



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

OCTOBER 9, 2023

The Trustees of the Municipal Service District held their monthly meeting on Monday, October 9th at the Ponte Vedra Branch Library at 5:30 PM.

TRUSTEES PRESENT

Al Hollon – Chairman
Kitty Switkes – Vice Chairman
Rick Brown – Treasurer
Charles Callaghan
John Cellucci
Brad Wester
Michael White

Wayne Flowers – Attorney

Chairman Hollon called the meeting to order at 5:30 p.m. We will begin with the Pledge of Allegiance to the Flag.

Chairman Hollon explained the public notice, order, conduct and civility. You will be given three minutes to speak if you turn in a speaker card.

APPROVAL OF MINUTES

The Board of Trustees budget meeting minutes from September 11th were discussed. A motion was made to approve the minutes, they were seconded and unanimously carried.

The Board of Trustees regular meeting minutes from September 11th meeting were discussed. A motion was made to approve the minutes, they were seconded and unanimously carried.

The Board of Trustees final budget hearing meeting minutes from September 20th were discussed. A motion was made to approve the minutes, they were seconded and unanimously carried.

PUBLIC COMMENTS

Michale Conlee – 528 Rutile Drive - Mr. Conlee reported that he saw the Gate PUD was on the agenda and wanted to know what the boards intention is and he has two concerns. One is that it is outside the scope of your authority and second as a procedural matter I would suggest that you oppose this as you know that hundreds of people have gone to many meetings and do not know how you as a board can come forth without having a public forum or some type of opinion poll so that you know what the constituents want. Those are my objections.

Lori Wells – 545 Lake Road – Ms. Wells does not understand why the MSD is trying to rubber stamp the PVIC PUD. This is the one thing that has signs out in people’s driveways. Nobody in our neighborhood agrees with the PVIC PUD and you are representing our community and not taking anyone’s input and it is not a representation of what the community thinks.

Sue Foster – 534 Rutile Drive – Ms. Foster reported that she feels the same way and found out about the meeting a couple of hours ago and feels that the MSD does not have the right to say yeah or nay. This is a very contentious matter and feels that not enough people were notified of this meeting and not enough people have been informed.

Denis Abromavage – 530 Morning Side Drive – Mr. Abromavage reported that he is here about the drainage issue in his back yard. The drainage that was originally there when they added the storm water drains is collapsing and my back yard is caving in. I had from the county Tommy Mashborne and Jason Sparks out and they reported that the old county maps look like they go into a drainage easement. There are drains that go out to Le Master lagoons that is in my back yard. They agree there is a drain but they do not want to address it because there is nothing on their maps. Trustee White will reach out to Mr. Abromavage.

Rick Ensslen – 27 Waterbridge Place – Mr. Ensslen asked for a show of hands of how many Trustees attended that September 11th meeting. Chairman Hollon reported that we met the same night. Mr. Ensslen asked if the board has reviewed the information. Chairman Hollon reported that this is our fourth meeting where we have discussed this. Mr. Ensslen was curious if your Charter represents the community. Chairman Hollon reported that our Charter represents people and business in the MSD area. Chairman Hollon reported that we have a Charter and a policy manual that governs how we conduct meetings. There is a policy rule 4.303 that consideration of an action on issues of community concern. On those occasions when the board of trustees is requested by a board member or a resident to take an official position on the issue of community interest within the MSD the following procedures will be followed:

A – The issue or question will be placed on the agenda for the next regularly scheduled meeting of the Board of Trustees. Chairman Hollon reported that he has done this four times.

B – Sufficient time will be allotted on the agenda to allow trustees and residents to discuss the issues.

Lori Wells asked about a special meeting and Chairman Hollon reported that a special meeting may be called if we do not have time to discuss this prior to the regularly scheduled meeting.

