

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JUNE 13, 2000
(9:00 A.M.)**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, began and held in the Auditorium at the County Administration Building, #4020 Lewis Speedway (County Road 16-A) and U.S. 1 North, St. Augustine, Florida.

Present were: James E. Bryant, District 5, Chair
Mary Kohnke, District 4, Vice Chair
Pal Howell, District 1
John Reardon, District 2
Marc Jacalone, District 3
David Halstead, Assistant County Administrator
James G. Sisco, County Attorney
Lenora Newsome, Deputy Clerk

(06/13/2000 - 1 - 9:04 a.m.)

CALL TO ORDER

The meeting was called to order by Chair Bryant.

(06/13/2000 - 1 - 9:05 a.m.)

The Invocation was given by Howell. The Pledge of Allegiance was led by Reardon.

(06/13/2000 - 1 - 9:05 a.m.)

ROLL CALL

The roll was called by the Deputy Clerk.

(06/13/2000 - 1 - 9:06 a.m.)

PRESENTATION OF AWARD TO ST. JOHNS COUNTY FOR THE CORPORATE CHALLENGE COMPETITION

Troy Blevins, Northrop Grumman, explained the events regarding the Corporate Challenge Competition. He announced that Grummans won again and St. Johns County won the mini cup. He introduced four of the Northrop Grummans representatives; Linda Long-Gurell, Ron Davidson, Cecil Bateman, and Dan Culleton.

(06/13/2000 - 1 - 9:10 a.m.)

PRESENTATION OF AN AWARD RECOGNIZING ST. JOHNS COUNTY AS ONE OF FLORIDA'S HONORED HOMETOWNS FOR 2000

Bryant announced this item, stating that Ms. Tiffany Terrell is going to present the award to St. Johns County.

(06/13/2000 - 1 - 9:10 a.m.)

PROCLAMATION RECOGNIZING MS. TIFFANY TERRELL AS AN OUTSTANDING YOUTH IN THE PROGRAM FLORIDA'S HOMETOWN USA

Ms. Tiffany Terrell presented the award recognizing St. Johns County as one of Florida's honored Hometowns for 2000. Kohnke read and presented the proclamation from St. Johns County to the Florida's Hometown USA.

(06/13/2000 - 2 - 9:13 a.m.)

PUBLIC COMMENTS

Joe Gordy, 25 Cincinnati Avenue, on behalf of the Economic Development Committee, explained what the Committee has been up to. He spoke on getting a citizen based group together to do county-wide visioning on recreation, arts and culture, finance, economic development, traffic, etc.

(9:23 a.m.) Dante Salamone, 5225 Datil Pepper Road, voiced his concern, with the assistance of visual display, on hydrants not being operational all over the County. He suggested scheduling a workshop on making hydrants operational. Frank McElroy, Fire Service, briefly explained what was being done with the hydrants all over the County.

(9:41 a.m.) Matt Korp, 5A Fountain of Youth Blvd., spoke on the hydrant situation.

(9:44 a.m.) Rich Balezentis, 1126 Wards Place, spoke on the water situation in the northwest quadrant regarding residents losing water to their homes.

(9:53 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, suggested how a Comp Plan amendment hearing should be publicized for the public, referring to the format used by the Jacksonville City Council. Reardon recommended checking into Whitmer's suggestion.

(06/13/2000 -2 - 9:56 a.m)

ADDITIONS/DELETIONS TO CONSENT AGENDA

There were no additions nor deletions to the Consent Agenda.

(06/13/2000 - 2 - 9:56 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Reardon, seconded by Kohnke, carried 5/0, to approve the Consent Agenda as submitted.

