

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
MARCH 3, 2015
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: Rachael Bennett, District 5, Chair
Jeb S. Smith, District 2, Vice Chair
William A. McClure, District 3
John H. Morris, District 4
Michael Wanchick, County Administrator
Patrick McCormack, County Attorney
Lenora Newsome, Deputy Clerk

Also present: Darrell Locklear, Assistant County Administrator; Jerry Cameron, Assistant County Administrator; and Paolo Soria, Assistant County Attorney

(03/03/15 - 1 - 9:02 a.m.)
CALL TO ORDER

Bennett called the meeting to order.

(03/03/15 - 1 - 9:02 a.m.)
ROLL CALL

The clerk called the roll: all board members were present.

(03/03/15 - 1 - 9:02 a.m.)
INVOCATION

Father Ken Herzog, Trinity Episcopal Parish, gave the invocation.

(03/03/15 - 1 - 9:03 a.m.)
PLEDGE OF ALLEGIANCE

Bennett led the Pledge of Allegiance.

(03/03/15 - 1 - 9:04 a.m.)
PUBLIC COMMENT

(9:04 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke about information from the last BCC meeting and things that happened at that meeting. He spoke on being poor and getting food stamps. He spoke in support of sales tax.

(9:07 a.m.) Terry Perreau, 4225 Jefferson Avenue South, Hastings, spoke on the Equestrian Center, what was done there, and said that she appreciated the Board's support.

(9:10 a.m.) Ali Smith, President, St. Johns County Horse Counsel, 5241 Don Manuel Road, Elkton, spoke on horseback riding, and mentioned they built a new arena at the Equestrian Center.

(9:12 a.m.) James Stewart, 1864 Inlet Cove Court, spoke on behalf of John Capeletti, a sign spinner, who moved to St. Augustine last July, 2014. He said Capeletti was a disabled veteran having issues with his sign and the sign code. He asked the Board to address Article 7, in the Land Development Code.

(9:16 a.m.) Tina Coombs, 5065 Scaff Road, addressed the Equestrian Center and the 4-H Club. She asked the Board to keep the Center open.

(9:19 a.m.) Bennett spoke on the Equestrian Center and their activities. She thanked everyone addressing the Equestrian Center, for attending the meeting.

(03/03/15 - 2 - 9:20 a.m.)
DELETIONS TO CONSENT AGENDA

Bennett mentioned adding the information received from the red folder, to Consent Item 1.

(03/03/15 - 2 - 9:21 a.m.)
APPROVAL OF CONSENT AGENDA

Motion by Smith, seconded by Morris, carried 4/0, to approve the Consent Agenda, as amended, to include the additional information added to Consent Item 1.

1. Motion to adopt **Resolution No. 2015-42**, accepting two Special Warranty Deeds conveying two lift station sites, two Easements for Access and Utilities to serve Whisper Creek, Phase 1, Units A and B

RESOLUTION NO. 2015-42

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TWO SPECIAL WARRANTY DEEDS FOR CONVEYANCE OF TWO LIFT STATION SITES AND TWO EASEMENTS FOR ACCESS AND UTILITIES TO SERVE WHISPER CREEK, PHASE 1, UNITS A AND B

2. Motion to adopt **Resolution No. 2015-43**, accepting a Special Warranty Deed conveying a lift station site, an Easement for Access and Utilities, and a Temporary Easement for Access and Utilities to serve Whisper Creek, Phase 1, Units A and B

RESOLUTION NO. 2015-43

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED CONVEYING A LIFT STATION SITE, AN EASEMENT FOR ACCESS AND UTILITIES, AND A TEMPORATY EASEMENT FOR ACCESS AND UTILITIES TO SERVE WHISPER CREEK, PHASE 1, UNITS A AND B

3. Motion to adopt **Resolution No. 2015-44**, accepting a Special Warranty Deed conveying a lift station site, an Easement for Access and Utilities, and a Temporary Easement for Access and Utilities to serve Whisper Creek, Phase 1, Unit C

