



***Municipal Service District
of Ponte Vedra Beach***

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MEETING MINUTES

APRIL 9, 2007

The trustees of the Municipal Service District held their monthly meeting on Monday, April 9, 2007 in the Ponte Vedra Branch Library at 6 PM.

TRUSTEES PRESENT

Robert D. Becker, II, Chairman

Douglas C. Crane

William Donovan

Alva A. Hollon, Jr.

Gary S. Jurenovich

Curtis Long

Robert R. Reesh

Attorney Wayne Flowers

Chairman Becker called the meeting to order at 6 PM with the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

The Board of Trustees Meeting Minutes for March 12, 2007 was discussed. Trustee Crane would like to receive the minutes earlier and in a word document and not a PDF so that the trustees can make changes. Trustee Jurenovich said that they were sent as a PDF so that changes could not be made. The secretary will send them out as a word document so that changes can be made prior to the meeting. Some changes were discussed and will be made by the secretary. A motion was made, seconded and unanimously carried to approve the minutes of March 12, 2007.

DISCUSSION OF IRS IC STATUS FOR MSD SECRETARY POSITION

Chairman Becker said that everyone had the handout that Trustee Jurenovich distributed at last months meeting regarding the request by the IRS that we review the Secretary position whether we wanted to continue this position as an Independent Contractor or view it as an employee position. Chairman Becker asked if there were any comments. Trustee Jurenovich said that at the last meeting he passed out the IRS Publication 15A in response to the IRS inquiry and he hoped the Board has had a chance to review it over the past month. Chairman Becker asked if anyone on the Board has any feelings that they want to present. No comments were made. A motion was made, seconded and unanimously carried that the Secretary position will remain as an Independent Contractor.

PUBLIC COMMENT

Jack Schmidt, 55 San Juan Drive - I was talking to Lieutenant Aman about a new parking problem we now have since we have done away with parking on the Boulevard. This relates to construction trucks. I live at the northern part of San Juan Drive and we are the second house from the Boulevard. On Friday and two times previous to that, we had a large construction truck with a large trailer that carried a front end loader parked on this curve. The front end loader was removed and went down Ponte Vedra Boulevard past the club to do some septic tank work. The truck and trailer were there from 9:45am to about 3:00pm that afternoon. When the guys went to lunch they came back and parked the front end loader behind the trailer and took the truck. Throughout the day cars would have to go around the truck and this caused a traffic problem. What I was saying to Lieutenant Aman was that since none of the vehicles can park on the Boulevard you have shifted the safety concern over to all the other roads. He is aware of this and I think the Board needs to be aware that if these workers do not get a permit, and as Chairman Becker told me over the weekend, they need to have a flag man out on the Boulevard. If they don't know about that and come out here with their truck and someone says you can't park here, they park on the ancillary roads like San Juan Drive then that will create a safety problem. If these workers don't think this through and continue to park on curve and not on straight-aways then that also causes a safety concern. I'm not quite sure how you want to address this but it is something that you need to be aware of and now the Sheriffs office is aware of it now and you can take this into consideration when you are restricting parking on the Boulevard.

Trustee Long asked what can we do about this? Lieutenant Aman said that it is a traffic hazard because you cannot park within so many feet of a stop sign. I think the problem is that these workers are frustrated as they know they can't park on the Boulevard and don't know where to park. Mr. Schmidt suggested that maybe Gate will allow these guys to park on their property. The solution is you have to communicate this to the workers.

Trustee Crane said he suggest to the Sheriff when all of this came about that the ordinance be in all the MSD deputy's vehicles so that they can hand that to the driver. They should be able to work with these contractors as they do not know what these ordinances are. Trustee Crane asked Mr. Schmidt if they could park on the Boulevard against the white fence. Mr. Schmidt said they do and he thinks they were going to about 79 Ponte Boulevard and this brings up another problem as to who repairs the road after they dug into it with these huge heavy trucks? There is a construction project going on where there are trucks parking up against the fence and now that they are gone there are huge ruts on the right of way. Trustee Crane said that that brings up a good point as where I live the right of way is tore up, there are huge ruts and no grass on the right of way. I believe the contractor should be responsible for going back and repairing what they have torn up. Mr. Schmidt said that he has talked to Jack Pope about addressing that and asked if he was able when he reviewed plan, to say to the contractor that they need to clean and repair the right of ways? Chairman Becker said that since Jack Pope has to approve the permits for the county to issue them that this could be part of the final inspections. Trustee Donovan said that he recently pulled a permit and that Jack Pope does have a check list and this could be easily added to that check list. Trustee Jurenovich said there is going to be new construction and ultimately it is going to be the responsibility of the contractor. The ruts on the north end of the Boulevard are bad but also if the sidewalks are broken they should be fixed upon completion of the house.