1. Approval of a motion to grant the free use of the St. Johns County Convention Center to host the regional summit for the seven county Northeast Florida area.
2. Motion to approve Professional Service Agreement and authorization for the County Administrator to execute the necessary documents with Marlowe & Co. for assistance in obtaining funding for 2.5 mile renourishment project.
3. Motion to approve the execution and recording of the St. Augustine Beach Erosion Control Line in the public records of St. Johns County, including the resolution from the Board of Trustees of the Internal Improvement Trust Fund and the Mylars accompanying the Resolution.
4. Approval of a motion adopting a Resolution approving Grant and execution of a certain Conservation Easement from St. Johns County to St. Johns River Water Management District.

RESOLUTION NO. 2000-82

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE GRANT AND EXECUTION OF A CERTAIN CONSERVATION EASEMENT FROM ST.

**JOHNS COUNTY TO ST. JOHNS RIVER WATER
MANAGEMENT DISTRICT**

5. Approval of a motion adopting a Resolution accepting a donation from the Switzerland Community Club of that certain property and building located off State Road 13, which formerly housed the Switzerland Fire Department.

RESOLUTION NO. 2000-83

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
ACCEPTING A DONATION FROM THE SWITZERLAND
COMMUNITY CLUB OF THAT CERTAIN PROPERTY
AND BUILDING LOCATED OFF STATE ROAD NO. 13,
WHICH FORMERLY HOUSED THE SWITZERLAND FIRE
DEPARTMENT**

6. Approval of a motion adopting a Resolution accepting a Temporary Construction Easement required for drainage improvements for Pope Road and 16th Street.

RESOLUTION NO. 2000-84

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
ACCEPTING A TEMPORARY CONSTRUCTION
EASEMENT REQUIRED FOR DRAINAGE
IMPROVEMENTS FOR POPE ROAD AND 16TH STREET**

7. Approval of a motion adopting a Resolution accepting a Quit Claim Deed from Julington Creek Plantation Community Development District to St. Johns County conveying additional right-of-way on Race Track Road.

This item was pulled from the Consent Agenda and placed on the Regular Agenda as item #8a. (See page 10.)

8. Approval of a motion adopting a Resolution approving a Final Plat for Julington Creek Plantation Parcel 55 Phase 1.

RESOLUTION NO. 2000-86

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR JULINGTON
CREEK PLANTATION PARCEL 55 PHASE 1**

9. Motion to approve a Utility Department budget transfer of \$35,000 from Reserves (426-59920) to Operating Supplies (413-55200) to cover additional expenses associated with new development.
10. Motion to approve a TDC budget transfer of \$7,776.32 from 1447.59920 (TDC Reserves) to 147.53708 (Holiday Lighting).
11. Approval of a motion adopting a Resolution approving a Final Plat for Southlake Unit Two-B.