RESOLUTION NO. 2015-44

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED CONVEYING A LIFT STATION SITE, AN EASEMENT FOR ACCESS AND UTILITIES, AND TEMPORARY EASEMENT FOR ACCESS AND UTILITIES TO SERVE WHISPER CREEK, PHASE 1, UNIT C

4. Motion to adopt **Resolution No. 2015-45**, accepting an Easement for Utilities for water and sewer service to Ocean Cay subdivision located off State Road 312; and accepting a Bill of Sale and Schedule of Values conveying all personal property associated with the water and sewer system

RESOLUTION NO. 2015-45

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 OCEAN CAY SUBDIVISION, LOCATED OFF STATE ROAD 312; AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM

5. Motion to adopt **Resolution No. 2015-46**, accepting an Easement for Utilities for water service to serve Prairie Lakes, Phase 3 and 4, located off County Road 214; and accepting a Bill of Sale and Schedule of Values conveying all personal property associated with the water line

RESOLUTION NO. 2015-46

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER SERVICE TO SERVE PRAIRIE LAKES, PHASE 3 AND 4, LOCATED OFF COUNTY ROAD 214; AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER LINE

6. Motion to adopt **Resolution No. 2015-47**, accepting a Bill of Sale and Schedule of Values conveying all personal property associated with the water and sewer lines to serve Palencia North, Phase IIB, located off US 1 North

RESOLUTION NO. 2015-47

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 PALENCIA NORTH, PHASE IIB, LOCATED OFF US 1 NORTH

7. Motion to adopt **Resolution No. 2015-48**, accepting an Easement Agreement for Utilities for water and sewer to Plantation at Ponte Vedra, Units 7, 9, 10 and 11; and authorizing the county administrator, or designee, to join in the execution of the Easement

RESOLUTION NO. 2015-48

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT AGREEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO PLANTATION AT PONTE VEDRA, UNITS 7, 9, 10, AND 11; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO JOIN IN THE EXECUTION OF THE EASEMENT

8. Motion to approve PFS AGREE 2014-03, and authorize the county administrator to execute the Julington Lakes Proportionate Fair Share Agreement, finding that the proposed agreement is consistent with Section 11.09 of the Land Development Code
9. Motion to adopt **Resolution No. 2015-49**, authorizing the county administrator, or his designee, to submit, on behalf of St. Johns County, multiple water project applications to St Johns River Water Management District for Fiscal Year 2015-2016 Cost-Share Funding Program

RESOLUTION NO. 2015-49

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR, OR DESIGNEE, TO DIRECT STAFF TO SUBMIT AN APPLICATION TO THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD), FOR THE FISCAL YEAR 2015-2016 COOPERATIVE FUNDING GRANT

10. Motion to adopt **Resolution No. 2015-50**, authorizing the county administrator, or his designee, to award Bid No. 15-32, Northwest Reuse & Flushing Pump Station to Sawcross, Inc., as the lowest responsive, and to execute an agreement in substantially the same form and format as attached hereto

RESOLUTION NO. 2015-50

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. 15-32, NORTHWEST REUSE & FLUSHING PUMP STATION, FOR THE SJC UTILITY DEPARTMENT

11. Motion to approve the Sebastian Cove, Phase 2, School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2015-01)

12. Motion to adopt **Resolution No. 2015-51**, authorizing the Library System staff to submit an application for a NEFLIN Innovation Grant; and authorizing the county administrator, or designee, to execute any required documents associated with the application

