



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

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MEETING MINUTES

FEBRUARY 12, 2007

The trustees of the Municipal Service District held their monthly meeting on Monday, February 12, 2007 in the Ponte Vedra Branch Library at 6 PM.

TRUSTEES PRESENT

Robert D. Becker, II, Chairman

Douglas C. Crane (absent)

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 January 8, 2007 was discussed. A motion was made, seconded and unanimously carried to approve the minutes of January 8, 2007.

PONTE VEDRA BOULEVARD SIDEWALK PRESENTATION

Dana Current reviewed his meeting with St. Johns County and they have agreed to pick up the majority of the cost and will still have the MSD down to contribute \$5,000 and the neighborhood/residents have collected \$18,000. The MSD attorney from Lewis Longman and Walker put together an agreement between the county and MSD as well as an agreement between the MSD and the contractor to affect this sidewalk project. What I am asking of you tonight is to review of the contract and an agreement to move forward with this contract and we would ask you to sign the Interlocal agreement which is between the MSD and the County and the agreement between the MSD and Contractor. I have forwarded over a signed contract to Chairman Becker and it has been reviewed by the MSD Attorney. I would like completion of this to move forward and we will pay the MSD our \$18,000, the MSD will contribute their \$5,000 and the remainder of the funds approximately \$13,505 will come from the county to the MSD.

Chairman Becker asked if any of the Trustees have any questions as to what has been presented.

Trustee Hollon asked with the addition of the cost of the apron what is the breakdown of the cost under the new guidelines per foot. Mr. Current said that they kept the MSD dollars the same. The total amount is \$13,505 with the homeowners picking up 50%, 14% is the MSD and 36% by the county. Mr. Current said the length was 1,650 linear feet but he doesn't believe that includes the driveways aprons.

Trustee Jurenovich said he was in favor as this has been discussed in the past but that he has not seen any of this and wanted to know if this was something we are to vote on tonight for a signature. Chairman Becker said that he had not seen the contract either due to his e-mail blocking the attachment. Mr. Current then passed out copies to all.

Trustee Hollon asked Attorney Flowers if he had reviewed the contract and he said he had not personally reviewed it but his associate Patrick Krechowski reviewed it and thought it was okay.

Chairman Becker said that in order for the contract to be legal it has to come from a government entity instead of a group of people and the county has elected us since it is in our jurisdiction to be point person. Trustee Becker asked Trustee Jurenovich that he had indicated that you would like an opportunity to study this contract and ask what is the consensus of the Board if they wanted to vote at next months meeting that could be a problem and asked Mr. Current what his obligation to the contract. Mr. Current said that we would like to commence on February 26 which the cost is guaranteed to that date. So if it is possible to review this sooner than later would best. Chairman Becker asked Attorney Flowers if each Board member could read through this after the meeting and send something to him if they approve or disapprove. Attorney Flowers said that we either need to vote tonight, set a special meeting for the purpose of voting on this before February, 26th or postpone the vote till next meeting in March. My understanding is that the MSD is to enter into the contract with contractor who is doing the construction and the County is to own the sidewalk and maintain it.

Trustee Long said he had a couple of comments that since we are a public entity and these are public funds that this was not sent out for bid. Mr. Current said that they had two competitive bids. Trustee Long asked if this fulfilled any agreement for competitive bids. Attorney Flowers said that since the MSD is the only contributor and is less than the full amount it is okay. Trustee Long asked if we are voting to approve what has already been approved. Trustee Becker said that we have approved the amount of money and we are voting on signing the Interlocal Agreement with the county. Trustee Long said that since this is a lump sum contract and if there is anyway to get out doing the driveways then a large portion of the lump sum dollars would not be used. Trustee Long did some research and told Mr. Current I don't necessarily agree with this and you can take it up with county but codes specifically call for a retro fit project does not have to have the driveways replaced. It is loop hole that is in the specifications. Mr. Current thanked him.

Chairman Becker said that before we take a vote there is another person who had requested to speak regarding ADA panels for sidewalks Mark Cregger, 3869 Ponte Vedra Court. Mr. Creggar asked what the MSD is doing for the American Disabilities Act requiring the panels for the sidewalks. Chairman Becker said the only sidewalks that were replaced were the Solana Road sidewalks that were stamped and sloped to the roads met those regulations since it was approved by county engineers. This is a county project and you would need to speak with Mike Adams with any questions.

Trustee Donovan has a question on the inspection procedures that says the MSA will notify the county upon completion of the sidewalks for inspection. Are there not progress inspections? Mr.

Current said that the county inspector said the he will be on-site as the project goes along. Trustee Donovan said that in the Interlocal agreement that it is very vague and he should hate to end up with a poor project. Attorney Flowers said that if anyone has a comment that they would like to put in the contract to tell him now and he will put it in the contract as it has not been executed by the County. Trustee Donovan said that he is a novice at this and not sure about county inspections but want to make sure that we are getting what we paid for. Mr. Current said that the contractor is a licensed St. John County contractor and he feels confident that he has a good relation ship with the county and the inspectors.

Attorney Flowers had one suggestion that if you approve the construction contract that it be contingent on the county approving the Interlocal agreement. Because part of the deal is that you are construction sponsor but you want in writing that the county is to take ownership of these when the project is done. Trustee Hollon made a motion that we approve these two agreements (Interlocal and Construction) with the revisal that St. Johns County approve the Interlocal Agreement once it has been executed and a signature block added for Chairman Becker and secondly the contract with Mallen Construction Inc. that we approve this contract with revisal that the MSD's contribution will not exceed \$5,000. The motion was seconded with 5 approvals and 1 opposed (Trustee Reesh).