RESOLUTION NO. 2000-87

**RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR SOUTHLAKE
UNIT TWO-B**

12. Approval of a motion adopting a Resolution approving a Final Plat for Bartram Oaks Phase 2.

RESOLUTION NO. 2000-88

**RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR BARTRAM
OAKS PHASE 2**

13. Approval of a budget transfer in the amount of \$166,689 from the General Fund reserve to the Property Appraiser.
14. Approval of Bid No. 00-44, Renovation of Belt Press and replacement of conveyor to Textile Engineering Associates, Inc. in the amount of \$108,825.00. (*See Exhibit A.*)
15. Approval of accepting applications and award a non-exclusive franchise for the collection, transportation and disposal of construction and demolition debris in the unincorporated portion of St. Johns County.
16. Approval of the Board of County Commissioners joining Cornerstone for two years in the amount of \$45,000.
17. File:
- a. Proof, Public Notice (Display Advertisement), St. Johns County FY2001 Administrative Budget Hearing Schedule.
 - b. Proof, Notice of Continued Public Hearing, Cable Television Service Franchise, May 23, 2000.
 - c. Proof, Request for Proposals, RFP No. 00-50 Impartial Consultant for Insurance Program.
 - d. Proof, Notice to Bidders, Bid No. 00-48, Eagle Creek Water & Sewer Connection.
 - e. Proof, Notice of Hearing, FY 2001 St. Johns County Budget Hearings.
 - f. Proof, Notice of Special Meeting, Nocatee DRI Comprehensive Plan Amendment, May 22, 2000.
 - g. Proof, Notice to Bidders, Bid No. 00-44, Renovation of the Size 3 Type 85 Klampress Belt Press & Conveyor.
 - h. Proof, Notice of Public Hearings, Establishment of Ordinance/Regulations Affecting the Use of Land, May 16, 2000 and June 6, 2000.
 - i. Proof, Notice of Town Meeting, June 1, 2000.
 - j. Proof, Notice of Meeting, Economic Development Review Committee, May 4, 2000.
 - k. Proof, Notice of Meeting, Economic Development Review Committee, May 11, 2000.
 - l. Proof, Notice of Change, Meeting Location SJC Housing Advisory Committee, May 10, 2000.
 - m. Proof, Certificate of Umbrella Excess Flood Insurance policy, St. Johns County Welfare Federation, Inc.
 - n. Proof, Certificate of Insurance, Saxelbye Architects, Inc.
 - o. Proof, Certificate of Liability Insurance, Minority Specialties, Inc.

p. Proof, Certificate of Liability Insurance, Petticoat Contracting, Inc.

(06/13/2000 - 5 - 9:57 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Reardon requested to pull item #3, at the request of the applicant, to be rescheduled at a later date. Halstead requested to add as item #2a, a report by the Water Management District on the water situation in Northeast Florida.

(06/13/2000 - 5 - 9:57 a.m.)

APPROVAL OF REGULAR MEETING AGENDA

Motion by Jacalone, seconded by Reardon, carried 5/0, to approve the Regular Agenda as amended.

(06/13/2000 - 5 - 9:58 a.m.)

1. CONTINUATION OF RESOLUTION 2000-80 – DECLARING A STATE OF LOCAL EMERGENCY (DUE TO THE EFFECTS OF DRY CONDITIONS AND NUMEROUS FIRES IN ST. JOHNS COUNTY)

Ray Ashton, Emergency Services Director, requested to extend this item, Declaring a State of Local Emergency, for seven more days. Discussion followed. **Motion by Kohnke, seconded by Jacalone, carried 5/0, to adopt Resolution #2000-89 Declaring a State of Local Emergency in St. Johns County.**

RESOLUTION NO. 2000-89

**A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA,
THAT CONSISTS OF A PROCLAMATION DECLARING A
STATE OF LOCAL EMERGENCY AS PROVIDED BY PART
I, CHAPTER 252, FLORIDA STATUTES AND BY ST.
JOHNS COUNTY, FLORIDA, ORDINANCE #94-25**

(10:01 a.m.) Bryant questioned Sisco on reopening the Consent Agenda because a member of the public requested to discuss Consent item #7. There was a misunderstanding with the public speaker card. Sisco suggested listening to the speaker first and if needed, reopen the Consent Agenda.

(10:02 a.m.) Louise Thrower, 288 Orange Avenue, spoke on Consent Agenda item #7, a resolution accepting a Quit Claim Deed from Julington Creek Plantation Community Development District to St. Johns County conveying additional right-of-way on Race Track Road. Kohnke recommended to pull Consent item #7 and place it on the afternoon agenda. Sisco recommended having a motion. (10:03 a.m.) **Motion by Kohnke, seconded by Jacalone, carried 5/0, to reopen the Consent Agenda.**

(10:03 a.m.) **Motion by Kohnke, seconded by Jacalone, carried 5/0, to pull Consent item #7 and place it on the Regular Agenda as item #8a in the afternoon.** (10:04 a.m.) **Motion by Kohnke, seconded by Jacalone, carried 5/0, to pass the Consent Agenda as amended.**

(06/13/2000 - 5 - 10:05 a.m.)

