIS RESOLUTION PROVIDES NOTICE, REQUIRED BY FLORIDA STATUTE 197.3632, OF INTENT TO USE THE UNIFORM METHOD OF COLLECTION TO HAVE THE TAX COLLECTOR COLLECT ANY NON-AD VALOREM MSBU ASSESSMENTS FOR THE TREASURE BEACH CANALS THAT ARE CREATED THIS YEAR. THE NOTICE OF INTENT DOES NOT MANDATE THAT THE COUNTY MUST LEVY THE MSBU ASSESSMENTS. THE RESOLUTION ALSO AUTHORIZES THE COUNTY ADMINISTRATOR TO THEN BRING AN AMENDMENT TO ORDINANCE 91-47 TO THE BOARD TO IMPOSE MSBU ASSESSMENTS IF COUNTY ORIGINATED PETITIONS MAILED TO THE PROPERTY OWNERS INDICATE MAJORITY SUPPORT

Proof of publication of the notice of public hearing on Treasure Beach Canal MSBU was received, having been published in *The St. Augustine Record* on February 12, 2013.

Damon Douglas, Special Projects Coordinator, Land Management Systems, gave the presentation on behalf of the Treasure Beach property owners association. He said they had petitions from 65% of the affected property owners, and if the resolution was approved, county staff would take the next steps to create the MSBU. He received the next steps to take place *Exhibit A*. Stevenson said the County should support the MSBU, as it would enhance property values.

(10:39 a.m.) Motion by McClure, seconded by Bennett, carried 5/0, to adopt Resolution No. 2013- 46, providing notice of intent to use the uniform method of collection for the Treasure Beach Canals MSBU.

RESOLUTION NO. 2013-46

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA (THE "BOARD"), STATING ITS INTENT TO USE - AND AUTHORIZING THE USE OF - THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS (FLORIDA STATUTES 197.3632) ASSESSED PURSUANT TO ST. JOHNS COUNTY ORDINANCE 91-47, AS AMENDED FROM TIME TO TIME, FOR MORE THAN ONE YEAR AGAINST THE LANDS LOCATED WITHIN THE TREASURE BEACH CANAL MUNICIPAL SERVICE BENEFIT UNIT (THE "MSBU") CREATED BY SAID ORDINANCE, THE BOUNDARIES OF SUCH MSBU BEING DESCRIBED IN THE BODY OF THIS RESOLUTION

(02/19/13 - 7 - 9:11 a.m.)

2. PUBLIC HEARING - REZ 2012-08 THE PALMS AT PONTE VEDRA. THIS IS A REQUEST TO REZONE 8.91 ACRES FROM PLANNED UNIT DEVELOPMENT (PUD) AND RESIDENTIAL GENERAL (RG-1) TO OPEN RURAL (OR), WITH CONDITIONS, FOR THE PROPOSED USE OF AN ASSISTED LIVING FACILITY. SUBJECT PROPERTY IS LOCATED ON THE NORTH SIDE OF SOLANA RD., JUST WEST OF A1A. BASED ON THE INFORMATION AVAILABLE TO STAFF, THE CURRENT PLANNING & ZONING SECTION FINDS THE REQUEST FOR A REZONING WITH CONDITIONS SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THE PLANNING AND ZONING AGENCY INITIALLY ISSUED A RECOMMENDATION OF DENIAL OF THIS ITEM AT THEIR NOVEMBER 15TH MEETING. THE PLANNING AND ZONING AGENCY CONSIDERED A REVISED REQUEST, WITH ADDITIONAL CONDITIONS, AT ITS JANUARY 10, 2013, MEETING AND ISSUED A UNANIMOUS RECOMMENDATION OF APPROVAL

Proof of publication of the notice of public hearing on REZ 2012-08, The Palms at Ponte Vedra, was received, having been published in *The St. Augustine Record* on February 4, 2013.