PUBLIC COMMENT

Virginia Simpson, 37 Ramona – Sunset/Seaview Park: I was trying to find out the status of the park on Sunset at the end of Ramona. Trustee Hollon said that he would be glad to meet with her or someone to discuss. Mrs. Simpson asked if the county had determined if this was their property. Trustee Reesh said he spent several months on this and had a title search done which was discussed at a meeting three or four months ago would be happy to provide her with the documents. The title search shows that the title is Right-of-Way property and Pat McCormick is going to bring this up to the county commissioner early this year and ask them to adopt the property.

Randy Brehm, 35 Solana Road – He stated that on Solana Road that the speeding has reduced significantly. The other day there was someone from Texas ticketed going 50 on Corona heading to The Lodge and Club. My question is there anyway that we can send a letter to the Ponte Vedra Inn and Club and The Lodge and Club to let people going to the club know the speed? Chairman Becker said he will speak with Trustee Crane who is absent tonight and is responsible for the Police Report to see if there is a way to notify vacationers.

TRUSTEE REPORTS

POLICE REPORT – CHAIRMAN BECKER

There were 25 citation, 1 DUI and 2 parking tickets for the month. There were 4 alarms and we will compare these to our sheet to see if these were repeat offenders. Chairman Becker ask if these number were down and Deputy Amons agreed but stated that they are switching over to Smartcop with is a new software program for the County and these numbers are not 100% correct due to the switch. Hopefully by next month we will have all the bugs out and have an accurate report. I want to stress again to please keep your cars locked and do not leave valuables. Trustee Jurenovich ask Deputy Amons if he had a chance to speak with Sheriff Shore about getting the MSD signage increased on the cars. Deputy Amons said that he had not but he is still negotiating getting a motorcycle in the area. Deputy Amons would personally like to get an unmarked car in the neighborhood.

STREET SIGNS/RIGHT-OF-WAY – TRUSTEE HOLLON

I went before the Board of Directors at the Ponte Vedra Community Association and I asked for assistance. They manually went around and inspected the islands and the letter is self explanatory but mainly they said the soil has to be removed. Back in 2001 in November will Trustee Montoya was on the Board he had some proposals but I wanted to give Sally's committee an idea as to what we were looking at. On February 8th she wrote another letter from doing nothing to completely ripping out the islands from putting in zero-scaping to other suggestions. I'm giving this to you for your review and I will get with Sally to get some costs for these different proposals. I think something needs to be done and I will meet with her and come back again. One other item is that the County has put up the MSD signs and they have one on Avenue C and I have had a request to move this one down to Solana and this will let people coming in of A1A. There is one on Corona and PVB Boulevard at both entrances.

TREASURERS REPORT – TRUSTEE JURENOVICH

We have completed the move to Peoples. About 95% of the ad valorem tax money has already come in this year.

ROAD AND SEWERS – CURTIS LONG

The majority of what I did this month was doing the research for the sidewalk issue and my research turned up that the driveways may not need to be replaced. I also have an engineer looking at replacing the pavement markers that are already out there to see if there are any loopholes to get around. I have set up meeting so that in the forthcoming months I will be able to update you on construction projects. Chairman Becker told Trustee Long so that is was informed that the two things forthcoming are on Corona Road and A1A construction and a bid for the signal Micklers and A1A. Trustee Long said that Corona has already been bid but I did not think an actual contractor has been awarded the bid.

SANTITATION – TRUSTEE REESH

No special report but Trustee Hollon has given me the contact names and numbers and I have sent them an introduction letter.

ELECTRIC AND CABLE – TRUSTEE REESH

I met with BellSouth Engineers and the Power and Cable Company. I have decided to take a different tack with this after taking with the Public Service Commission they were under the impression after getting and answer from BellSouth that the only reason we wanted the poles removed was for beautification which is not the case. I have prepared a letter to go up the ladder again as I have a problem with spending \$11,000 of tax payer dollars for pole removal which I feel like BellSouth should be removing. The power company after meeting with them has agreed to move the poles at no charge. BellSouth still wants the \$11,000 just to remove their cable. After talking with the Public Service Commission at length and after all the aerial damage to plant, they are recommending all utilities remove the aerial plant anyway. I think we need to make another approach. With the Boards approval I would like to send this letter that we believe they should remove their plant and to charge. There are two aerial power drops that would require the homeowner to pay for underground conduit to convert them over but I have not notified them yet because I wanted to resolve the issue with BellSouth first. I am prepared to go back to talk to the Commissioner if they are trying to enforce this all over the State then it doesn't make sense for us to pay to have them removed. In addition to talking to the cable company that we have had a lot of underground plant damage in the area and I wanted to put in the newsletter that there is a one call locate service to eliminate this damage. The last thing is that there are going to be a lot of transformers replaced from Corona Road South with some power outages. A motion was made to

approve the letter, seconded and unanimously carried.

WEBSITE REPORT – TRUSTEE CRANE

Trustee Crane is absent and will update us next month.

ATTORNEY’S REPORT – ATTORNEY FLOWERS

Attorney Flowers has no report this month.

OLD BUSINESS

Trustee Jurenovich said that we e-mailed the newspaper, website and put the signs up for the meeting.

NEW BUSINESS

No new business.

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)