2. CLOSED DOOR EXECUTIVE SESSION – THIS MEETING WILL CONSTITUTE A PRIVATE ATTORNEY-CLIENT SESSION AUTHORIZED BY FLORIDA STATUTE 286.011(8). THE MEETING WILL BE CONFINED TO SETTLEMENT NEGOTIATIONS AND LITIGATION EXPENSE STRATEGY PERTAINING TO THE LAWSUIT BETWEEN ST. JOHNS COUNTY AND VALINDA BENNET, CASE

NO. CA98-430, IN THE CIRCUIT COURT, IN AND FOR THE SEVENTH JUDICIAL
CIRCUIT, ST. JOHNS COUNTY, FLORIDA.

Sisco stated that this was a request from the County Attorney's Office for a closed door meeting authorized by Florida Statutes for advice on a proposed settlement in the case of Valinda Bennett vs St. Johns County, Case No. CA 98-430. He stated that they had a proposal from the plaintiff and needed advice on it. Bryant announced that a closed attorney-client meeting concerning the lawsuit between St. Johns County and Valinda Bennett, Case No. CA 98-430 in the Circuit Court, in and for the Seventh Judicial Circuit, St. Johns County, Florida, will commence at 9:00 a.m. in the County Commissioners Conference Room and is estimated to last about one half hour. The persons attending the meeting are:

James E. Bryant
Mary Kohnke
Pal West Howell
John Reardon
Marc A. Jacalone
James G. Sisco, Esquire
Stephen P. Gallagher, Esquire
Ben W. Adams, Jr.
Cathy UpChurch, Court Reporter

(10:06 a.m.) Bryant recessed to the County Commissioner's Conference Room for the Executive Session.

Jacalone didn't return to the Regular Meeting.

Bryant reconvened the Regular Meeting at 10:33 a.m. stating that the Executive Meeting was concluded. He mentioned that the Board made their decision and would act upon the recommended solution. (10:34 a.m.) **Motion by Reardon, seconded by Kohnke, 4/0 with Jacalone absent, to pass Resolution No. 2000-90.** Sisco left the meeting.

RESOLUTION NO. 2000-90

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SETTLEMENT OF THE LAWSUIT FILED
AGAINST ST. JOHNS COUNTY BY VALINDA BENNETT
IN THE CIRCUIT COURT IN AND FOR ST. JOHNS
COUNTY**

The meeting recessed at 10:35 a.m. and reconvened at 10:42 a.m.

Daniel Bosanko, Deputy County Attorney, entered the meeting.

(06/13/2000 - 6 - 10:42 a.m.)

2a. AL CANEPA SJRWD REPORT ON WATER SITUATION

Bosanko reviewed the reason for this item. Al Canepa, Assistant Director of Department of Resource Management, spoke on the water drought situation using visual display. He spoke on the major impacts on water levels: reduce recharge during the drought, increased landscape irrigation, free flow wells, and high peak demands. He mentioned that they are providing advice and technical support to anyone who requests it. He explained issuing water permits during drought periods. He mentioned if anyone has any questions about their water service, call the Jacksonville Service Center or Palatka Headquarters and ask

for Compliance and Enforcement. Discussion followed on how deep someone would have to go to hit the surficial aquifer, how deep someone would have to go to keep the wells from going dry, at what point JEA will run into trouble producing water from the westside, the County's Well Construction Ordinance, using manmade lakes as retained water, approving projects during a severe drought, how the District does its permitting during droughts, and plans for the future water supply. (11:14 a.m.) Jacalone returned to the meeting. Bosanko repeated two actions recommended in the letter referred to by Canepa: recommending that the County enhance and broaden the Well Construction Ordinance in the County, and requested assistance from the County in assimilating educational material regarding the District's emergency water shortage and assistance in enforcing this order.

(11:34 a.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., spoke on the water supply in St. Johns County and stated that they are interested in this item because the lack of water impacts wildlife and people. He reviewed charts on the three aquifers, using visual display.