Michael Blackford, Growth Management Department, gave the presentation, *Exhibit A*. He gave an overview of the rezoning request, and location of the intended property, with conditions. Discussion ensued regarding the site plan, zoning boundaries, the use of the property, and the parking area. McCormack informed the Board that this was a quasi-judicial item and that the Board should disclose any ex parte communications. Bennett said she was introduced to the applicant and received a call from Doug Burnett, but there was no conversation. Sanchez talked several times with Burnett. Morris met with the developer, Alan Dickenson, Karen Taylor, Doug Burnett and some residents. McClure said he talked with Burnett. Stevenson said she knew the applicant.

(9:25 a.m.) Doug Burnett, St. Johns Law Group, 509 Anastasia Blvd, introduced various professionals who were present and who worked on the project. He said the PZA denied their original plan, however, the revised plan was approved. He reviewed the revisions. He talked about the benefits of the location of the facility, the acreage that

would be used, the landscaping, demand, and traffic conditions. Burnett said the estimated cost of the project was \$9.183 million, and that 50 jobs would be created.

(9:42 a.m.) McClure clarified some of the setbacks, impact fees and reiterated the process to this point.

(9:45 a.m.) Bennett asked about the site plan being included in the recorded documents. Discussion ensued on the project, the density and the way it was brought forward. Karen Taylor showed the site map with the property line, *Exhibit B*.

(9:59 a.m.) Stevenson spoke about density rules and made observations about the easement grant, conservation easement, and access.

(10:03 a.m.) Judith Coleman, 131 Solano Cay Circle, voiced her concern about the wetlands and what would happen if the County did not want the conservation easement. She said she had no problem with the assisted living project.

(10:06 a.m.) George Ruotolo, 136 Belvidere Place, supported the project and felt this was the best application for the site and all of his concerns were met.

(10:08 a.m.) Whitehouse talked about the maintenance of the conservation easement. Burnett clarified a statement he made about the easements: that it would be recorded within 90 days of HCM acquiring the land. Thomas Hinman, engineer of record, spoke about timbering. Discussion ensued about what could or could not take place prior to HCM acquiring the land.

(10:18 a.m.) Morris said he supported the project. Stevenson commented about timbering. Colon Nicholson, Caldwell Banker Commercial Benchmark, stated the seller could not do anything with the property without the consent of the buyer.

(10:23 a.m.) Sanchez said that if the residents on both sides were happy, he would support the project. Bennett asked that the density to be addressed. Blackford discussed the density requirements.

(10:27 a.m.) Motion by Morris, seconded by Sanchez, carried 5/0, to enact Ordinance 2013-5, known as REZ 2012-08, based on findings of fact 1-5 to support the motion, and subject to the suggested conditions to include changes in Section B, Section D and Section H.

ORDINANCE NO. 2013-5

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM THE PRESENT
ZONING CLASSIFICATIONS OF PLANNED UNIT
DEVELOPMENT (PUD) AND RESIDENTIAL GENERAL
1 (RG-1) TO OPEN RURAL (OR), WITH CONDITIONS,
MAKING FINDINGS OF FACT; REQUIRING
RECORDATION; AND PROVIDING AN EFFECTIVE
DATE**

(02/19/13 – 8 – 9:04a.m.) *Item 3 was pulled to a date uncertain.*

3. PUBLIC HEARING – ZADMAPL 12013-01 DUNWORTH - 10 DUNE STREET. THIS IS AN APPEAL FILED PURSUANT TO LAND DEVELOPMENT CODE SECTION 9.07.03, APPEALS FROM DECISIONS OF THE PLANNING AND ZONING AGENCY (PZA), FILED BY KEN SOUD, OWNER OF ADJACENT

PROPERTY. THE PZA CONSIDERED THE ZONING VARIANCE PETITION AT THEIR DECEMBER 20, 2012 HEARING AND APPROVED THE REQUEST, WITH CONDITIONS, BY A 4 TO 1 VOTE, (KOPPENHAFFER DISSENTING; NELSON, CONNOR ABSENT). ON JANUARY 17, 2013, LARRY GRIGGS, ATTORNEY FILED AN APPEAL ON BEHALF OF KEN SOUD IN A TIMELY MANNER AS PRESCRIBED BY THE LAND DEVELOPMENT CODE, REQUESTING THAT THE BOARD OF COUNTY COMMISSIONERS REVERSE THE DECISION RENDERED BY THE PZA AND DENY ZVAR 2012-06

Proof of publication of the notice of public hearing ZADMAPL 2013-01, Appeal ZVAR 2012-06, Dunworth was received, having been published in *The St. Augustine Record* on February 4, 2013.