Trustee Crane asked who on the Board is going to contact Jack Pope. Trustee Donovan said that he would and Chairman Becker agreed. Lieutenant Aman said that you might want to make sure that the contractors are aware of the parking ordinances before they start and that could be part of

that package. Trustee Donovan is to get a copy of the parking ordinance from Lieutenant Aman.

Trustee Reesh brought to Lieutenant Aman attention that on LeMaster Drive between Solana and Maria Place that he called the Sheriffs office last week during the day because there are trucks parked all the time on the west side of LeMaster because they are three homes with construction. Sometimes there are trucks parked on both sides of the street and it is on a curve and someone is going to get clipped. While you are out in the community I wanted you to be aware of this. I called the office on 210 and he told me that I had to call St. Augustine as he was not able to dispatch from there. Is that correct? Lieutenant Aman said that the dispatch is located in St. Augustine and that they know the MSD deputies. Trustee Jurenovich said that when you call the non emergency number that the dispatcher does ask if you would like to speak with the deputy so that you have the opportunity to know when they came and the result. Lieutenant Aman suggested that anytime you call to ask to speak with the deputy as this is a good chance for you to get to know them and them to know you.

Trustee Donovan asked Lieutenant Aman about the new signs that have been placed on Ponte Vedra Boulevard that states “No Parking Restriction in Effect on Ponte Vedra Boulevard.” I never thought of this until it was brought up to my attention, does this mean “No Parking Restriction are not in Effect on Ponte Vedra Boulevard?” Lieutenant Aman said that you need to speak with Road and Bridge about that because that is their signs. I was just curious if you have had anyone contest because of the way that sign is written? Lieutenant Aman said no he has not. Trustee Donovan said that they have taken all the No Parking signs off Ponte Vedra Boulevard and he can see where someone could misinterpret that.

Virginia Simpson, 37 Ramona Street – I am back again to find out the status of the Sunset/Seaview Park with the county and if it is going into the Parks and Recreation inventory and what we can do with this eye sore of a piece of property. Chairman Becker said that Trustee Hollon is not here tonight and essentially I have been told that it has been turned over to the county attorney’s office to make a decision. Chairman Becker asked Trustee Reesh since he spearheaded this if he had any additional information and he said it has been sitting there for 4 months. Mrs. Simpson said that the county does not do things on their own and might need someone to give them a little push. Trustee Jurenovich said that he would go down to the County Commission meeting if the Board thought it would do any good. Chairman Becker said that we need to speak with the attorney first before we go to the County Commission. Mrs. Simpson said that this is the time of year to get things planted and the neighbors keep asking me what is the status and that is why I keep coming back. Chairman Becker said that he will take action on this and speak with the attorney. Trustee Jurenovich said that we need to contact Motivations to mow and trim that area. Mrs. Simpson said the swale needs to be cleaned out and that Road and Bridge is responsible for that area. I know that we original talked to Parks and Receptions and they said that they would be happy to put this into their inventory and said that it would be insured but that they do not take on pocket parks for maintenance purposed and if there is a community association, hence the MSD, would have to take that on as project. You can ask Trustee Jurenovich that the neighbors in the neighborhood are more than willing to maintain and spruce it up but we need irrigation first.

TRUSTEE REPORTS

POLICE REPORT – TRUSTEE CRANE

Trustee Crane said that he received a letter from a resident who would like to see a deputy in their area. Lt. Aman said that he has a copy of the letter. Trustee Crane does not think our deputy pictures are up to date on the website. Lieutenant Aman said that they have had some changes and

will provide new pictures once everyone has been established. Trustee Crane asked what the dispatch number was and Lieutenant Aman said it is 824-8304 ext. 6830. Trustee Crane is going to try to get this number on the web site.

The Sheriff's report stated that out of the MSD area they had a suspicious vehicle requiring 5 minutes, theft of equipment 30 minutes and hit and run on A1A at McDonalds for 20 minutes.

The major calls were burglary of a vehicle at Micklers, a stolen golf cart at Ponte Vedra Inn, a burglary of vehicle 1200 block of Ponte Vedra Boulevard and at 962 Ponte Vedra Boulevard. Additionally, there were 5 parking tickets issued, citations were 108, and there were 90 warnings. There were no repeat alarms and only 6 false alarms. Lieutenant Aman said the only major call we had was the helicopter crash in the 300 block of Ponte Vedra Boulevard

Chairman Becker asked if anyone had any questions or comments and Jim Gallagher of Ponte Vedra Boulevard inquired that there were only 5 parking citations. He said that he sees a lot of people parking illegally. Chairman Becker asked him to provide an address where he sees this activity so that they can let the deputies know. Mr. Gallagher said it is by his vacant lot around 650 Ponte Vedra Boulevard. He said it is mostly contractors or people going to the beach. Lieutenant Aman asked if he was calling and he said no, but will in the future.