(11:47 a.m.) Pat Partridge, 4744 Collins Road, Orange Park, President of Partridge Well Drilling, provided information and the explanation of misconceptions on wells going dry. Howell questioned the length of drop pipes. Partridge answered 30 feet.

(11:55 a.m.) Rich Balezentis, 1126 Wards Place, spoke on the water drought situation.

(11:59 a.m.) Reardon requested to be the Commissioner to help work on the Well Construction Ordinance. (12:00 p.m.) Howell left the meeting.

(12:02 p.m.) **Motion by Kohnke, seconded by Reardon, carried 4/0 with Howell absent, to move items 4, 5, 6, Commissioner's Reports, County Administrator's Report, County Attorney's Report and Clerk of Court Report after item #8a in the afternoon.**

(06/13/2000 - 7 - 9:57 a.m.)

3. UPDATE ON A PROPOSED SKATEBOARD PARK

This item was pulled to be rescheduled at a later date.

Bosanko stated that there was an advertisement mistake in the newspaper that item #7, the Cummer Land Trust, would start at 1:00 p.m. He stated that the Chairman can come in at 1:00 p.m. and open that meeting and then recess it until 1:30 p.m.

The meeting recessed at 12:02 p.m. and Chair Bryant reconvened the meeting at 1:00 p.m. with Bryant, Bosanko, and Judy Hamilton, Deputy Clerk, present. He stated they reconvened to comply with a typographical error in an advertisement for the meeting. Bryant stated there being no quorum, the meeting was recessed at 1:01 p.m. until 1:30 p.m.

The meeting then reconvened at 1:30 p.m. with Bryant, Kohnke, Howell, Reardon, Jacalone, Bosanko, Halstead, and Judy Hamilton, Deputy Clerk, in attendance.

Item #7 was first discussed.

(06/13/2000 - 7 - 4:43 p.m.)

4. CONSIDER APPOINTMENTS TO THE CATEGORY II ARTS/GRANTS FUNDING PANEL

Patsy Heiss, Assistant to the Administrator, presented the recommended appointments to the Board. (4:44 p.m.) **Motion by Reardon, seconded by Howell, carried 5/0, to appoint Barbara Wilson as District 2 representative on the Category II Arts/Grants Funding Panel to complete a term scheduled to expire September 30, 2002.** (4:44 p.m.) **Motion by**

Reardon, seconded by Howell, carried 5/0, to affirm Brenda Bushell as TDC representative to the Category II Arts/Grants Funding Panel to complete a term scheduled to expire September 30, 2000. Bosanko left the meeting; Rick Barfield, Assistant County Attorney, entered the meeting.

(06/13/2000 - 8 - 4:44 p.m.)

5. CONSIDER APPOINTMENTS TO THE CHILDREN'S COMMISSION

Heiss informed the Board of existing vacancies on the Children's Commission. (4:45 p.m.) **Motion by Reardon, seconded by Howell, carried 5/0, to appoint Lauren T. Abell to serve as the District 1 representative on the Children's Commission, completing a term scheduled to expire April 27, 2001.** (4:46 p.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to approve the United Way recommendation naming Jean Carver as the agency's representative on the Children's Commission, completing a term scheduled to expire April 27, 2002.** (4:46 p.m.) **Motion by Reardon, seconded by Howell, carried 5/0, to appoint Joan Whitty as the Juvenile Justice Council's representative on the Children's Commission for a term scheduled to expire April 27, 2003.**

COMMISSIONERS REPORTS were the next topic of discussion.

6. OTHER BUSINESS - None.

(06/13/2000 - 8 - 1:34 p.m.)