Mr. Ensslen asked that you have requested it four times? Chairman Hollon reported that the Chairman sets the agenda and it has been on the agenda four times. Gate came and did a public presentation on May 8 and in September, then September 11th, we tabled it due to the Zoning and Adjustment Board meeting that evening. Mr. Ensslen reported that the Zoning and Adjustment Board meets on the first Monday of every month if the Board could change their meeting so there is not a conflict. Vice Chairman Switkes reported that this was only a conflict due to the holiday and your meeting was pushed back. Mr. Ensslen reported that there was not a big enough announcement regarding this meeting or there would be more people here tonight. Vice Chairman Switkes reported that the problem is that the agenda was just posted late last night or this morning which is an issue. Mr. Ensslen reported that he would like to postpone the vote so there is more community attendance.

Gayle Cooper – 219 San Juan Drive – Ms. Cooper reported that the Club has given some beautiful renderings and I have made my own rendering of what this will look like from my backyard. She handed out the rendering. A couple of years ago the people of Ponte Vedra Beach voted for building heights to be 35 feet and everything in the PUD is over 35 feet. We do not want flat roofs however the parking garage will be a flat roof. Gate says there will not be any cars visible from the parking garage and I can see the cars from the other parking garage which is even farther away. She asked

the Trustees if they would like to see that in their backyard. I have been there for 30 years and had a beautiful vista and now there will be a parking lot. We will not have the same quality of life that we are used to with 24-7 lights, glare and emissions from cars and noise. I am here to ask you as our elected officials not to pass this as it is not what the community of neighbors wants because it is a corporation and they want it and we came first.

Megan McKinley – 528 Rutile Drive – Ms. McKinley reported that she was fortunate enough to receive some information about the agenda for this meeting last Friday and communicated to all of you through e-mail. This morning the agenda was available this morning for the public and would ask your attorney that Florida Law states that the agenda is to be posted seven days prior to your meeting and if it would be appropriate to have a vote tonight since the agenda was not posted. Attorney Flowers reported that if the agenda was not posted until today there should be no action taken. Chairman Hollon reported that we could have another meeting next week as long as it is before November 7th. Vice Chairman Switkes asked if Chairman Hollon thinks that our vote would sway the commissioners and thinks we should address it at next months meeting. Chairman Hollon reported that he disagrees with that and does not know what the commissioners vote will be and this is the fourth meeting we have had.

Treasurer Brown asked since this has been on the agenda every month should that not serve retroactively as the first time it was on the agenda? Attorney Flowers reported that there could be members of the public that did not know it would be acted upon tonight.

Unknown woman: She reported that she did not know the MSD had any say in this and does not know what is going on and that she gets no communication because she is not a member of the PVCA. Treasurer Brown reported that we have a website. She reported that most people work and have other jobs. Chairman Hollon reported that we have issues that have mixed views where some are for and some opposed and we take a stand. She reported that you have never voted on anything that is this big in Ponte Vedra. Chairman Hollon reported that he disagrees and he will not let you take over this meeting. Vice Chairman Switkes reported to Treasurer Brown's point regarding the website, our minutes from last months meeting have not been posted to know that the vote was tabled. Secretary Jurenovich suggested that we speak with the webmaster regarding the posting as she had agenda in plenty of time. Trustee Cellucci reported that we have had special meetings in the past.

Trustee Wester reported that he has served as Chairman for two years and we have taken up matters that are extremely important. Items like the County Bed Tax, the Beach Renourishment, No Parking Ordinance on Ponte Vedra Blvd., traffic patterns on roadway intersections, Plan Review Position (i.e., the Jack Pope position), various zoning and LDC revisions per staff who have come to the MSD to present code and land development changes to vet it with us, and more importantly storm water and sanitary sewer matters. All of these have been voted on by the Board of Trustees. The zoning that is in front of us right now is one of these matters in terms of scale and matters and refutes what you said as this board has taken up many matters and goes back to the 80's. The items discussed are items that were brought before me. Unknown Woman reported that you have never has this type of community outcry. Trustee Wester reported that the MSD board takes up many matters and writes letters to many people whether it is zoning or public works. Trustee Cellucci reported that there were sidewalk projects too. Trustee Wester reported that we do take up many matters and part of our role as elected officials is to provide supplemental services to the county.