RESOLUTION NO. 2015-51

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ALLOWING THE LIBRARY SYSTEM TO APPLY FOR A NEFLIN INNOVATION GRANT

13. Motion to approve the Cash Requirement Report
14. Minutes:
February 12, 2015, BCC Special Meeting
15. Proofs:
- Proof: Notice of Hearing, Roadway Improvement Tax Hearing on March 3, 2015, published January 24, 2015, in *The St. Augustine Record*
 - Proof: Notice of Hearing, Road Capacity Charge Hearing on March 3, 2015, published January 24, 2015, in *The St. Augustine Record*
 - Proof: Notice of Hearing, IAF Local 3865 Meetings, Meeting Schedule, published January 28, 2015, in *The St. Augustine Record*
 - Proof: Request for Qualifications, RFQ NO. 15-42, Architect-Combined Fire Station 5/11, published January 28, 2015, and February 4, 2015, in *The St. Augustine Record*
 - Proof: Misc. Notice, Exchange of Property, Robert Joiner/SJC, published January 9, 2015, and January 20, 2015, in *The St. Augustine Record*
 - Proof: Notice of Hearing (Display Ad) Flood Ordinance, published January 27, 2015, in *The St. Augustine Record*

(03/03/15 - 5 - 9:21 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick requested to add discussion regarding a letter in support of the SAFER Grant for the Nocatee Station, requiring the Chair's signature; added as, Item 7.

McCormack requested a red folder item to be added to the agenda addressing the County's bond issues; added as, Item 8.

(03/03/15 - 5 - 9:22 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Smith, seconded by Morris, carried 4/0, to approve the Regular Agenda, as amended.

(03/03/15 - 5 - 9:21 a.m.)

DISTRICT 1

1. PUBLIC HEARING, MAJMOD 2014-02, WESTMINSTER WOODS. THIS IS A PUBLIC HEARING FOR MAJOR MODIFICATION 2014-02, KNOWN AS WESTMINSTER WOODS, TO MODIFY THE WESTMINSTER WOODS PUD IN ORDER TO REPLACE 35 GARDEN APARTMENTS WITH 35 DUPLEXES AND TRIPLEXES; REDEVELOP THE NURSING FACILITY, RETIREMENT APARTMENTS, AND THE ALF AND SUPPORT SERVICES; ADJUST A PLANNED ACCESS; AND INCREASE THE MAXIMUM BUILDING HEIGHT OF THE GARDEN APARTMENTS TO 60', ALONG WITH OTHER MINOR CHANGES TO THE PUD. STAFF RECOMMENDS APPROVAL OF THE

REQUEST BASED ON THE PROPOSAL'S CONSISTENCY WITH THE FUTURE LAND USE DESIGNATION OF RESIDENTIAL-D, CONSISTENCY WITH DEVELOPMENT TRENDS IN THE AREA, AND COMPATIBILITY WITH SURROUNDING PROPERTIES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL BY UNANIMOUS VOTE ON FEBRUARY 5, 2015. PLEASE SEE THE ATTACHED STAFF REPORT FOR A FULL DESCRIPTION OF THE PROJECT

Proof of publication of the notice of public hearing on MAJMOD 2014-02, Westminster Woods, was received, having published in *The St. Augustine Record* on February 16, 2015.

Bennett disclosed ex parte communication with the applicant's group, discussing the project.

(9:23 a.m.) Rebecca Carr, Planner, gave the PowerPoint presentation. She reviewed the redesigned MDP, currently proposed MDP map, proposed access changes, and pictures with before and after views of the St. Johns River. She voiced concerns, staff comments, and recommended approval.

(9:27 a.m.) Karen Taylor, 77 Saragossa Street, gave a brief history of Westminster Woods. She noted that this was the fourth major modification, the reasons for the additional height, displayed colored site plans, modifying the entrance, shifting the buildings back from the water front, parking underneath the building, pictures of the driveway, and maintaining a 50 foot buffer, *Exhibit A*.

(9:35 a.m.) Russ Irving, Irving, Lovett and Miller, 1035 Kings Avenue, reviewed a photo of the waterfront, and a graphic image of what the project would look like from that water front, *Exhibit B*. Irving spoke about the first phase which was transferring residents to the new units along the river front. Taylor said this project met the requirements of the Comp Plan and the Land Development Code, that Westminster Woods had always been a good community participant neighbor, not having big parking lots because of parking under the building or parking garage, and that they already had two community meetings.

