



*Municipal Service District of Ponte Vedra Beach
P.O. Box 1323 Ponte Vedra Beach, Florida 32004-1323
(904) 285-2221 www.pvmsd.org*

**MEETING MINUTES
NOVEMBER 8, 2021**

The Trustees of the Municipal Service District held their monthly meeting on Monday, October 11th at the Ponte Vedra Beach Branch Library at 6:00 PM.

TRUSTEES PRESENT

Brad Wester – Chairman
Al Hollon – Vice Chairman
Gary Jurenovich - Treasurer
John Cellucci
Holly Kartsonis
Mack McCuller
Kitty Switkes

Wayne Flowers – Attorney

Chairman Wester called the meeting to order at 6:00 p.m. We will begin with the Pledge of Allegiance to the Flag.

STATEMENT OF PUBLIC NOTICE, ORDER, CONDUCT AND CIVILITY

Chairman Wester reviewed the statement of public notice, order, conduct and civility and asked that comments be directed to the Board.

APPROVAL OF MINUTES

The Board of Trustees meeting minutes from October 11 were discussed. A motion was made to approve the minutes, it was seconded and unanimously carried.

PUBLIC COMMENTS

Rob Becker – 32 Ponte Vedra Circle – Mr. Becker recommended to the board that the planning department and zoning board to establish a baseline on the height restrictions for building heights along with the houses that built above street grade. We need the planning department to survey the property before a home is being torn down. There is also the fence height and when a landowner has raised their land three feet and puts up a four-foot fence the neighbor is looking at a seven foot fence.

David Logue – 532 Le Master Drive – Mr. Logue reported that he is here tonight to talk about speeding on Le Master, especially people who use it to get around A1A. He reported that some of the \$435,000 could be redirected to create an enhanced police presence to deter speeding. There is a difference between a deputy sitting in an empty lot and a deputy running radar and he is speaking on the latter.

John Pawlick – 40 Solana Road – Mr. Pawlick reported that the speed sign in his front yard is hitting double bars when people are driving 10mph over the speed limit and would like something done.

Gordon Blalock – 187 San Juan Drive – Mr. Blalock would like to know where we are with the Sheriff. Chairman Wester reported that we will be discussing this as part of the agenda.

Sean Norton – 44 Solana Road – Mr. Norton reported that he is a neighbor of Mr. Pawlick and last time at the meeting spoke about speeding on Solana. It is so out of control, and something needs to be done instead of talking about it. Do we need to lower the speed limit to 20 mph for the whole community then do it but we need police presence. At a prior meeting we were told that we were going to get two motorcycle units for Solana, and we got nothing. There can be a police car sitting in my driveway and people will slow down but when they leave and, on the weekends, morning, noon and night there is speeding. Today there were outrageous speeds in the community. Chairman Wester reported that we will be discussing this and first on the agenda will be sheriff patrols and costs and hoping to get a board vote tonight.

Barb Roberts – 359 San Juan Drive – Ms. Roberts reported on behalf of the PVCA that she would like the board to hire an engineer to do a traffic study of the whole community for safety. Chairman Wester reported that he has spoken with Ben Bright and Road and Bridge will be making a presentation at the next meeting.

CHAIRMAN'S REPORT - CHAIRMAN WESTER **BEACHES / SHERIFF PATROLS & COSTS**

Chairman Wester reported that some of the walkovers were hit hard with the nor'easter and spoke with Nathan Potter, and they are going to rope off the access at 321 until they can fix the damage. FEMA beach berm renourishment technically started last week and has been put on hold until the trucks can get back on the beach. Hoping to get a new schedule on the planning. There was discussion about the dunes and damage to the dunes.

Chairman Wester reported that Captain Edenfield is here from the Sheriff's Department to help us schedule and get some officers out in the community. Chairman Wester reported that he has three options and wanted to get them on the record.

Option 1 – 1 deputy 24 hours 7 days a week = \$350,400 @ \$40 an hour

Option 2 - 1 deputy 24 hours 7 days a week = \$350,400 plus 1 additional for demand based (like holidays, TPC)

Option 3 – Monday – Friday 1 deputy 7am – 7pm = \$124,800, 1 deputy from midnight to 4am is \$41,600 and every Saturday and Sunday 1 deputy from 10am – 4am \$37,440

We are still under our \$435,000 budget and if we feel we need a motorcycle cop we can still get one. Chairman Wester opened it up for Board discussion.