Chairman Hollon asked if we set up a special meeting the week of the 19th. Attorney Flowers reported that he does not know if we can get a meeting noticed by the 19th. Secretary Jurenovich reported that we must have a meeting place. Chairman Hollon reported that we will try the week of the 23rd regarding rule 4.103.

TRUSTEE REPORTS

CHAIRMAN'S REPORT - CHAIRMAN HOLLON
REPUBLIC / SHERIFF PATROLS AND PAYMENTS

Chairman Hollon reported that regarding Republic Services they are in the process of submitting bids to the county commissioners and they may maintain unlimited yard waste. The sheriff's reports show there were 71 citations, 159 warnings, parking citations and assisted patrols. Vice Chairman Switkes asked if they assist within the MSD or outside of the MSD. Chairman Hollon reported that the assists were 407 PV Blvd., 533 PV Blvd, 2000 block of PV Blvd so some are in and some are out.

JEA / LANDSCAPE – VICE CHAIRMAN SWITKES

Vice Chairman Switkes reported that regarding JEA she is still compiling a list for fire hydrants that need painting. The irrigation bills are good and she is having three irrigation backflows checked. Regarding the landscaping at San Juan and PVB she is going to make an area to plant and add new landscape. She is asking the Board to approve up to \$750 for plants for A1A and Corona and San Juan and PVB. She made a motion to approve over \$500 and under \$750 on additional landscape. The motion was seconded and unanimously carried.

TREASURER'S REPORT / STREET SIGNS– TREASURER BROWN

Treasurer Brown reported that he sent out the Treasurer's report and we were well under budget last year and think we will be way under budget for this fiscal year. A motion was made to approve the Treasurer's Report, it was seconded and unanimously carried. Treasurer Brown reported that Le Master and Solana street sign was repaired.

BEACHES ENERGY / WEBSITE – TRUSTEE CALLAGHAN

Trustee Callaghan reported that Beaches Energy (BE) has been very responsive to fixing streetlights that are not working. He met with BE to get four more streetlights in and they will be walking the sites. BE is waiting on new pricing and we will also be walking to bus stops and hope to have those in by the beginning of the year. Regarding the website, we need to have a discussion regarding urgency or the time it takes to post information on the website. Vice Chairman Switkes reported that we need the budget on there. Secretary Jurenovich reported that she has posted the budget and the Treasurer's Report for September. Vice Chairman Switkes asked when the minutes are supposed to be posted. Attorney Flowers reported that they are not posted until they are approved. Secretary Jurenovich reported that she sends the minutes after the meeting when they are approved. Trustee Wester reported that it is important that everyone knows we have a third party posting the information on the website and it is not us that is interfacing with our website directly.

Trustee Wester asked what the rule for us taking up matters on a vote. We just approved \$250 increase for Vice Chairman Switkes and we did not notice this. What if someone from the public does not want this. We took this up on the fly spontaneously so why is this any different from the Club when this is a resolution from the board of trustees to a body that will take this up in a quasi-judicial arena and this is not a quasi-judicial arena. Attorney Flowers reported that he will have to look up the limits. Trustee Wester asked do we need to wait and rescind that vote while you look it up? Attorney Flowers reported no. Trustee Wester reported that we are getting very technical from the public and they are trying to call us to task that we are doing something inappropriate and circumventing the law. We are not doing that and where in our Charter does it say as a board when we take up a matter why is Vice Chairman Switkes's vote any different from the Club's vote. Attorney Flowers reported that landscaping is a regular item on the agenda every month. If someone wants to argue that we should not vote on this they can do this since the agenda was not put on the website in a timely manner. Chairman Hollon reported that in his experience in a regular meeting you can bring up anything that is under your category. Trustee Wester reported that Treasurer Brown brought up that we were going to vote on this at last meeting and there were suggestions from some trustees, including myself, that said let's wait until we have all the information, after the PVZAB vote, as it would be premature to vote until we have all the revisions from the applicant. That was one of the main reasons we did not vote at last month's meeting. That was stated at our regular