(9:39 a.m.) Kay Odenwald, 1500 Bishop Estates, Westminster Woods, voiced her concerns regarding the trees, and foliage.

(9:40 a.m.) Betty Finn, 1500 Bishop Estates, Westminster Woods, voiced her concerns on being in a construction zone.

(9:42 a.m.) Ed Burgee, Westminster Woods, spoke on all the changes, and voiced concern on losing trees.

(9:44 a.m.) Taylor displayed a large map layout of what existed on the property, *Exhibit C*.

(9:47 a.m.) Bennett said one could learn from the mistakes of the past, the residents loved their trees, and she spoke on this project being a critical element for the seniors.

(9:49 a.m.) McClure asked about the phases; Taylor replied that Phase 1, 2, and 3 were completed and they were on Phase 4.

(9:53 a.m.) **Motion by Bennett, seconded by McClure, carried 4/0, to enact Ordinance No. 2015-15, known as MAJMOD 2014-02, Westminster Woods, adopting findings of fact 1-6 to support the motion.**

ORDINANCE NO. 2015-15

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
APPROVING A MAJOR MODIFICATION TO THE
WESTMINSTER WOODS PLANNED UNIT
DEVELOPMENT, ORDINANCE NO. 1998-30, AS
AMENDED; MAKING FINDINGS OF FACT;
PROVIDING A SAVINGS CLAUSE; REQUIRING
RECORDATION; AND PROVIDING AN EFFECTIVE
DATE

(03/03/15 - 7 - 9:53 a.m.)

DISTRICT 3

2. PUBLIC HEARING, PUD 2014-08, SAWMILL LANDING. THIS IS A PUBLIC HEARING FOR A REQUEST TO REZONE APPROXIMATELY 50 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD), TO ALLOW A MAXIMUM OF ONE HUNDRED (100) SINGLE-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST PORTION OF THE HILLTOP ROAD AND COUNTY ROAD 207, INTERSECTION. STAFF RECOMMENDS APPROVAL OF THE REQUEST BASED ON THE PROPOSAL'S CONSISTENCY WITH THE FUTURE LAND USE DESIGNATION OF MIXED USE AND RESIDENTIAL-C, CONSISTENCY WITH DEVELOPMENT TRENDS IN THE AREA, AND COMPATIBILITY WITH SURROUNDING PROPERTIES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REQUEST, CONTINGENT UPON CONSTRUCTION OF THE RIGHT TURN LANE, AT THEIR NOVEMBER 6, 2014, MEETING BY A VOTE OF 7 TO 0. THIS ITEM WAS CONTINUED FROM THE JANUARY 20TH, 2015, BCC HEARING AT THE APPLICANT'S REQUEST. PLEASE REFER TO THE ATTACHED GROWTH MANAGEMENT REPORT FOR PROJECT DETAILS AND SUMMARY OF THE PLANNING AND ZONING AGENCY MEETING

Proof of publication of the notice of public hearing on PUD 2014-08, Sawmill Landing, was received, having published in *The St. Augustine Record* on January 5, 2015.

There was no ex parte.

Michael Roberson, Chief Planner, gave the PowerPoint presentation. He reviewed the wetlands, easement, historic resources, and right hand turn lane onto CR 207.

(9:59 a.m.) Doug Burnett, 509 Anastasia Blvd., mentioned that he received an adjacent property owners notice, and gave an overview of the project, displaying a color conceptual site plan, (large map), *Exhibit A*. He spoke on the stormwater pond, extra parking, meeting school concurrency, and most of the land on both sides of CR 207 being mixed use.

(10:04 a.m.) Scott Boutwell, 1371 Kings Estate Road, spoke on the water backup problem, drainage, drinking water, and traffic issues.