STREET SIGNS/RIGHT-OF-WAY – TRUSTEE HOLLON

Chairman Becker said that Trustee Hollon is not here tonight but asked if there was anything that we needed to pass along to him. Trustee Long asked about the MSD sign on Avenue C and Trustee Jurenovich said that he has had some complaints but will bring them up under New Business. Trustee Crane asked if the Avenue C sign had been moved to entrance of Guana heading north on A1A. Chairman Becker said that Trustee Hollon was arranging to have that sign moved.

TREASURERS REPORT – TRUSTEE JURENOVICH

Trustee Jurenovich said everything is good and he is happy with Peoples Bank. Chairman Becker's understanding is whether we use the water on our public islands that we are charges a meter charge. Trustee Long this does fall in your area too with JEA. On Pablo Court the homeowners have taken a lot of pride and maintained the island there. Four months ago JEA put in a fire hydrant and closed the water line down that was supplying that island with water and they are working to correct this. Before we have the grass burn up there we need to ask them to put a faucet on the fire hydrant so that they can continue to water the island. This has been going on for months and it is unfair for the homeowners to be watering this at their cost and we have been paying for a meter there for the last 4 months that is not working. Chairman Becker said that some other islands might have had the water cut off to them with other construction projects in the area. Chairman Becker is to provide Trustee Long with the background and some contacts.

Trustee Jurenovich also said that the auditors will be in the office next Monday and have been provided with all the information they requested. Chairman Becker asked if anyone had any questions or comments on the Treasures Report. A motion was made, seconded and unanimously carried to approve the Treasures Report.

ROAD AND SEWERS – TRUSTEE LONG

Trustee Long spoke with the County Project Manager for the Corona Road project, Sonya Wilson, to get an update on the progress and anticipated schedule of completion. She informed me that the contractor is currently installing the lime rock roadway base and the drainage pipe has been

extended. Asphalt paving is schedule for next Monday along with temporary striping. We discussed the removal of several palm trees that were cut down in conjunction with the project. She informed me that they were cut down due to the clear zone requirements and there was no provision in the contract to replant or replace those trees. I attempted to contact Pres Tompkins to see if similar trees could be replanted in other locations as part of the project contingency. Sonya also assured me that the project is on schedule.

A meeting was held with Mike Adams to review the drainage problem behind Morning Side Drive. This issue was presented to the MSD Board by a homeowner via public comment during the last meeting. The drainage easement is a functioning drainage swale for both sets of adjacent properties. It is badly in need of maintenance. Access to perform regular maintenance has become an issue because private fences have been installed that obstruct county maintenance crews ability to get to the right of way. The drainage swale is not functioning properly because it needs to be graded, is over grown and needs to be cleared. The ditch appears to be out of functional tolerance and the receiving inlet does not meet specifications. The inlet does not have a grate to protect the opening and could present a safety hazard. These issues were discussed in detail with Mr. Adams and the resident. The residents are to discuss the options of leaving the ditch alone or allowing county maintenance crews access to the area. Allowing access will most likely result in damaged fences. Upon reaching a consensus, the residents will contact me to let me know how they would like to proceed with the issue.

Trustee Crane asked about the rail at the turn at Corona and A1A as well as the rail over the lagoon near Ponte Vedra Boulevard. Trustee Long said that installation of the railing is typically one of the last construction activities, but it should be the new aluminum style rail.

SANITATION – TRUSTEE REESH

Trustee Reesh has no report this month.

ELECTRIC AND CABLE – TRUSTEE DONOVAN

Trustee Donovan said that BellSouth responded to his initial letter sent to Teresa Graham by refusing to remove the poles at their cost. “I spoke with the power company to see if they had a solution,” Trustee Donovan added. The power company was totally amazed by the response that BellSouth wants Beaches Energy to top poles they have abandoned.

The second thing that was brought up after Trustee Donovan shared the information with Beaches Energy and the Public Service Commission was that this is not a problem only indicative to Ponte Vedra. Apparently, the A5 Tariff gives BellSouth the right to bill for any rearrangements that are requested by a private citizen or a municipal entity. However, since February 2, 2007, a new docket was introduced by the Public Service Commission which speaks to storm hardening. This document is the basis for having BellSouth remove their facilities. Beaches Energy is trying to be proactive in complying with the state ‘Storm Hardening Guidelines,’ which recommends all utilities within 2000 feet of the ocean be placed underground. Trustee Donovan added, “I am happy to report that just about everything that is aerial in the Ponte Vedra MSD will be underground within the next 5 years. The area south of the Sawgrass East gate however has been deferred until October 2008. The letter that I am requesting approval for tonight will ensure that the director of engineering at BellSouth is aware of our request and why it is being made. I am totally opposed to using public funds to remove BellSouth aerial cable which in effect subsidizes BellSouth. I think we need to wait for BellSouth’s response and if this is negative then we need to file another complaint with the Public Service Commission.”