7. PUBLIC HEARING - CUMMER LAND TRUST CPA - THIS PROPOSED FUTURE LAND USE MAP AMENDMENT INCLUDES THE CUMMER LAND TRUST PROPERTY AND WILL FACILITATE THE ST. JOHNS RIVER WATER MANAGEMENT (SJRWMD) PURCHASE OF APPROXIMATELY 21,931 ACRES OF LAND FOR CONSERVATION AND OPEN SPACE PURPOSES. STAFF FINDS THE PROPOSED FUTURE LAND USE MAP AMENDMENT CONSISTENT WITH THE APPLICABLE GOAL, OBJECTIVES AND POLICIES OF THE ST. JOHNS COUNTY COMPREHENSIVE PLAN AND RECOMMENDS THAT THE PROPOSED FUTURE LAND USE MAP AMENDMENTS BE TRANSMITTED TO THE DEPARTMENT OF COMMUNITY AFFAIRS

Proof of publication of the notice of public hearing on the proposed future land use map amendment was received having been published in *The St. Augustine Record* on May 17, 2000.

Teresa Bishop, Planning Director, made a presentation to the Board, advising them of the proposed Future Land Use Map amendment, with use of a map showing the general area on the visual display. Discussion was held on the proposal. (1:50 p.m.) Reardon said if they could come to some kind of an agreement with what was being offered in a reduction of a ratio, he looked forward to making this history-making transaction take place. (1:52 p.m.) Howell stated he had no qualms about the commercial, since he thought it was the perfect spot for commercial, but wondered if they would be willing to drop the houses to approximately 1500. Bishop stated Staff found the proposed Future Land Use Map Amendment consistent with the applicable goals, objectives and policies of the Comprehensive Plan and recommended transmittal to the Department of Community Affairs. (1:54 p.m.) Mr. Robert A. Christenson, Director, Department of Operations and Land Resources with the St. Johns River Water Management District, made a presentation concerning the actual purchase of the Cummer property, stating they did have a contract to purchase approximately 22,000 acres and it was a fifty-fifty percent purchase with the State of Florida. Discussion followed on the proposed purchase contract and lease arrangement.

(2:26 p.m.) Lynn Pappas, 200 W. Forsythe Street, Jacksonville, commented on the history of the issue, the land uses and constraints, and on Rayonier as tenant and timber lessee.

(2:30 p.m.) Jim Davidson answered questions from the Board.

(2:44 p.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., St. Augustine, representing St. Johns County Audubon Society, spoke in favor of the transmittal.

(2:49 p.m.) Bryant stated this item would be continued after Item #8.

The meeting recessed at 2:49 p.m. and reconvened at 3:00 p.m, with Item #8 being discussed.

(4:06 p.m.) Lynn Pappas addressed the Board, stating they had discussed several alternatives considering the items heard from the Board, and they came up with a three point modification to the proposal and explained those three points. (4:17 p.m.) Bishop stated they would have to change the map according to what was agreed upon this date, the language that would be added in would have to make sure that DCA was aware of that in the transmittal, for the contract amendment, and the Cummers would make the changes to the contract that they needed to make. Prior to adoption, Staff would have the new contract. Bosanko reiterated it was going to require some writing and changing, which Staff did not have at this meeting, but they could do it, if agreeable by the Commission.

(4:18 p.m.) Motion by Reardon, seconded by Howell, carried 4/1 with Jacalone dissenting, to transmit the proposed future land use map amendment to the Department of Community Affairs, as amended.

Item #8a was next discussed.

(06/13/2000 - 9 - 3:05 p.m.)

8. PUBLIC HEARING - R-PUD-00-001, WESTPARK CENTER PUD - THIS REQUEST SEEKS TO REZONE 75 ACRES FROM OPEN RURAL TO PLANNED UNIT DEVELOPMENT TO ALLOW A MIXED USE DEVELOPMENT CONSISTING OF 276 MULTI-FAMILY RESIDENTIAL UNITS, 3120 SF OF COMMERCIAL USES AND A 120 ROOM HOTEL. IT IS STAFF'S OPINION THAT THE REQUESTED REZONING AND THE PROPOSED PLAN OF DEVELOPMENT COMPLY WITH THE COMPREHENSIVE PLAN, AND THEY ALSO FIND THAT THE PROPOSED DEVELOPMENT IS CONSISTENT AND COMPATIBLE WITH THE SURROUNDING DEVELOPMENT. THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL AT THEIR MAY 18, 2000 PUBLIC HEARING

Proof of publication of the notice of public hearing on R-PUD-00-001, Westpark Center PUD, was received having been published in *The St. Augustine Record* on May 29, 2000.

