

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
AUGUST 1, 2000
(9:00 A.M.)**

Proceedings of a special 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 Bryant, District 5, Chair
 Mary Kohnke, District 4, Vice Chair
 Pal Howell, District 1
 John Reardon, District 2
 Marc Jacalone, District 3
 Ben W. Adams, Jr., County Administrator
 Daniel Bosanko, Deputy County Attorney
 Judy Hamilton, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Courts

(08/01/2000 - 1 - 9:14 a.m.)

The meeting was called to order by Chair Bryant.

(08/01/2000 - 1 - 9:14 a.m.)

ADDITIONS/DELETIONS TO SPECIAL MEETING AGENDA

Kohnke requested the addition of Item #1a - Sales Tax.

(08/01/2000 - 1 - 9:15 a.m.)

APPROVAL OF SPECIAL MEETING AGENDA

Motion by Reardon, seconded by Kohnke, carried 5/0, to approve the Special Meeting Agenda, as amended.

(08/01/2000 - 1 - 9:15 a.m.)

TENTATIVE MILLAGE RATE - FY 2001

Joe Vonasek, Budget Officer, made a presentation to the Board of the tentative millage rate for FY 2001, and gave a handout to the Board, which depicted the proposed millage for the various categories. Vonasek briefly explained the rolled-back rate indicates what the aggregate millage rate would have to be, to raise the same amount of revenue that was funded in the current year; it is literally a measure of how much the property values have grown. Discussion followed on the proposed millage rate.

(9:27 a.m.) Motion by Reardon, seconded by Jacalone, carried 5/0, to adopt the Tentative Millage Rate set forth as the aggregate millage rate 6.663 mills, rolled-back rate 6.171 mills, and authorize the County Administrator to execute the necessary Department of Revenue forms for delivery to the Property Appraiser; and, scheduling the first public hearing to be set as September 12, 2000 at 5:30 p.m. in the County Auditorium.

(08/01/2000 - 2 - 9:27 a.m.)

SALES TAX

Kohnke gave a brief history of the proposed sales tax. (9:33 a.m.) Kohnke moved that the sales tax go on the ballot in November; that the money be spent 50% for Road and Bridge; 20% for Land Preservation; 20% for Recreation; and, 10% for Mitigation. Motion died for lack of a second. Discussion was held on the timing of placing the sales tax on the ballot.

The meeting recessed at 9:39 a.m. and reconvened at 5:45 p.m. Bosanko and Lopez entered the meeting.

(08/01/2000 - 2 - 5:45 p.m.)

PUBLIC HEARING – MERCHANDISING OF TOBACCO PRODUCTS IN ST. JOHNS COUNTY. AN ORDINANCE OF ST. JOHNS COUNTY TO BE ENTITLED MERCHANDISING OF TOBACCO PRODUCTS IN ST JOHNS COUNTY; PROVIDING FOR FINDINGS OF FACT, INTENT, AND DEFINITIONS; PROHIBITING PLACEMENT OF TOBACCO PRODUCTS IN OPEN DISPLAY UNITS DIRECTLY ACCESSIBLE TO THE PUBLIC; PROVIDING FOR EXCEPTIONS; PROVIDING FOR ENFORCEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

Proof of publication of the notice of public hearing on the ordinance regarding the merchandising of tobacco products in St. Johns County was received having been published in The St. Augustine Record on July 18, 2000.

Carolyn Colsant, 122 Southwind Circle, Senior at St. Augustine High School, gave reasons why the ordinance should be adopted. (5:53 p.m.) Jacalone requested that each member of the “O” Team be presented a framed copy of the ordinance signed by the Board of County Commissioners. (5:54 p.m.) Harry Waldron, 118 Colon Avenue, commented in favor of the ordinance. (6:00 p.m.) Julie Guzman, 491 Arricola Avenue, commented in favor of the ordinance. (6:00 p.m.) Carrie Guzman, 41 Coquina Avenue, commented in favor of the ordinance. (6:01 p.m.) Cathryn Masters, 611 St. Augustine South Drive, commented in favor of the ordinance. (6:03 p.m.) Cindy Zahn, 74 Shores Blvd., commented in favor of the ordinance. (6:07 p.m.) Sally Skull, 1569 Chain Fern Way, Orange Park, commented in favor of the ordinance. (6:10 p.m.) Carmin Leach, 725 Sandlewood Drive, Mandarin, commented in favor of the ordinance. (6:12 p.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to enact St. Johns County Ordinance No. 2000-44; with a change on page 2 in Section 2, “by” be changed to “to;” and the effective date being October 1, 2000.**