(10:08 a.m.) Bennett asked John Burnham, Chief Engineer, Growth Management, if he was familiar with the water problem and Burnham responded that he was. Smith spoke on the drainage concerns.

(10:11 a.m.) **Motion by McClure, seconded by Morris, carried 4/0, to enact Ordinance No. 2015-16, known as PUD 2014-08, Sawmill Landing, adopting findings of fact 1-9 to support the motion.**

ORDINANCE NO, 2015-16

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER, FROM OPEN RURAL TO
SAWMILL LANDING PLANNED UNIT DEVELOPMENT
(PUD); PROVIDING A SAVINGS CLAUSE; REQUIRING
RECORDATION; AND PROVIDING AN EFFECTIVE
DATE

(03/03/15 - 8 - 10:11 a.m.)

DISTRICT 3

3. PUBLIC HEARING, NZVAR 2014-07, OCEAN GROVE RESORT PAVILION ADDITION. THIS IS A REQUEST FOR A NON-ZONING VARIANCE TO SECTION 3.08.04.B, WHICH LIMITS THE LENGTH OF A BUILDING PARALLEL TO THE ROADWAY TO 120' TO ALLOW FOR A 128' LONG BUILDING IN THE MID-ANASTASIA OVERLAY DISTRICT. THE PROJECT IS LOCATED ON SCENIC HIGHWAY A1A ON ANASTASIA ISLAND, BETWEEN OCEAN TRACE ROAD AND DONDEVILLE ROAD. THIS ITEM IS A COMPANION ITEM TO MADRB 2014-05. PLEASE REFER TO THE ATTACHED STAFF REPORT FOR ADDITIONAL DETAILS

Proof of publication of the notice of public hearing on NZVAR 2014-07, Ocean Grove Resort Pavilion Addition, was received, having published in *The St. Augustine Record* on February 16, 2015.

McClure disclosed ex parte communication with the owner of Ocean Grove, by phone letting him know that he was not going to be able to attend the meeting.

(10:12 a.m.) Kim Del Rance, Planner, gave the PowerPoint presentation. She said that Items 3 and 4 would be heard together.

(10:15 a.m.) Devin Schneider, Manager of Ocean Grove RV Resort, spoke on extending the pavilion eight additional feet.

(10:16 a.m.) Motion by McClure, seconded by Bennett, carried 4/0, to approve NZVAR 2014-07, Ocean Grove Resort Pavilion Addition, allowing for a 128' long building, adopting conditions 1-5 and findings of fact 1-6 to support the motion.

(03/03/15 - 8 - 10:17 a.m.)

DISTRICT 3

4. PUBLIC HEARING, MADRB 2014-05, OCEAN GROVE RESORT PAVILION ADDITION. THIS IS A REQUEST FOR DESIGN APPROVAL OF A 28 FOOT EXTENSION TO AN EXISTING 100' PAVILION IN THE MID-ANASTASIA OVERLAY DISTRICT. THE TOTAL LENGTH OF THE BUILDING WILL BE 128'. THE PROJECT IS LOCATED ON SCENIC HIGHWAY A1A ON ANASTASIA ISLAND, BETWEEN OCEAN TRACE ROAD AND DONDEVILLE ROAD. THIS ITEM IS A COMPANION APPLICATION TO NZVAR 2014-07, OCEAN GROVE RESORT PAVILION ADDITION

Proof of publication of the notice of public hearing on MADRB 2014-05, Ocean Grove Resort Pavilion Addition, was received, having published in *The St. Augustine Record* on February 16, 2015.

Item 4 was heard under Item 3.

(10:17 a.m.) Motion by McClure, seconded by Bennett, carried 4/0, to approve MADRB 2014-05, Ocean Grove Resort Pavilion Addition, design approval for a 128' long building, adopting 7 conditions and 1 finding of fact to support the motion

Meeting recessed at 10:18 a.m. and reconvened at 10:27 a.m.

(03/03/15 - 9 - 10:27 a.m.)