Court Reporter Diane Tropa was in attendance.

Sonya Doerr, Principal Planner, made a presentation to the Board, utilizing the visual display, and answered questions of the Board. Staff recommended approval and PZA also recommended approval. (3:07 p.m.) Robert White, Taylor & White, 5300 Emerson Street, Jacksonville, answered concerns of the Board, with regard to lighting at the gas station; active recreation; buffer, and fencing. A letter from Melba Nolan was introduced into the record. Drainage and wetlands were discussed. (3:23 p.m.) Bill Brown, Environmental Services, 24 Cathedral Place, Suite 409, St. Augustine, spoke on wetland creation. Water runoff would be contained and controlled to not impact surrounding properties with use of retention ponds. (3:28 p.m.) Pam Drury, 5300 Emerson Street, spoke on wetlands and

inaccessibility of an access road by an adjacent property owner. Offsite transportation improvements were also discussed. Wet detention ponds and stormwater runoff was discussed and explained. The addition of another ballfield was also discussed. Staff answered questions regarding transportation.

(3:38 p.m.) Melba Nolan, 2064 Old Tyme Avenue, spoke in opposition to this rezoning.

(3:42 p.m.) Doug Tyus, 2121 C, SR 16, spoke of his concerns on this project.

(3:45 p.m.) Diane Mills, 3455 Lewis Speedway, spoke in opposition to the rezoning.

(3:50 p.m.) Bosanko stated ex-parte communication needed to be revealed. Howell revealed ex-parte communication with Mr. Tyus regarding concerns on the buffer. Kohnke revealed ex-parte communication with Mr. Tyus regarding buffers and lights. Bryant revealed ex-parte communication with Mr. Tyus regarding buffers. Jacalone revealed ex-parte communication with Mr. Tyus about an adjacent property owner regarding access to his property to the east. Reardon revealed ex-parte communication with Mr. and Mrs. Tyus regarding buffers and with Pam Drury regarding buffers, fencing and lights. All Commissioners revealed ex-parte communication as a letter received from Melba Nolan, referenced earlier.

(3:53 p.m.) Karen Cornwell, 3440 Usina Road, spoke on concerns regarding the drainage.

(4:00 p.m.) Review was made of the agreed upon changes.

(4:05 p.m.) **Motion by Reardon, seconded by Kohnke, carried 4/1 with Howell dissenting, to enact Ordinance No. 2000-37 adopting Findings of Fact 1 through 5 to support the motion and have the changes be made, the wording of the changes to be made to the Master Development Plan map and text.**

The meeting then returned to Item #7 for finalization.

(06/13/2000 - 10 - 4:21 p.m.)

8a. APPROVAL OF A MOTION ADOPTING A RESOLUTION ACCEPTING A QUITCLAIM DEED FROM JULINGTON CREEK PLANTATION COMMUNITY DEVELOPMENT DISTRICT TO ST. JOHNS COUNTY CONVEYING ADDITIONAL RIGHT-OF-WAY ON RACE TRACK ROAD *(This was pulled from the Consent Agenda, Item #7.)*

Mary Ann Blount, Real Estate Manager, addressed the Board, answering questions about the resolution.

(4:26 p.m.) Louise Thrower, 288 Orange Avenue, spoke on concerns about land purchased by Julington Creek Civic Association, amount of money paid to the County, and what the County did with that money, with use of the visual display. Discussion followed on the CDD being an independent unit of government and on public records. Bosanko stated this should be evaluated on a case by case basis and that the Board should be alert. (4:42 p.m.) **Motion by Kohnke, seconded by Reardon, carried 5/0, to approve Consent Agenda #7, Resolution #2000-85, to accept a quit claim deed from Julington Creek Plantation Community Development District to St. Johns County conveying additional rights of way on Race Track Road.**

The next item discussed was Item #4.