(02/19/13 - 9 - 10:29 a.m.)

4. CONSIDER AN APPOINTMENT TO THE LIBRARY ADVISORY BOARD

Melissa Lundquist, BCC Manager, gave the presentation.

(10:31 a.m.) **Motion by Sanchez, seconded by McClure, carried 5/0, to appoint B. Young McQueen to the Library Advisory Board, for a partial term, scheduled to expire May 15, 2014.**

(02/19/2013 - 9 - 10:29 a.m.)

5. CONSIDER AN APPOINTMENT TO THE TOURIST DEVELOPMENT COUNCIL

Melissa Lundquist, BCC Manager, gave the presentation. Discussion ensued about conflicts of interest.

(10:37 a.m.) **Motion by Morris, seconded by Stevenson, carried 4/1, with McClure dissenting, to reappoint Scott Bartosch to the Tourist Development Council for a four-year term scheduled to expire February 19, 2017.**

(10:38 a.m.) **Motion by Morris, seconded by Stevenson, carried 5/0, to appoint Anthony Lazara to the Tourist Development Council for a four-year term, scheduled to expire February 19, 2017.**

The meeting recessed at 10:40 a.m. and reconvened at 10:58 a.m.

(02/19/13 - 10 - 10:58 a.m.)

6. CONSIDER THE RENEWAL OF THE COUNTY ATTORNEY CONTRACT

Patrick McCormack, County Attorney, spoke about serving the County. McClure asked about past performance appraisals. McCormack said a law office management review was completed in 2012.

(11:01 a.m.) Stevenson made some observations about McCormack's performance. Discussion ensued on specifics of the contract. McClure said he had not received some of the requested paperwork and was unable to review the details. Sanchez said he felt McCormack had done a good job, and supported the five year contract. Morris supported the contract as presented. McClure suggested tabling the item, until the next meeting, to allow time to complete due diligence. (11:15 a.m.) *Motion by McClure to table this item until the next agenda.* Bennett spoke about the timing of the item, and allowing the newly elected commissioners time to assess and review the contract. Stevenson concurred and suggested a six month extension.

(11:19 a.m.) Paris Desai, 715 Wooded Hamlet Court, spoke about an EEOC 712 complaint he filed. He offered evidence of the complaint to the Board, to help with their decision.

(11:22 a.m.) Morris commented on the goal setting. Stevenson discussed McCormack's intent to reorganize his office and said she had concerns about him moving away from his expertise.

(11:35 a.m.) Discussion ensued on the six month extension. (11:39 a.m.) *McClure withdrew his motion to table the item, to restate it to add a six month extension.*

(11:39 a.m.) Motion by McClure, seconded by Bennett, carried 4/1, with Morris dissenting, to extend the current County Attorney's contract for six months, with the revised contract.

(02/19/13 - 10 - 11:41 a.m.) *(Formerly Consent Item 3.)*

7. MOTION TO ADOPT A RESOLUTION DECLARING CERTAIN COUNTY OWNED PROPERTY AS SURPLUS; AND AUTHORIZING THE SALE OF THE PROPERTY (IN THE AMOUNT OF \$35,000) AT 1033 HIBISCUS STREET TO THE ST. JOHNS HOUSING PARTNERSHIP, PURSUANT TO THE PROVISIONS SET FORTH IN SECTION 125.35, FLORIDA STATUTES

Mary Ann Blount gave the presentation. Discussion ensued on the sale price and the area of the appraisal and drainage.

(11:50 a.m.) Motion by McClure, seconded by Sanchez, carried 5/0, to adopt Resolution No. 2013-47, declaring certain County owned property as surplus; and authorizing the sale of the property, pursuant to the provisions set forth in Section 125.35, Florida Statutes.