DISTRICT 3

5. PUBLIC HEARING, MOULTRIE CREEK COMMUNITY DEVELOPMENT DISTRICT DISSOLUTION. THIS IS AN ORDINANCE DISSOLVING THE MOULTRIE CREEK COMMUNITY DEVELOPMENT DISTRICT AND REPEALING THE ENABLING ORDINANCE, ORDINANCE NO. 2006-60. THE MOULTRIE CREEK CDD, CONSISTING OF 420.10 ACRES SOUTH OF CR 214 AND NORTH OF SR 207, WAS TO SERVE THE GATEWAY TO ST. JOHNS PUD. THE CDD HAS BEEN DECLARED INACTIVE BY THE DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO), AND THE ALLOTTED PERIOD TO APPEAL THE DEO'S DETERMINATION HAS EXPIRED. PURSUANT TO FLORIDA LAW, THE COUNTY MUST DISSOLVE THE CDD AND REPEAL THE ENABLING ORDINANCE. SEE STAFF REPORT FOR ADDITIONAL INFORMATION

Proof of publication of the notice of public hearing on Dissolving the Moultrie Creek Community Development District (CDD), was received, having been published in *The St. Augustine Record*, on February 20, 2015.

There was no ex parte.

Paolo Soria, Assistant County Attorney, gave the PowerPoint presentation. He reviewed the location, zoning, aerial view, and the history on the Moultrie CDD. He also reviewed the declaration of inactivity. Bennett asked if termination of the CDD, would in any way, inhibit any of the land use rights this parcel had under the zoning or Comp Plan; Soria responded that it would not.

(10:32 a.m.) **Motion by Smith, seconded by McClure, carried 4/0, to enact Ordinance No. 2015-17, dissolving the Moultrie Creek Community Development District and repealing Ordinance No. 2006-60, based on consistency with Florida Law, the St. Johns County Comprehensive Plan, and the St. Johns County Land Development Code.**

ORDINANCE NO. 2015-17

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, DISSOLVING THE MOULTRIE CREEK COMMUNITY DEVELOPMENT DISTRICT, PURSUANT TO CHAPTER 189 AND CHAPTER 190, FLORIDA STATUTES; REPEALING ORDINANCE NO. 2006-60; PROVIDING A DISCLAIMER OF DISTRICT OBLIGATIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

(03/03/15 - 9 - 10:33 a.m.)

6. PUBLIC HEARING, FIRST READING OF NOISE ORDINANCE. IN 2011, THE BOARD OF COUNTY COMMISSIONERS ENACTED ORDINANCE NO. 2011-35, REGULATING THE CONTROL OF NOISE WITHIN ST. JOHNS COUNTY. FURTHER REVISIONS HAVE BEEN PROPOSED TO MORE EFFECTIVELY REGULATE NOISE, AND A NEW ORDINANCE IS BEING PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS FOR ITS CONSIDERATION AND DISCUSSION. THIS ORDINANCE WILL REPEAL AND REPLACE ORDINANCE NO. 2011-35. SECOND READING OF THIS ORDINANCE WILL BE SCHEDULED FOR THE MARCH 17, 2015, BOARD OF COUNTY COMMISSIONERS MEETING

David Migut, Senior Assistant County Attorney gave the PowerPoint presentation.

(10:38 a.m.) McClure spoke on the noise ordinance. Migut said there was no restrictions based on the contents of the sound, vibrations were based in general, and vibrations were the base that was being added. McClure asked how to measure, whether or not, the vibration in a noise was a civil infraction. Migut said in regards to the measurement, it was what a reasonable person felt, and was up to law enforcement. McClure said it would be a civil fraction fine. Migut said they would use reasonable standard.

(10:44 a.m.) McCormack explained the reason for the change in the decimal system. He said there were some complaints without a remedy, and they were in consultations with law enforcement. Bennett spoke on annoying music playing, windows rattling, and said that most people would turn the music down, when made aware of the violation. McClure said they were moving into a subjective nature. Smith asked if silviculture and timberland were included; Soria said they could make that change to include it.