scheduled meeting and do not understand why we are playing this game now and cannot vote on a resolution to the Board of County Commissioners (BCC). Attorney Flowers reported that he gave his opinion regarding the agenda and for something with this much public scrutiny you risk legal action. Trustee Wester reported that all of this is because the agenda was not published at the proper time but he will be available at the special meeting. Trustee Wester reported that he brought up the point and it was well received. Trustee White reported that his company updates websites and he was shocked at how easy it is to update a website from the back end and asked to have we ever tried to upload a PDF to the website. Trustee White reported that it would be worth having an admin login on our webpage in the case the web master quits, goes on vacation, etc. Trustee Wester reported that during Covid we had some things that had to be posted immediately, there was an additional charge and thinks we should have a backup.

Vice Chairman Switkes reported that the friends of the library are putting on a big event for the 20th birthday of Seymore and asked if we could add the poster to our website for the event this Saturday. Trustee Callaghan will let the webmaster know. Secretary Jurenovich notified Trustee Callaghan that the webmaster's fee is from January to December and he will need to negotiate her upcoming fee.

NEWSLETTER / FLAGS / INSURANCE - TRUSTEE CELLUCCI

Trustee Cellucci reported that he is collecting information for the newsletter and the end of November is the deadline for articles and pictures. He asked Treasurer Brown for the budget to put in the newsletter and Secretary Jurenovich reported that she will forward it to him. He reported that the insurance went well and has been renewed. Flags go up on the 9th and will stay up through the 13th for Veterans Day.

BEACH AND SIDEWALK- TRUSTEE WESTER

Trustee Wester reported that the county sent out a survey to all beach front homeowners with the millage rate. Again, it is .39 for the northern homeowners and .75 for the southern homeowners with a return to the coastal management program at the county. Once all surveys are back, they will move forward for the millage rate at the BCC meeting to be adopted. This will be the additional funding, as they have state and federal funding, to make up the difference which is between \$1.6 million and \$1.8 million. They already have permits so this money will go to the bids for the construction.

We are still having a problem with the northernmost beach access point with parking and the county has tried three times to put deterrents which are not working so they are going to put in cement bollards. Met with Greg Caldwell, Colin Graf, and Dwayne Kent regarding the sidewalks. They are working to get cost estimates for the first phase of the sidewalk from Solana to Miranda and from Ponte Vedra Circle to the county line including cross walks. The county reported that they will do most of the design in-house and there might need to be some engineering aspects. They will come up with a cost estimate and they want us to come back to them with a memorandum of understanding. They will give us a draft of that once they get the cost estimate and that memorandum of understanding will include our funding request back to the county and they will present it to the BCC. They are not sure if this will need BCC approval. We should get this information in the next two weeks.

Vice Chairman Switkes asked what the deadline for the survey is. Trustee Wester reported it is December 1st. Vice Chairman Switkes asked if they need 100% approval and Trustee Wester reported he does not think so. Vice Chairman Switkes asked if they do not sign will they not get sand as this affects the homeowners next to them. Trustee Wester reported that the surveys are for voting on the millage. Trustee White reported that request for easements is separate. Trustee Wester reported that this is not a berm enhancement like the project that FEMA did as this was in their backyards.

Gayle Cooper asked if the area from Miranda to Pablo (north) will get a sidewalk. Trustee Wester reported that this segment will cost a lot more due to the trees so now we are working on the Solana

to Miranda so that it will meet up with the sidewalk on the Blvd. In the future we will work on the segment you are speaking about. Trustee Wester reported that the sidewalk is coming but it will be later. Ms. Cooper reported that the drainage needs to be fixed before a sidewalk can be constructed. Chairman Hollon reported that he has a bill from Kimley-Horne for their attendance at the meeting and made a motion that we pay them \$1,911. Vice Chairman Switkes reported that we already discuss this. Trustee Wester reported that here we are voting on this and it is not a line item. The motion was seconded and unanimously carried. Barb Roberts asked if Trustee Wester knew when the sidewalk construction would begin. Trustee Wester reported that he is not sure but is hoping to have the design and permitting by the end of the year and hoping some movement in the first quarter of 2024.