(06/13/2000 - 10 - (4:47 p.m.)

COMMISSIONERS REPORTS

Commissioner Jacalone:

Jacalone stated he had been contacted by Karen Miles, about a problem she had adjacent to her business, Devil's Elbow Fish Camp, along the intercoastal waterway south of the 206 bridge, with launching and docking facilities. Boat wakes and traffic was a problem since the intercoastal was very narrow, causing problems for boat launchers. Miles had requested a minimum wake zone designation. The first step was a resolution had to be passed by the Board requesting a minimum wake zone designation and forwarded to Corps of Engineers and Inland Navigation District. Jacalone requested the County Attorney to draft such a resolution and forward that to give relief to that area. The Board supported his request. Staff was so directed, and Jacalone would work with them in establishing the boundaries.

(4:50 p.m.) Jacalone mentioned the discussion held on presentation by the representative from SJRWMD about a conference call that the director had with the legal department and requested the County Attorney to give a summary to the Board of what the District's position was on what aspects of the water situation the Board could consider and the County Attorney's own position because Jacalone thought they had to be very aware of their water supply and the problems with it, and consideration needs to be given when a land use change is requested. He requested a summary of what the Board's options are and what they could and could not consider and what they may or may not use as findings of fact.

Commissioner Bryant:

No report.

Commissioner Kohnke:

(4:52 p.m.) Kohnke stated that the Commissioners who served at the COA's breakfast on Sunday were very successful.

(4:53 p.m.) Kohnke reminded the Commissioners about Judge Ready's reception on Friday, June 16 at 3:30.

Commissioner Howell:

(4:54 p.m.) Howell commented on the success of the COA's Sunday breakfast.

Howell stated he would bring information on no wake requests at a later date.

Jacalone left the meeting at 4:54 p.m.

Commissioner Reardon:

(4:55 p.m.) Reardon stated he had received a phone call about the taking over roads policies, concerning the Old Palm Valley Subdivision, and directed Staff to contact the concerned party.

(4:56 p.m.) **Motion by Reardon, seconded by Kohnke, carried 4/0 with Jacalone absent, to adjourn.** There being no further business to come before the Board, the meeting adjourned at 4:54 p.m.

REPORTS:

- a. St. Johns County Check Register, Disbursement Fund, checks 289564 through 289821, dated May 25, 2000, totaling \$867,016.47
- b. St. Johns County Check Register, Disbursement Fund, checks 289822 through 290258, dated June 8, 2000, totaling \$3,694,738.98

CORRESPONDENCE:

- a. Letter to the Secretary of State filing Ordinances No. 2000-35 and 2000-36 (05/08/00)
- b. Letter to BellSouth Interactive Media Services, Inc. Via Certified Mail, Return Receipt Requested (P85950070), Attn: President (05/16/00)
- c. Copy of Letter to BellSouth Interactive Media Services, Inc. Via Certified Mail, Return Receipt Requested (P851950071), Attn: General Counsel (05/16/00)
- d. Copy of Letter to BellSouth Interactive Media Services, Inc. Via Certified Mail, Return Receipt Requested (P851950072), Jim McCollum, Regional Director, Corporate & External Affairs, BellSouth Telecommunications, 301 W. Bay St., Suite 1100, Jacksonville, FL 32202 (05/16/00)
- e. Copy of Letter to BellSouth Interactive Media Services, Inc. Via Certified Mail, Return Receipt Requested (P851950 069), John Bailey, Esquire, Upchurch Bailey Upchurch, 780 N. Ponce de Leon Blvd., P.O. Drawer 3007, St. Augustine, FL 32085 (05/16/00)

Approved _ June 27____, 2000

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James E. Bryant, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____
Deputy Clerk