

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

Proceedings of a workshop 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  
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 - 9:06 a.m.)

CALL TO ORDER

The meeting was called to order by Chair Bryant.

(08/01/2000 - 1 - 9:06 a.m.)

The Invocation was given by Kohnke. The Pledge of Allegiance was led by Bryant.

(08/01/2000 - 1 - 9:07 a.m.)

The roll was called by the Deputy Clerk.

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

PUBLIC COMMENT

Louise Thrower, 288 Orange Avenue, spoke on the top 10 water users and County policies.

(9:11 a.m.) Stan Kamys, 1315 CR 13 S., spoke on proposed tax increases, real estate tax surplus, County vehicles, and usage of present County facilities.

(08/01/2000 - 1 - 9:07 a.m.)

ADDITIONS/DELETIONS TO WORKSHOP AGENDA

There were no changes to the Workshop Agenda.

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

APPROVAL OF WORKSHOP AGENDA

**Motion by Reardon, seconded by Jacalone, carried 5/0, to approve the Workshop Agenda, as submitted.**

The meeting recessed at 9:14 a.m. and reconvened at 9:39 a.m.

(08/01/2000 - 2 - 9:40 a.m.)

#### DISCUSSION REGARDING RECENT TDC APPOINTMENT

Bosanko advised the Board of his findings regarding one person serving on two boards, one as an office and one as a volunteer, specifically the Tourist Development Council and the Amphitheater Board of Directors. (9:41 a.m.) Discussion followed regarding conflicts of interest. ***It was the consensus of the Board that Staff be directed to place the appointment of Mr. Lucker to the TDC on the next Consent Agenda for approval.***

The meeting recessed at 9:49 and reconvened at 9:58 a.m. Strickland left the meeting at 9:49 a.m.

(08/01/2000 - 2 - 9:59 a.m.)

#### WETLANDS BUFFER RULE INTERIM REPORT

Scott Clem, Director of Growth Management Services, gave some background information to the Board. He then introduced Brian Teeple, Executive Director, Northeast Florida Regional Planning Council (NEFRPC), who gave an interim report on Wetlands Buffer, with use of visual display, consisting of background, process, areas of inquiry, water quality, wildlife, consensus, general issues, areas of future inquiry, next steps, and conclusions. (10:24 a.m.) Discussion followed on the proposed ordinance.

(10:38 a.m.) Robert Friedman, 3313 13<sup>th</sup> St., Elkton, a builder in St. Johns County, asked for case by case consideration of what each contractor intends to do or will do.

(10:41 a.m.) Ed Paucek, 970 Irma Way, stated the 300-foot buffer was a maximum number, items of diversity of wetlands and site specific items as being paramount.

(10:44 a.m.) Deborah Andrews, 11 N. Roscoe Blvd., Ponte Vedra Beach, spoke on water quality, sedimentation and turbidity; chemicals in buffer regarding fertilizer; and variances for hardship cases.

(10:47 a.m.) Heather Michael, 981 Irma Way, St. Augustine, spoke on the Board comprehensively reading all documents submitted and on 300-foot buffer.

(10:49 a.m.) Donald Dunham, 1476 Mallard Landing Blvd., Fruit Cove, commended the group that started this, and spoke on areas of concern, including water draw downs, constrained sites, extended buffers, water dependent species, and land speculation.

(10:52 a.m.) Don Beattie, 808 Mill Pond Ct., commended everyone who participated in this effort.

(10:53 a.m.) Marilyn Wiles, 8220 A1A South, commended the individuals involved, and spoke on monitoring the issue of wetlands, buffers, and enforcement.

(10:56 a.m.) The Board thanked Teeple for a job well-done in facilitating the meetings.

The meeting recessed at 10:57 a.m. and reconvened at 11:06 a.m.

(11:07 a.m.) Philip Gornicki, Florida Forestry Association, 402 E. Jefferson St., Tallahassee, expressed concern about bringing silviculture into the wetland buffer ordinance at this late date.

(08/01/2000 - 3 - 11:09 a.m.)