Vice Chairman Hollon asked Captain Edenfield the pros and cons of these three options. Captain Edenfield reported that this would put additional law enforcement presence in the MSD. This would be off duty officers, and this would help us monitor areas where we need additional routine patrol. We have a detail where deputies can sign up and are given specific instructions of what is needed. Vice Chairman Hollon asked how would we go about paying. Captain Edenfield reported that when a deputy signs up, they get the information where to go and they are paid by the company with a check for their off-duty hours. Vice Chairman Hollon ask how often do you have to pay them. Captain Edenfield reported that by policy they must be paid within 14 days. Chairman Wester reported they will get paid on a rotating bases in a certain time frame and we will have to work out the details of how we are going to pay them.

Trustee Cellucci asked if there was a shortage of St. Johns deputies, could we use Jacksonville

Beach or JSO. Captain Edenfield reported no that the Sheriff would not approve, and he does not see any time where there would be a shortage. Captain Edenfield reported that they would be in a marked car, with radar and a laser. Trustee Cellucci asked if we can specify certain areas for speeding patrol and will we be able to see the accountability. Captain Edenfield reported of course, and he will send Chairman Wester a stat sheet of the results. Trustee Cellucci reported the only problem he foresees is having so many officers working and paying them in a timely basis. There was discussion about residents hiring deputies for private parties, but that would not be a part of the options discuss above.

Trustee McCuller asked if we go with the off-duty will you reduce your regular patrols in our area because we have off-duty. Captain Edenfield reported no because the off-duty officer will be specific to what you what that off-duty deputy to do. Trustee McCuller asked about liability and Captain Edenfield reported that the Sheriff has all the liability.

Sean Norton reported asked if they could have a motorcycle unit and possibly a cruiser sitting and running radar for a couple of hours on certain days and not just stick on one road. We need to make people understand that they are going to get a ticket. Captain Edenfield reported that whatever is in the work order they deputies will perform.

A resident in the audience said that on the report that was shared a couple of months ago it seems that there is not a lot of crime and adding someone 24/7, 365 it seems that we do not need additional patrols and asked Captain Edenfield if he thought we needed someone 24/7, 365. Captain Edenfield reported necessary no, targeted yes. When he says targeted, he means time of day, certain areas that are congested with traffic, presence during the evening and would be more conducive for speeding and a visual.

Chairman Wester reported that at every upcoming meeting we need to come up with an approach as to where we think we need the additional deputies. He is ready to start now and knows that Solana, San Juan, and Le Master are the cut throughs with higher traffic than other roads. Solana is the main entry way for constructions, and we do not want warnings but let the construction workers and the residents know that we mean business.

Mr. Blaylock reported that he lives on San Juan, and we need people that are familiar with the community. Captain Edenfield reported that you will get deputies who live around here. He explained that State Road 16 is the dividing line for the county, and he promised you will not get deputies who work south of there. Mr. Blaylock asked how are we going to know we have those deputies and what they are doing. Chairman Wester reported that the board will know and what we are looking at is in additional to the deputies who are already assigned to the northeast. Chairman Wester reported that in his opinion what he would like to see are deputies running radar at peak times in the MSD and one doing community policing driving around neighborhoods and start this this week. Chairman Wester reported that San Juan has been on the radar for many months. Mr. Blalock reported that if you do not have police presence you are going to have houses and cars broken into and what you are going to see is a drop in the property values and homeowners' insurance going up. Chairman Wester reported that we have discussed all of this at the previous Sheriff's workshop and previous MSD meetings. Once the rotation starts, we will get to know these deputies and get a vote tonight to start.

Trustee Kartsonis reported that she was surprised to see this because the Sheriff told us that our service would not change and in personally speaking with him, he suggested that possibly during the holidays have additional deputies. She reported that when we had five deputies in the MSD, we still had a speeding issue. She reported that she is okay with a PRN but surprised to see the first two options as that is not what she heard from the Sheriff. Captain Edenfield was asked why he was coming to the board with a request for more law enforcement when the sheriff said in several meetings with the public that the MSD was sufficiently covered without additional law enforcement.

Captain Edenfield stated the sheriff was misunderstood that the MSD does need additional police presence.