TRUSTEE WHITE – CTTF / ROAD AND BRIDGE

Trustee White reported that from the CTTF meeting everything went well and the stop light at Micklers and A1A looks like it is going to be a project in the near future. Regarding Road and Bridge Trustee White met with many from the county and there has been a ruling and DEP came back to St. Johns County as they hold the permit to the lagoon system. This is a green light to find solutions like adding a drainage pipe. Eisman & Russo are evaluating some areas and will meet with them next week to review a handful of low hanging fruit drainage solutions. A few on the boulevard and a few on San Juan that do not need property acquisitions. There are some that will take private property easement that we will address later. Trustee White reported if the county does not have the right to any of the easements that we need to work on it does not matter. The county owns the roadway but we must find other avenues to get rid of the water. Ms. McKinley reported that you should look into drywells and they were done retroactively.

ATTORNEY REPORT – ATTORNEY FLOWERS

Attorney Flowers reported that he has nothing new to report but he is glad to hear about the sidewalk moving forward. Chairman Hollon reported that he has registered through the state to allow Lewis Longman and Walker to represent us and will be meeting with them to review the changes. Chairman Hollon reported that Attorney Flowers received a certified letter as the registered agent that the state had not received our Audit Report. Secretary Jurenovich provided the state with the dates that the audit was sent both electronically and by post and cleared up the confusion. Chairman Hollon reported that he did ask Attorney Flowers to send them a letter memorializing the events.

Chairman Hollon reported that Ellen Avery-Smith, Counsel for the PVIC would like to give the board the background of the meetings. Ms. Avery-Smith reported that she would like to address 8b on your agenda. She reported that she and Mr. Peyton made a presentation to your board on May 8 and there were quite a few people in attendance. We went to the Ponte Vedra Architectural Review Committee on September 6th and there were a number of people in attendance that were for and against. On that day they approved the architecture for the sports club, the surf club as well as the oceanfront Lodge buildings and the Ponte Vedra Inn and Club (PVIC). They gave us some input on the unified sign plan and declined to take any action on the PUD. On September 11th we went in front of the Ponte Vedra Zoning and Adjustment Board, the same day as your meeting. At the end of the meeting the board recommended approval, some with conditions, 29 of the 31 waivers in the PUD were approved. The only two waivers that they did not approve are identical waivers, one from Ponte Vedra Zoning District Regulations and one from the St. Johns County Land Development Code, identical language regarding building heights. Those were the only two waivers that were not recommended for approval and based on that 4 of the 7 board members voted to recommend denial of that PUD for the simple reason of those two waivers. We then went on September 21st to the St. Johns Planning Zoning Agency and they recommended approval of the PUD by a vote of 4-0. After the three Ponte Vedra Board underlying votes we made extensive changes to the PUD document the text, the maps, the architecture, the heights and submitted these back to the county on September 28th. They are available to everyone in the public record. Most of those changes were from the staff, boards and residents. We made a lot of changes including building heights. We respectfully request today, and I do not know what happened with your agenda, but since you are all here, we request

that you take an informal vote tonight either of support or not support so that you do not have to meet again. We have received a lot of public comments at the three other hearings and are set for November 7th at the BCC where there will be other comments. We are asking you by voice vote or however you commit so you will not have to have your board have a special meeting.

Chairman Hollon reported that he does not know if this is the proper thing to do. He reported that he would like the board to authorize a letter to be sent to the BCC with approval or disapproval as this would have more weight. Attorney Flowers reported that any board member can state their opinion and he does not recommend taking an informal vote since everyone that was here to speak on this item has left. Attorney Flowers does not recommend an informal vote. If a board member wants to say they are in favor of the vote they can do so.