(10:52 a.m.) Bennett said the second reading and enactment, would be set for the BCC meeting on March 17, 2015.

(03/03/15 - 10 - 10:52 a.m.)

7. CARL SHANK LETTER OF SUPPORT FOR SAFER

Wanchick said this item was regarding a letter to The Department of Homeland Security and FEMA requesting Staffing for Adequate Fire and Emergency Response (SAFER) Grant for the Nocatee Fire Station, signed by the Chair, on behalf of the Commission. He said if they were able to receive the grant, it would allow them to fund the staffing in that station for two years, with the obligation of the County picking it up in the third year. Smith asked if there were any negative re-percussions for the SAFER Grant; Wanchick replied no, but the County was obligating itself to pick up the staffing in the third year only.

(10:53 a.m.) Carl Shank, Fire Rescue Chief, said this was the first application that they had applied for on this grant. Discussion ensued.

(10.54 a.m.) *There was a consensus of the Board for the Chair to sign this letter and to submit it for the SAFER Grant.*

(10:56 a.m.) Regina Ross, Senior Assistant County Attorney, entered the meeting.

(03/03/15 - 10 - 10:56 a.m.)

8. OUTSTANDING COUNTY BOND ISSUES

Regina Ross, Senior Assistant County Attorney, gave the presentation. She said there was an agreement to retain Digital Assurance Certification, LLC, (DAC) as the County's Disseminating Agent, for the Board's consideration,. She requested that the Board approve an appointment of Digital Assurance Certification, LLC, and authorized the county administrator, or his designee, to execute an agreement in substantially the same form and format that was included in the packet. Bennett asked about the phrase in the DAC agreement that mentioned, due upon execution \$8,500. Regina replied that St. Johns County would have to pay the \$8,500 and it would come out of the General Fund. McCormack spoke on the reporting requirements of bonds, and the DAC agreements. Smith asked about investing in computer software to keep it out of DAC. McCormack said this was so specialize and he would not advise to do it in-house. He said that this would be money well spent. He mentioned that the advantage for this would be for future bond holders. Discussion ensued on DAC assuming some of the liability if not

done right, the PFM County Financial Advisor, and the reporting duty becoming so specialized.

(11:06 a.m.) Bill McCormack, 9224 Jarod Lane, said that the County needed a DAC Agreement to deal with the bond issue and it would be a benefit to the County. He said he supported the agreement.

(11:07 a.m.) Ross read the revised motion; *Motion to adopt Resolution No. 2015-52, appointing Digital Assurance Certification, LLC, as dissemination agent for the County's outstanding publicly held bond issues; authorizing the county administrator, or designee, to execute an agreement in substantially the same form and format attached hereto; and authorizing the transfer of \$8,500 from the General Fund Reserve for payment of the contract price.* Bennett accepted the motion read by Ross with Resolution No. 2015-52, seconded by Morris, carried 4/0.

RESOLUTION NO. 2015-52

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPOINTING DIGITAL ASSURANCE CERTIFICATION, LLC, AS DISSEMINATION AGENT FOR THE COUNTY'S OUTSTANDING PUBLICLY HELD BOND ISSUES; AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PRICING AGREEMENT IN CONNECTION THEREWITH.

(03/03/15 - 11- 11:08 a.m.)
COMMISSIONERS' REPORTS

Commissioner Smith

Smith reported on the Council on Aging, in Hastings, expanding their services on the program for the elderly.

Smith reported that the Institute of Food and Agricultural Sciences (IFAS) of St. Johns County had begun a new on-line newsletter, the St. Johns Sentinel. IFAS had its annual volunteer appreciation dinner for 4-H.

Smith announced two new businesses; one in Elkton, Ripe and Ready, and the second one in Spuds, Spuds Farm 2, selling produce at a stand, off of Highway 206 and 207.