Chairman Becker asked if Trustee Donovan felt that this was appropriate after the other law went into effect. Trustee Donovan said if you read the document it basically states that the power company has to notify BellSouth that they are complying with storm hardening guidelines. There are several benefits for BellSouth to go underground. Trustee Donovan emphasized, that what we would be doing if we paid them to take the aerial cable down is subsidizing their business with tax dollars. It is unbelievable to me that they will not take the cables down. I think the next time we go to the Public Service Commission we will get a favorable response. Since the PSC Commissioner asked me to be sure that the Director of Engineering for this region knew what was going on, I decided to write a letter to him first. In keeping with the rules governing correspondence by the board, I have e-mailed my letter to the Board for approval.

Trustee Crane asked Trustee Donovan that when they put the power lines underground from Corona down to Sawgrass if there were any BellSouth wires hanging from the poles. Trustee Donovan said that he was not aware of any BellSouth facilities on those poles. Trustee Crane asked when Beaches Energy does go underground south of the Sawgrass East gate if they going to leave the poles there and what is the timetable? Trustee Donovan said that this was supposed to be done in the next 24 months but it looks like October 2008. Trustee Donovan said that Beaches Energy is willing to remove the poles if the joint use companies remove their facilities. Joint use pole lines are a widespread problem and a political issue. The new PSC document doesn't specifically state that BellSouth must remove facilities at their cost but it does say that the power company does have to make them aware of what they are doing and submit a plan to remove the aerial facilities.

Mr. Schmidt asked if there was anything on the Beaches Energy schedule to remove the wires on San Juan Drive. Trustee Donovan said that they are coming down in the next five years. What they have done to prioritize removals is to look at the mortality date of the aerial plant. The plant on San Juan is not in that bad of shape so it is not an item of high priority. You can look for it to come down in the next five years. We are talking about distribution facilities removal and not transmission facilities."

Trustee Donovan asked Chairman Becker for approval of his letter. A motion was made, seconded and unanimously carried to approve the letter.

WEBSITE REPORT – TRUSTEE CRANE

Trustee Crane reported that Melissa Steward (MSD Webmaster) suggested that that we can save almost 50% of the cost of our web hosting by going to another source. She has taken her personal stuff to the other source. She said that we would be out of business for 3 days. If no one has any objection then we will proceed. The trustees approved Steward's suggestion.

ATTORNEY'S REPORT – ATTORNEY FLOWERS

Attorney Flowers has no report this month.

OLD BUSINESS

Chairman Becker said he has been working on the newsletter and hopefully will get this completed by the end of this month if possible.

Trustee Crane said that he gets asked about the sidewalk frequently and said the Interlocal agreement was sent to the contractor and he assured me a week ago that he had it on his desk and was sending it out. I called the county this past week and they had not received it. I called the contractor back last Friday and he said it was still on his desk. I called the county again today and

they had not received it. I called the contractor back today and he said that he sent it Friday and the county was to call me if they received it today. Attorney Flowers said that the Chairman still needs to execute it because we were waiting for it get approved before we executed it. Chairman Becker said that he has met with them and it is handled.

NEW BUSINESS

Trustee Jurenovich said that before our last election on of our old Trustee got with the county and that is where these brown signs came from. I am all for the signs but I think we can do something better than that. I have had a lot of comments on the industrial brown signs. I am not an artist but put some color, waves, palm tree or something. Chairman Becker asked Trustee Long if there are any restrictions when it comes to that type of sign. Trustee Long said that the signs appear to be ornamental and should not fall under the same design criteria that regulatory signs must adhere to. The rules governing these types of signs would be similar to the sign welcoming people to Ponte Vedra on A1A southbound at the north end of the MSD. They should not be a distraction or safety hazard.

Trustee Jurenovich said that every year before the TPC as we did with the Super Bowl we have had the street signs painted. I wanted to see if everyone is in agreement to do this again. Trustee Reesh asked what is the cost and Trustee Jurenovich said \$400 for paint and labor. Trustee Jurenovich made a proposal that we paint the street signs again this year for \$400. A motion was made, seconded and unanimously carried to paint the street signs.

Trustee Jurenovich pointed out that the dictation system is old and maybe down the road for next year's budget we may need a new one. It works most of the time but the microphones are coming apart. Chairman Becker said that this brought something to mind that we need to get the laptop computer as a line item on the Treasures Report with the serial number and record it as an asset along with the date.

ADJOURN

A motion was made, seconded and unanimously carried to adjourn.

Submitted, Ann Jurenovich, MSD Secretary
(An audio tape of the meeting is on file at the MSD office)