ORDINANCE NO. 2000-44

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, TO BE ENTITLED MERCHANDISING OF TOBACCO PRODUCTS IN ST. JOHNS COUNTY; PROVIDING FOR FINDINGS OF FACT, INTENT AND DEFINITIONS; PROHIBITING PLACEMENT OF TOBACCO PRODUCTS IN OPEN DISPLAY UNITS DIRECTLY ACCESSIBLE TO THE PUBLIC; PROVIDING FOR EXCEPTIONS; PROVIDING FOR ENFORCEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

The meeting recessed at 6:14 p.m. and reconvened at 6:24 p.m.

(08/01/2000 - 3 - 6:24 p.m.)

PUBLIC HEARING – MORATORIUM ON COMPREHENSIVE PLAN CHANGES & REZONINGS – IN ORDER TO COMPLY WITH THE INTENT OF THE RULE VARIANCE AND IN ORDER TO PREVENT THE FURTHER ESTABLISHMENT OF VESTED RIGHTS FOR DEVELOPMENT AND LAND USES THAT WILL BE INCONSISTENT WITH THE GOALS AND INTENT OF THE NORTHWEST SECTOR PLAN AND NORTH/SOUTH ROAD CORRIDOR STUDY, THE COUNTY MAY IMPOSE THE FOLLOWING DESCRIBED MORATORIUM ON LAND USE AND ZONING CHANGES IN THE NORTHWEST SECTOR STUDY AREA. PROPOSED FOR THIS BOARD’S ENACTMENT IS: AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, IMPOSING A MORATORIUM ON COMPREHENSIVE PLAN AND ZONING CHANGES WITHIN THE NORTHWEST SECTOR STUDY AREA (I.E., THAT AREA IN ST. JOHNS COUNTY, FLORIDA, LYING SOUTH OF THE DUVAL COUNTY LINE, WEST OF I-95, EAST OF THE ST. JOHNS RIVER AND NORTH OF S.R. 16/C.R. 208); MAKING FINDINGS OF FACT; PROVIDING FOR EXCLUSIONS TO THE MORATORIUM; PROVIDING FOR VESTING; PROVIDING FOR VARIANCES; AND ESTABLISHING AN EFFECTIVE DATE AND AN EXPIRATION DATE

Proof of publication of the notice of public hearing on the ordinance regarding a moratorium on Comprehensive Plan changes & rezonings was received having been published in The St. Augustine Record on July 26, 2000.

Scott Clem, Director of Growth Management Services, explained that the ordinance would provide for a moratorium on quasi-judicial or legislative approval of certain activities that pertain to land use in the Northwest Sector Study Area. Discussion followed on the transmittal date, variances, and vesting. (6:42 p.m.) Molly Anne May, 3900 Joe Ashton Road, commented in opposition to the ordinance. (6:53 p.m.) George McClure, 170 Malaga Street, commented in opposition to the ordinance. (7:09 p.m.) John Metcalf, 1104 Mill Creek Drive, representing Jack Arnold, Vestcor Plantation, Ltd., and Randy Towers, commented in opposition to the ordinance. (7:21 p.m.) Jack Arnold, 310 S.R. 13, commented in opposition to the ordinance. (7:26 p.m.) Allan Roberts, 4175 S.R. 16, commented in opposition to the ordinance. (7:29 p.m.) Louise Thrower, 288 Orange Avenue, requested further clarification of the ordinance. (7:36 p.m.) ***Clem announced the second public hearing for August 15, 2000 at 9:00 a.m.***

Motion by Reardon, seconded by Jacalone, carried 5/0, to adjourn the Special Meeting. There being no further business to come before the Board, the meeting adjourned at 7:38 p.m.

Approved _____ September 12 _____, 2000

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James E. Bryant, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____
Deputy Clerk