Smith mentioned that he attended the unveiling of the last civil rights marker on February 21, 2015.

Smith mentioned continuing to watch the Water Bill as it makes its way through legislation.

Smith said Prime Minister Benjamin Netanyahu of Israel was addressing Congress this day regarding Iran's nuclear capability and he wanted to offer his support of the Prime Minister and the Nation of Israel.

(11:12 a.m.) Commissioner Bennett

Bennett reported on putting in all the commissioners' boxes the Legislative Policy Position, Palm Card, she gave out during the Legislative Delegation Meeting. She mentioned that she was the liaison for the TPO, the RTC and the Transportation Disadvantaged and had asked them to include support for the Paratransit.

Bennett mentioned that she, the assistant county administrator, and staff attended the FDOT's strategic visioning forum in Jacksonville on February 11, 2015. She said that they needed to start thinking in a new way.

Bennett thanked administration for the wonderful ribbon cutting ceremony for the Health and Human Services facility.

Bennett announced that Patrick McCormack had made the pro bono honor roll for Legal Aid.

Bennett mentioned attending the Guana Tolomato Matanzas National Estuary and Research Reserve (NERR), State of the Reserve's, annual program.

Bennett thanked administration for the farewell ceremony for Cyndi Stevenson.

Bennett said that she would like the concurrency workshops to start in June.

(11:16 a.m.) Commissioner Morris

Morris announced that Wanchick would be presenting his budget presentation at the Ponte Vedra Coalition's meeting, in District 4, on March 23, 2015, at 10:00 a.m. at the Ponte Vedra Library.

(11:17 a.m.) Commissioner McClure

McClure announced that he was appointed by the President of the Florida Association of Counties, to go to the National Association of Counties and address members of the House and all the Florida Delegates. He said the State of Florida was officially the 3rd largest State. He said there were issues regarding Homeland Security; 1) particularly with the citizens of St. Johns County with Map 21 and the implementation and funding of the Natural Highway Transportation Fund, 2) the definition of the water in the US, EPA, and 3) the National Flood Insurance Program expanding the flood insurance cap limit on how much the flood insurance can go up.

McClure mentioned receiving calls on expanding revenues on water hook ups. Locklear asked McClure to forward the addresses to him when he received those requests, so staff could develop plans to address them.

(11:22 a.m.) Bennett said staff had prepared another letter, *Exhibit A*, to the Bureau of Ocean Management and DEP expressing the County's concerns about seismic testing. She requested consensus on signing the letter and sending it off. *Consensus was given.* McClure suggested also sending it to Senator Bill Nelson, who sat on the environmental committee.

(03/03/15 - 13 - 11:23 a.m.)

COUNTY ADMINISTRATOR'S REPORT

No report.

(03/03/15 - 13 - 11:23 a.m.)

COUNTY ATTORNEY'S REPORT

No report.

(03/03/15 - 13 - 11:23 a.m.)
CLERK OF COURT'S REPORT

No report.

(03/03/15 - 13 - 11:23 a.m.)
ADJOURN

With there being no further business to come before the Board, Bennett adjourned the meeting at 11:24 a.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 517132, totaling \$2,441.34 (02/13/15)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 517133-517354, totaling \$1,140,996.93 (02/17/15)
3. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 19810-19853, totaling \$512,334.65 (02/17/15)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 517355-517411, totaling \$33,728.91 (02/18/15)
5. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 19854-19937, totaling \$52,194.68 (02/18/15)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 517412-517434, totaling \$72,591.82 (02/19/15)
7. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 19938-19939, totaling \$450 (02/19/15)
8. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 19940-19941, totaling \$11,078.71 (02/19/15)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 517435-517604, totaling \$1,004,831.82 (02/24/15)
10. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 19942-19990, totaling \$1,170,003.25 (02/24/15)

CORRESPONDENCE

1. None

Approved _____ April 7 _____, 2015

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Priscilla L. Bennett, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: Paul Halterman
Deputy Clerk