Trustee White asked if Ms. Avery-Smith could characterize what you did in response to ARC and PVZAB conditional approvals. Ms. Avery-Smith reported that she will do this off the top of her head. One of the board members for ARC made the comment that the architecture on the side of the Lodge parking garage needed to look better. That exhibit has been updated to provide a nicer facade. They did not like the unified sign plan and it has been updated from the comments. Everything that the board recommended changes be made, we made. Going to PVZAB there were 31 waivers so let me summarize. We listened to the board and the chairwoman went through one waiver at a time and when they recommended changes, for a vote of approval we made almost all the changes in their entirety. The two regarding building heights we have made changes and took out the Palmer Building which was a source of contention and agreed to reduce the building height footprint of the ocean front Lodge building to just the building height profile that exists today. Those changes are all in the PUD document. PZA had a few comments on building clarification, for example the Carlyle building. As for the proposed building for the Lodge fitness we agreed to put a 40-foot building separation between it and the Carlyle which wraps the parking garage. We also made clear that there will be enhanced landscaping. Trustee White reported that between now and the special meeting would be to say that you followed the process and made changes to what the boards wanted you to make collectively. He reported that he would feel comfortable saying the applicant has met the challenges put in front of them. Trustee Wester reported that the Chairman sent around the red line version of the changes.

Vice Chairman Switkes asked if the PZA meeting was for just one specific piece of property that they approved. Ms. Avery-Smith reported on the land development code because the PZA is really the board dealing with PUDs and land development code. Vice Chairman Switkes asked if their approval had anything to do with the property at the PVIC. Ms. Avery-Smith reported that they recommended approval of the entire PUD and not any specific portion. Vice Chairman Switkes reported that she watched that meeting and he said that we are here for just that one specific piece of property and asked if that was different at the vote. Ms. Avery-Smith reported that the vote was to recommend approval of the PUD to the BCC. Vice Chairman Switkes reported that she went to the zoning meeting and what was not addressed is the heights of the PVIC. You did remove the Palmer Building but saw that the levels of the parking garage at the Lodge went from 3 to 4. Ms. Avery-Smith reported that there was a ground floor for parking on the ground and three trays of parking and we did not want there to be any misunderstanding on how many floors or trays there would be. Vice Chairman Switkes reported that for the one building you designated it as 4 stories. Ms. Avery-Smith reported it is 4 levels. Vice Chairman Switkes reported that the two waivers the zoning board denied 5 to 2 are very concerned about the building heights from what the people in the community are talking about both on the east and west side. Ms. Avery-Smith reported that on the maps you will see a reduction in the heights of the buildings and we did not make any changes to the existing Inn so there were some things that PVZAB wanted that we did not agree to but the other heights like taking out the Palmer Building were made in this version of the PUD. Vice Chairman Switkes asked if there were changes to the height of the oceanfront Ponte Vedra buildings? Ms. Avery-Smith reported yes and if you look at the height zone maps you will see the changes. Vice Chairman Switkes ask from what to what. Ms. Avery-Smith reported that she does not have that information on her and

Vice Chairman Switkes reported that this is what was concerning to most of the people that she spoke with. Ms. Avery-Smith reported that the height at the Ponte Vedra Inn and Club is a commercial resort property. We have tried to keep the higher heights in the middle and scale it down as it gets to residential properties. Mr. Peyton reported that he has heard the same thing about height and he would have explained it to you if you would have returned his call. Vice Chairman Switkes reported that she never received a call from him. Mr. Peyton reported that he will call you tomorrow. Mr. Peyton reported that their concern is making sure we keep the character of the buildings. We are asking for three stories at the Surf Club which has high ceilings and there is not a residential property next to it and it is not shadowing anyone. This is a business and not a charity and when you spend \$2 million to get them to FEMA standards, we are putting guest rooms at the top. Mr. Peyton reported that none of these buildings are exceeding the height of the Inn. Vice Chairman Switkes is asking these questions to Ms. Avery-Smith because she filled out a speaker card and asking the questions that most of the residents want to know is the building heights and that they are going to be closer to the road. Mr. Peyton reported that they are not going to be closer to the road as we are using the same setbacks. Vice Chairman Switkes meant on the west side. Mr. Peyton reported that there is a master plan and every building is laid out. It is not a mystery. Ms. Avery-Smith reported that we did receive some input on the master development plan and we did add that for the surf, sport and Lodge fitness. Vice Chairman Switkes asked if this is in the new updated application. Mr. Peyton reported that he has sat through 24 hours of hearings and heard it too and trying to be responsible owners and there are clubs whose owners do not reinvest and they go downhill. Mr. Peyton reported that this is a business and we are not all going to agree but they have tried to work with neighbors.