RESOLUTION NO. 2013-47

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING CERTAIN COUNTY PROPERTY AS SURPLUS; AND AUTHORIZING THE SALE OF THE PROPERTY; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO TAKE ALL ACTION NECESSARY TO CLOSE THE TRANSACTION PURSUANT THE PROVISIONS SET FORTH IN SECTION 123.35, FLORIDA STATUTES

(02/19/13 - 11 - 11:51 a.m.)

8. MOTION TO ADOPT A RESOLUTION APPROVING, IN SUBSTANTIALLY THE FORM PRESENTED, THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF THE GRANT APPLICATION BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AND THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, REGARDING TMDL WATER QUALITY RESTORATION GRANT APPLICATIONS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT, ON BEHALF OF THE COUNTY

Locklear explained that this was an application for water quality clean up measures. There was discussion on the amount requested, and how these items get to the board so quickly.

(11:57 a.m.) Motion by Bennett, seconded by Sanchez, carried 5/0, to adopt Resolution 2013-48 approving, in substantially the form presented, the terms, provisions, conditions, and requirements of the Grant Application between the Board of County Commissioners of St. Johns County, Florida, and the State of Florida Department of Environmental Protection, regarding TMDL Water Quality Restoration Grant applications and authorizing the County Administrator, or designee, to execute the Agreement, on behalf of the County.

RESOLUTION NO. 2013-48

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE ALL REQUIRED DOCUMENTS AND DIRECTING STAFF TO SUBMIT APPLICATIONS TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR THE TOTAL MAXIMUM DAILY LOADS (TMDL) WATER QUALITY RESTORATION GRANT FOR ONGOING COUNTY DRAINAGE PROJECTS; AUTHORIZING COUNTY OFFICERS, EMPLOYEES OR AGENTS OF THE COUNTY, TO DO ALL THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION THEREWITH; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

(02/19/13 - 11 - 11:59 a.m.)

COMMISSIONERS' REPORTS

Commissioner Bennett:

Bennett discussed workshops and their dates. Wanchick said that the Florida Legislature amended the concurrency language in the Florida Statute and stated that there were several interpretations so they should proceed carefully.

(12:02 p.m.)

Commissioner Sanchez:

Sanchez said he attended the Learn to Read Mardi Gras celebration.

(12:02 p.m.)

Commissioner McClure:

McClure talked about the school board meeting. Consensus was given to send an invoice to move forward on the JEA contract.

(12:07 p.m.)

Commissioner Stevenson:

No report.

(12:07 p.m.)

Commissioner Morris:

No report.

(02/19/13 - 12 - 12:08 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick mentioned that the house on Hydrangea Street, which was hit by a jeep, was chosen by House and Garden TV to be renovated; the renovations will start on February 25, 2013. He showed the headline from the *Jacksonville Business Journal*, about commercial developers eyeing St. Johns County. He said it was great advertisement.

(02/19/13 - 12 - 12:10 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack announced that David Migut had been re-certified in city, county and local government law by the Florida Bar. McCormack reminded Sanchez about an item he was supposed to bring up. Sanchez said that the 4H wanted to make the datil-pepper plant the official plant of St. Johns County. Wanchick suggested it be done at the next meeting in the form of a proclamation.

(02/19/13 - 12 - 12:12 p.m.)

CLERK OF COURT'S REPORT

No report.

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

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 92083-492305, totaling \$890,196.46
2. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 12040-12102, totaling \$526,376.53
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 492306-492324, totaling \$16,449.58
4. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 12103-13116, totaling \$13,783.36
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 492325-492340, totaling \$55,409.19
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 492341-492344, totaling \$155,662.23
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 492345-492562 totaling \$580,296.05
8. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 12117-12165 totaling \$1,607,813.14

CORRESPONDENCE:

No correspondence.

Approved April 16, 2013

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____


John H. Morris, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: *Pam Halterman*
Deputy Clerk