Treasurer Jurenovich reported that when the MSD started, we had our own police department and that is another option that is on the table. There are other options, and my suggestion is that we start our own police department. Treasurer Jurenovich reported that he has done a lot of research on this and handed out his worksheet for costs. His suggestion is that we hire our own Chief and additional two part time deputies including equipment, healthcare, armor, vehicles, fuel, and insurance. We will receive back from the state fines and forfeitures which we used to receive. What we will have is a Chief that will report directly to the board and the cars will have MSD and what this eliminates is staffing, the scheduling and the checks that must be paid. We can get back to where we were and this proposal is at \$336,000 which provides a lot of cushion from our budgeted number and some of my number could be off a bit but this provides a bigger picture for our community. We as a community have property values of 2.3 billion dollars. We send to the county \$17 million for ad valorem taxes and out of that 20% goes to the sheriff. We are providing \$3.4 million to the sheriff. Let's keep the MSD money in the MSD where we have deputies that we know and report to the board. Yes, the Sheriff's department does an amazing job in responding to 911 calls, yes they do an amazing job in calls for service and we have never seen a bad deputy but having our own police department keeps the money in the MSD with more visibility and more accountability. Trustee Kartsonis asked to make a motion. Chairman Wester asked if there were any questions from the board.

Vice Chairman Hollon reported that he is opposed to starting our own police department. He said that we have had the pleasure of contracting with the Sheriff's department and never have heard of any unprofessional conduct by any deputy. He suggests that we should adopt one of these options and have the supplemental services and let these deputies handle the speeding problem. He reported that we do not need to take on the liability and would like to move forward with one of the options for this fiscal year.

Trustee McCuller asked if we could combine Option 1 and 2. Chairman Wester reported that we can do whatever we want to do as a board. Trustee McCuller reported that it sounds like we will not have enough coverage with just Option 1 and wanted to confirm that we could add Option 3 too.

Chairman Wester reported that we are not able to vote to form a police department in the MSD tonight so there is nothing to vote on but we can continue to have this discussion as this is the first, we have seen numbers but there are other things involved like where is the office, where is the HR staff, scheduling, dispatch and are we an accredited agency. Trustee Jurenovich reported that he left some of this out of the presentation. Chairman Wester reported that this is a good baseline for further discussion.

Trustee Kartsonis reported that on Option 3 increase the hours as a start as the sheriff did tell us that our service would be the same and her motion was to approve Option 3.

Trustee Cellucci reported that he likes the idea of Option 3 and would like to look into incorporation where we would be independent. Chairman Wester reported that we have to do something now as this has been discussed at prior meetings and we need to employ this now and can have discussions about incorporation and a police department later.

Mr. Blalock reported that by rushing into this you will screw the whole thing up. Chairman Wester reported that this is your first meeting and we have had this discussion at three or four previous meeting. Chairman Wester asked Mr. Blalock for order.

There is a motion on the table for Option 3 as revised. Chairman Wester reported that we need to go with Option 3 as discussed and we can work with the structured hours with Captain Edenfield but we need to get someone immediately posted on Solana.

Trustee McCuller asked what the motion is for. Chairman Wester reported that it is for Option 3 and at the December meeting we can revisit the hours and scheduling. Trustee McCuller reported that Option 3 does not put us where we were before the contract expired and Trustee Kartsonis reported that the Sheriff told us we did not need that. Trustee McCuller reported that the Sheriff was telling us we spent over \$400,000 for service we did not need. Chairman Wester reported that this is supplemental with them very task-oriented instructions. Trustee McCuller would like to amend the motion with Option 1 replacing Option 3. Attorney Flowers asked if the first motion was seconded and Vice Chairman Hollon seconded Option 3. Trustee McCuller wants to amend the motion keeping Option 3 and including Option 1 which keeps us within the budget. Trustee Switkes seconded Trustee McCullers motion.

Chairman Wester reported that he would like to get this approved tonight and have a deputy start on Wednesday. Trustee Kartsonis reported that she does not want her motion amended. Attorney Flowers reported that the amended motion must be voted on first.

A resident from the audience reported that if you vote on Option 1 and Option 3, you will be over budget. Chairman Wester reported that this is not on an annual basis as this is just to get started and we can adjust as needed. He reported that we also have to work out the payment system to cut checks for the officers. The amounts in the Option provided are for a full year and right now we are only discussing November and December and then we can figure out these numbers. Trustee Cellucci asked if we have shut down Treasurer Jurenovich's proposal. Chairman Wester reported no. Treasurer Jurenovich reported that as soon as he brings something to the community's attention, they leave the meeting and he is tired of being the idiot around here and having neighbors calling him. He reported that wants to share with the community that we have spent over \$300,000 and that they were taking our money and not upholding the contract. Treasurer Jurenovich reported that he will support this as we need presence, but we need to look into having our police force.