## DISCUSSION OF NEW TOWN FUTURE LAND USE CONCEPT

Teresa Bishop, AICP, Planning Director, presented general planning concepts of the New Town Future Land Use Concept. Discussion was held on the different aspects of the New Town concept. Recreation sites, overall base density, street parking, interconnectivity, town center, saving of wetlands and green space were some of the various issues discussed. (11:42 a.m.) Reardon stated he would not support the New Town concept.

(11:59 a.m.) Lyn Pappas, 200 W. Forsyth St., Jacksonville, spoke on historical growth management items and the fact that Florida has grown in a pattern following its natural attributes, the coast.

(12:02 p.m.) Deborah Andrews, 11 N. Roscoe Blvd., spoke on Commissioners already deciding that adding new cities to St. Johns County was worthy of consideration and said a financial analysis should be done of the New Town concept.

(12:04 p.m.) Thad Crowe, with Prosser Hollock, 8101 Phillips Hwy., Jacksonville, spoke on the land use category and where it was to be placed on the Comprehensive Plan Map, with use of the video display. He spoke in favor of the New Town category as being an excellent tool for the rational conversion of rural lands to urban uses.

(12:08 p.m.) Donald Dunham, 1476 Mallard Landing Blvd., Fruit Cove, stated the idea of New Town was worthy of consideration, not as a new development category, but the concepts within it for incorporation into the existing standards which they have for development.

(12:11 p.m.) Susan Green, Green & Kupperman, Inc., 200 First Street, Suite B, Neptune Beach, spoke in support of the New Town concept.

(12:14 p.m.) Dick Prosser, 8101 Phillips Hwy., Suite 1, Jacksonville, spoke in support of the New Town concept. Howell left the meeting at 12:16 p.m.

(12:17 p.m.) Heather Michael, 981 Irma Way, spoke in opposition to the New Town concept.

(12:21 p.m.) Ellen Whitmer, 1178 Natures Hammock Rd. S., Fruit Cove, expressed her concerns about commercial, residential, transportation, natural resources, high density, and master tree plans, among other issues, of the proposed New Town concept.

(12:25 p.m.) Louise Thrower, 288 Orange Avenue, with use of visual display, spoke on organized urban sprawl and stated her concerns of the proposed New Town concept.

(12:39 p.m.) Daniel MacDonald, 24501 Deer Trace Drive, Ponte Vedra Beach, congratulated Reardon on his comments and said he shared Jacalone's concerns for the transmittal process and what options are available once they heard back from DCA. He stated he would like to know what the legal restrictions were on any changes and thought the legal department should expound on same.

(12:40 p.m.) Marilyn Wiles, 8220 A1A South, reiterated the comments of MacDonald, and spoke on the "mess" in St. Johns County, in terms of development in the County, and asked what this would do for the current residents of St. Johns County.

(12:43 p.m.) Don Beattie, 808 Mill Pond Ct., Jacksonville, stated he had an open mind on the New Town concept and stated there are examples of the concept they should be looking at very carefully, especially where there have been some problems.

(12:45 p.m.) Julie Parker, 290 Palmetto Rd., stated the New Town concept was not good for St. Johns County now. She stated the County had already approved too many developments. She commented that she saw her taxes going through the roof.

(12:46 p.m.) Reardon commented, stating in his opinion, the New Town concept was urban sprawl, and that he would like to have this process dropped here and now. He asked Staff what the time line was, so they could understand what was happening. Bishop stated a Commissioner had previously requested a second workshop on this item with a speaker, which would be the next thing coming before the Board. As far as the overall approval of the Comprehensive amendment or decision on the Board's part, when it came to that, Bishop did not anticipate that until next year. (12:50 p.m.) Kohnke requested Staff to include Beattie in the re-examination of the concept; have answers to Thrower's questions, if she would discuss them with Staff; and have the gentleman from 1000 Friends of Florida and the tightening up that Jacalone and Kohnke requested, and would like another workshop on the New Town concept. Kohnke stated DCA had advised them to move in this direction, via a document received this date, and she requested Staff to clean it up and come back.