Mr. Peyton reported that you should not have to have another open meeting to listen to angry people and we do not want to put you through that. We would like to ask you to take a vote and if you are not comfortable do not vote. It is not right for you to have a special meeting and nothing is going to be said that has not been said. The people that make the decision are the BCC and you do not want a special meeting. Vice Chairman Switkes reported that we cannot do this as people have left. Chairman Hollon reported that he is for it but he is concerned from a legal standpoint the effectiveness of an informal vote and he does not care a bit for a special meeting. Trustee Wester reported that he does not care to come back for a special meeting but he ran to serve on this board as a public elected official and if we need to have a special meeting, we can have one and the applicants do not need to be there as everything is out there for anyone to review. Trustee Wester reported that if it is a matter of formality to get a resolution to the BCC he is in favor of the PUD and he is willing to meet again to get it to the BCC. Trustee Wester reported that we have discussed this at the last four meetings. Chairwoman McKinley sent out to all the board members a lobbying e-mail saying please do not vote as it is not in your purview. Somehow that board member knew that the vote was coming up and some of the residents knew. We are stewards of the MSD and our voice does matter. Let us get the meeting noticed and vote and be done with it.

Trustee Cellucci reported that if we had a vote tonight that he would approve the PUD and it is bothersome that we had a technicality. We are the only elected ones here and having served on the PVZAB with Chairman Hollon we understand the process. Trustee Wester reported that he served on the PVARC for six years and was Chairman for three or four and understands the process. He ran to become an elected official and not an appointed official.

Trustee Brown reported that to go through the exercise of having another meeting for semantics is pointless. We all have a position and we all know how we are going to vote whether it is tonight or a week. This has gone long enough and to drag it on further is pointless.

Trustee Wester made a motion to have an informal vote by hand or voice to support this PUD with the revised version. The motion was seconded. Vice Chairman Switkes reported that there were people here tonight and we told them that we were having a special meeting. Trustee Cellucci reported that we still might. Chairman Hollon reported that we will have a special meeting, vote, and

send a letter to the BCC. Attorney Flowers reported that there is a motion on the floor. Vice Chairman Switkes reported that she is abstaining. Trustee Cellucci reported that you cannot abstain. Attorney Flowers reported that you cannot abstain unless you have a conflict of interest. Mr. Peyton reported vote it down Kitty. Vice Chairman Switkes reported that she does not want to vote it down but feels the timing is wrong but cannot vote for it so she must vote no. The motion was approved 6-1 with Vice Chairman Switkes voting no.

Chairman Hollon reported that we will try to have the meeting at Our Lady Star and will have the secretary put out a notice.

Trustee White reported that we do not need to add any confusion to the process and are pleased that we took a vote but feels that we need to have another special meeting and need to host it and let everyone say what they want to say and take another vote. Vice Chairman Switkes asked if we can put the new redline version on the website. Chairman Hollon reported yes, the one dated September 28th.

UNFINISHED BUSINESS

JACK POPE POSITION – CHAIRMAN HOLLON

Chairman Hollon reported that he spoke with Commissioner Joseph Friday and she thinks we are making progress. She spoke with Mr. White as they are having someone getting ready to retire and told them as long as they can get on site we can discuss.

CONSIDERATION OF NO PARKING ON SAN JUAN – CHAIRMAN HOLLON

Chairman Hollon reported that we will table this to next month.

KEY DATES

County Commissioners Regular meetings October 17th and November 7th

County Commissioners Special meeting October 31st

Next MSD meeting will be November 13th at 5:30pm FOL room PVB Branch Library

ADJOURN

A motion was made to adjourn; it was seconded and unanimously carried.

Submitted, Ann Jurenovich, MSD Secretary