Trustee McCuller reported that the motion is to approve Option 1 and Option 3 as Chairman Wester presented. The motion was seconded and passed 6-1 with Trustee Kartsonis voting no. Attorney Flowers reported that you need to vote on the first motion. A motion was made, seconded, and passed 6-1 with Trustee Kartsonis voting no.

Chairman Wester reported that tomorrow morning he will work with Captain Edenfield to get a schedule. Chairman Wester reported that we will start with Solana and then community policing. Treasurer Jurenovich reported that he would not make it public as to where the deputies are going to be. Trustee Kartsonis reported that we need police on Rutile.

REPUBLIC – VICE CHAIRMAN HOLLON

Vice Chairman Hollon reported that Republic is back on a regular schedule and are fully staffed. The secretary has asked me for the amount as she has not received an invoice. Treasurer Jurenovich reported that we did not cut them a check.

TRUSTEE REPORTS

TREASURER JURENOVICH - NEWSLETTER

Treasurer Jurenovich reported he e-mailed out the financials and there is nothing out of the ordinary. Trustee Kartsonis asked about the insurance costs. Treasurer Jurenovich reported that the first one was liability for the MSD and the second was workers comp for the secretary. Trustee Kartsonis suggested that we put all the cost for the secretary as a line item as you cannot tell what the actual cost is for the secretary. Attorney Flowers reported that he will address Trustee Kartsonis other question. Attorney Flowers reported that we went over with this with the IRS about 10 years ago when they were looking at small government bodies to have contractors classified as employees so that the company has to pay FICA. Trustee Kartsonis reported that she thought you had to work at least 60% of the time at a company to be an employee. Treasurer Jurenovich reported that the IRS

agent agreed with everything we were doing but the end result was she wanted her to be an employee and not a contractor. Trustee Kartsonis reported that it is not her understanding of the way to do business. A motion was made to approve the Treasurer's report, it was seconded and unanimously carried. Trustee Jurenovich reported that he has received articles for the newsletter from Kartsonis, Cellucci and Switkes. Vice Chairman Hollon asked when you need this and he reported last month. Chairman Wester told Treasurer Jurenovich that depending on the vote tonight and beach renourishment that he would like those included and asked Trustees to send their information to him in the next two weeks.

CTTF / SIDEWALK - TRUSTEE CELLUCCI

Trustee Cellucci explained the workers comp and the liability insurance for the MSD. He reported that he attended the CTTF meeting today and the project at Solana and A1A was inspected last Friday and they will be cleaning up the area soon. Regarding the sidewalk on San Juan, it is still up in the air. Veteran's Day is Thursday and Patriotic Ponte Vedra will put the flag up and we finally got the new flags we ordered and those will be put up for Memorial Day. Trustee Cellucci asked the MSD for \$1,000 for the new flags. Chairman Wester asked where this would be recorded and it was decided beautification. There was a motion to approve the payment, it was seconded and unanimously carried. Trustee Switkes asked about the sidewalk on Ponte Vedra Blvd. Trustee Cellucci reported that it is totally up to the county. Chairman Wester reported that at the last Commissioners meeting the county will be getting some money and he asked to get \$750,000 for storm water at Ponte Vedra Blvd to go into the lagoon and then we will get with the club to explain. Chairman Wester reported that it will take about one year to get everything done and the county will pay 100% for this. Chairman Wester reported that he had a meeting with Ben Bright and we discussed them doing an engineering study on San Juan for safety and how this road is constrained and there is a critical need for something to be done. Chairman Wester asked them to come to our December meeting to discuss what can be done for traffic calming. There are new traffic feedback signs now with different lights and even a smiley emoji to get people to see the signs. Trustee McCuller reported that it is more than a speeding issue. Chairman Wester reported that he explained to Ben Bright the history of Ponte Vedra Beach and how we are so behind on all services. Trustee Kartsonis asked why we do not do a study ourselves. Chairman Wester reported that we want to do this with the county as it on the right of way. We have to do a letter to Road and Bridge asking them to do a study as the letter has to come for a public elected board. Chairman Wester asked the board to vote on creating a letter that will be created with Attorney Flowers asking Road and Bridge to employ a traffic study on San Juan. Treasurer Jurenovich reported that he just did a traffic study on San Juan. Chairman Wester reported that your study is very valuable. Treasurer Jurenovich reported that Rodney has the study. Chairman Wester reported that this will be more than just traffic as it will be calming and roadway width. A motion was made for Chairman Wester to write a letter, it was seconded and unanimously carried.

