

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
MARCH 13, 2014
11:00 A.M.**

Proceedings of an emergency meeting of the Board of County Commissioners of St. Johns County, Florida, held in the San Sebastian Conference Room at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

Proof of publication of the notice of the emergency meeting of the Board of County Commissioners of St. Johns County, Florida, was received, having been noticed by a press release by the St. Johns County Clerk of Courts on March 12, 2014.

Present: John H. Morris, District 4, Chair
 Rachael Bennett, District 5, Vice Chair
 Cyndi Stevenson, District 1
 Ron Sanchez, District 2
 William A. McClure, District 3
 Michael Wanchick, County Administrator
 Darrell Locklear, Assistant County Administrator
 Jerry Cameron, Assistant County Administrator
 Patrick McCormack, County Attorney
 Pam Halterman, Deputy Clerk

(03/13/14 - 1 - 11:00 a.m.)
CALL TO ORDER

Morris called the meeting to order.

(03/13/14 - 1 - 11:01 a.m.)
ROLL CALL

The clerk called the roll, and all board members were present.

(03/13/14 - 1 - 11:01 a.m.)
INVOCATION

Cameron gave the invocation.

(03/13/14 - 1 - 11:01 a.m.)
PLEDGE OF ALLEGIANCE

Morris led the Pledge of Allegiance.

(11:02 a.m.) McCormack referenced the agenda and advised that Press Tompkins, County Engineer, would explain the erosion situation and then public comment could be heard. He noted that the emergency meeting had been advertised in a media notice, as well as on the County website, Facebook, and Twitter. He explained that Florida Statute, Chapter 161, and Florida Administrative Code, Rule 62.b, provide for emergency situations with coastal storm erosion events and a mechanism for local government to expedite protection of property.

(11:05 a.m.) Press Tompkins, St. Johns County Engineering Dept., spoke on the erosion situation in the Ponte Vedra Beach area. He pointed out that some erosion reached

between 15 and 18 feet from foundations. He noted that the Department of Environmental Protection policy involved a 20 foot rule, whereas, erosion happened within 20 feet of property that property would be eligible for expedited permitting. He specified that staff had met with and talked to several homeowners and had scheduled an Emergency Proclamation for March 18, 2014, during the regular BCC meeting to discuss the issue. He stated that the expedited permitting through the Florida Department of Environmental Protection would ensure that a contractor could begin work in the next day or two. He voiced that eminent danger existed to some of the habitable structures, which included 2839 to 2935 S. Ponte Vedra Blvd and Old A1A in Summer Haven.

(11:08 a.m.) Wanchick asked Tompkins for details involving the emergency. Tompkins explained that residents had a 90 day window to apply for a DEP permit. However, he noted that residents, without an emergency action by the BCC, would face a much more arduous process with DEP. In response to an inquiry from McClure, Tompkins said that a State emergency would supersede a county emergency.

(11:10 a.m.) McCormack prepared and presented the Emergency Proclamation No. 2014-1 to the Board. He questioned and Tompkins affirmed that staff had reviewed the emergency erosion situation and said it was his professional opinion that action was necessary to expedite property protection. McCormack reviewed the Proclamation. Bennett directed attention to the final paragraph of the proclamation and suggested that the language included in the proclamation allowed for the area of erosion to be expanded along the coast.

Bennett opened the hearing to public comment:

(11:13 a.m.) Chuck Herklotz, 2875 S. Ponte Vedra Blvd, said his house was currently 14 feet from a 12 foot drop-off, and crews had started to install a temporary seawall. He pointed out that the erosion began on March 5, 2014. He thanked County Engineer Andy Ames for his assistance.

(11:15 a.m.) Bill Beagle, 2899 S. Ponte Vedra Blvd, stated that his house was located five houses south of the erosion area. He noted that the water eroded the property just where the seawall ended, which remained an issue. He voiced that the necessary authority to install a seawall was difficult to obtain even in emergency situations.

(11:17 a.m.) Linda Beagle, 2899 S. Ponte Vedra Blvd, asked what entity approved the location of the seawall. She spoke about exposed sewer pipes with the erosion.

(11:18 a.m.) In response to an inquiry, Tompkins noted that staff worked closely with DEP to eliminate the erosion issue with the temporary seawall. He spoke about Department of Environmental Protection criteria. McClure asked for clarification. Tompkins explained that vacant lots were not allowed an emergency permit and beach homeowners incurred the cost of repairs.

(11:21 a.m.) Herklotz noted that 10 houses were currently in jeopardy. Wanchick noted that staff was required to follow a State prescribed process, because the County did not have the authority or jurisdiction. Beagle stated that their house was located two properties north of the specified erosion location. McCormack pointed out that the Herklotz' would be required to follow the normal process with DEP in order to obtain a permit for a seawall, because their property was not specified in the Emergency Proclamation.

(11:26 a.m.) Linda Donovan, 2911 S. Ponte Vedra Blvd., voiced that it was just a matter of time before their property was in the same situation as the Herklotz. Wanchick

stated that the County engineering staff would help guide homeowners to navigate through the DEP process.

(3/13/14 - 3 - 11:27 a.m.)

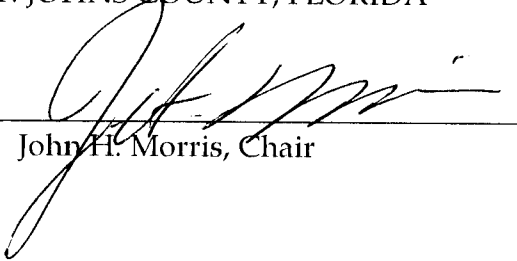
Motion by Morris, seconded by Stevenson, carried 5/0, to approve Emergency Proclamation 2014-1, declaring a local State of Emergency in certain coastal areas of South Ponte Vedra and Summer Haven due to coastal storm erosion.

(03/13/14 - 3 - 11:28 a.m.)

With there being no further business to come before the Board, the meeting adjourned at 11:28 a.m.

Approved April 1, 2014

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
John H. Morris, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