BEACHES ENERGY / WEBSITE - TRUSTEE KARTSONIS

Trustee Kartsonis reported that she is meeting with Beaches Energy as there has been a request for a streetlight at Le Master and Maria and an additional light south of Sawgrass. Trustee Kartsonis asked if we can put back on the agenda about the planning position.

ROAD AND BRIDGE / STREET SIGNS- TRUSTEE MCCULLER

Trustee McCuller reported that we have sign poles at the club but they need to be drilled out and the club could not do it and have contacted Buchanan sign. Now the Club said they can do the drilling and asked Treasurer Jurenovich if he wants to continue with the installation of the signs or for him to ask Buchanan. Treasurer Jurenovich reported Buchanan. Trustee McCuller will come back in December with a new cost. Chairman Wester asked the status on the new skins. Trustee McCuller asked Chairman Wester to send him the wording and he would send it to the fabricator. Trustee Kartsonis asked if there is anything we can do about the water on A1A at Solana. Trustee McCuller reported he will ask the county as this is FDOT.

JEA / LANDSCAPE - TRUSTEE SWITKES

Trustee Switkes reported she had the backflow preventors checked at all our JEA sites and one failed and we have to get it replaced. She received three quotes and Bob's Backflow was the cheapest at \$660. The backflow preventor that has to be replaced is at Pablo Road. Trustee Switkes needs the approval of the board to proceed. Trustee Kartsonis made a motion to approve the \$660 for Bob's Backflow. It was seconded and unanimously approved. The water bill is fine and has been sprucing up the medians. Greg Corcoran reported that the contactor has completed most of the water main project and is waiting for certification then they can hook up the residents. He also said that paving will begin after that and should be in the next month and notices will go out.

ATTORNEY'S REPORT – ATTORNEY FLOWERS

Attorney Flowers reported that last month's meeting he was asked to collect information relating to a letter that was sent by the Chairman to the county concerning zoning amendments that are pending. The letter related to the circular drive or two parking entrances. Attorney Flowers handed out the agenda packet for that meeting, a summary of the amendments, with a memo from Steve Diebenow who was sponsoring the amendment and the letter that was presented to PVZAB signed by the Chairman. One of the paragraphs in the letter regarding two driveways says the provision was voted by the MSD. The meeting is online if you want to see this. There was additional discussion at that meeting and Chairman Wester got up and discussed the driveways. Chairman Wester reported that he would be late to the MSD meeting that night due to attending a PVZAB meeting. In reviewing past minutes there was not any action (or vote) by the board taken on the circular driveways or two entrances. Attorney Flowers provided the rules on correspondence and that no board member can represent the board on any matter unless the board votes on it. One question, is was there a violation and if so, what is the sanction if you decide there was a violation.

Chairman Wester reported that on this matter, the dual driveway matter was only regarding Ponte Vedra Blvd. The county lumped these together for the PVZAB and commissioners meeting. We talked about allowing the people on Ponte Vedra Blvd. to be able to apply for a variance for a dual driveway. We talked about allowing them if they met the criteria for a dual driveway. My letter to the county was to send this to get this back on the agenda. The county got this lumped in with the Diebenow stuff and never meant to misrepresent that we had voted on the dual driveway entity but as a package provision with the no parking change. For the record, Chairman Wester is retracting his statement that the MSD voted on the dual driveway item. Trustee McCuller asked when you attended the meeting was it inferred from the audience that you were supporting Diebenow on behalf of the MSD. Chairman Wester reported yes, and Trustee McCuller reported that needs to be retracted. This matter will be tabled at the December meeting.

Trustee Switkes reported that we are not getting through the agenda and suggest that we go back to the church.

ADJOURN

A motion was made to adjourn; it was seconded and unanimously carried.
Submitted, Ann Jurenovich, MSD Secretary