(12:51 p.m.) The meeting recessed until 2:00 p.m. The meeting then reconvened at 2:04 p.m. with Bryant, Kohnke, Howell, Jacalone, Reardon, Halstead, Bosanko, Lopez, and Deputy Clerk Lenora Newsome in attendance.

(08/01/00 - 4 - 2:04 p.m.)

#### DISCUSSION OF PROPOSED RAMONA PARK IN THE NORTHEAST PONTE VEDRA AREA

Reardon stated that he placed this item on the agenda because the people in Northeast Ponte Vedra would like to have a park in their area. Discussion followed on the unopen right-of-way at the end of Ramona Street becoming a small pocket park, the County's interest in the easement part of the right-of-way being used for road purposes only, the legal opinion on using the easement for anything other than a road, using the median and the road way area as a park by condemning the private interest in those areas, keeping the roadway area for staging and having to go through the budget process to acquire the land for the park.

(2:20 p.m.) Virginia Simpson, 51 Valencia Street, spoke on a utility company already using the property and stated that she was in favor of the proposed park. She stated that surrounding property owners would not contest it.

(2:24 p.m.) Ashley Rea, 37 Monterey Street, reiterated the first speaker and spoke in favor of the proposed park.

(2:26 p.m.) Marshall Hartmann, 28 Ramona Street, stated that the MSD Board unanimously supports this park. Discussion followed on the surrounding property owners' title identifying the easement as part of their property which surrounds the proposed park area, and the definition of a road being considered a bike path.

(2:30 p.m.) Diane Dever, 529 Sunset Drive, one of the adjoining property owners around the proposed park area, spoke in favor of the park.

(2:33 p.m.) Cindy Moody, 533 Sunset Drive, spoke in favor of the proposed park.

(2:35 p.m.) Heather Michael, 981 Irma Way, spoke in favor of the proposed park and on having it handicap accessible.

(2:36 p.m.) Bryant stated that he supported the property as a park, but procedures needed to be followed first. Discussion followed on checking if adjoining lot owners of lots #11 and 2 are going to make a donation of their land for the proposed park or get paid for their land, a letter from the Assistant Property Appraiser saying that the property belongs to the public, the County maintaining the open portion of Ramona Street and why the County wouldn't maintain the unopen portion of Ramona Street, and determining who owns the easements around the median. Jacalone recommended working with the adjoining property owners and getting title to the property. Simpson requested for the Board to find out who has ownership of the land and questioned who Southern Bell got permission from to use the land. Bosanko relayed that if the Board directs their office to pursue Simpson's requests, then they can check them out. He questioned Lopez if there is property that one or two different parties may own, how is it handled. Lopez stated that it would have to be addressed to see who owns it. Reardon requested Staff to check out acquiring the property, (4 lots) and looking at the costs associated with the piece of property and the condemnation process. Jacalone directed the County Attorney's Office to find out who owns the land. Kohnke stated that she doesn't want to vacate half of the road and questioned when a median is considered as a park. Bosanko responded that in this particular case, the median was designated as a park on the plat. (2:57 p.m.) George McClure spoke on areas that were indicated on the plat as parks. He mentioned that the width of the land for the proposed park is 70' and the depth is 240'. Bryant suggested for McClure to get with his client, then work with Simpson on the property for the proposed park. Lopez left the meeting.

(08/01/00 - 5 - 3:04 p.m.)

**DISCUSSION CONCERNING CERTAIN USES FOR A 19.3 ACRE COUNTY OWNED PROPERTY LOCATED ON SR 206 JUST WEST OF THE INTRACOASTAL WATERWAY**

Mary Ann Blount, Real Estate Manager, reviewed this item, stating the requests from the public and the potential County uses of the 19.3 acre located on SR 206 just west of the Intracoastal Waterway owned by the County that was acquired from ITT at no charge and with no restriction April 14, 1998. She stated that Staff is looking for direction from the Board on pursuing this property. Jacalone stated that County needs must be accommodated first and in his opinion, the site is not suitable for a tower. Scott Clem, Director of Growth Management, stated that the tower zones don't need to demonstrate a need for a tower in that area.

(3:18 p.m.) Barry Magrill, Innovative Intellect, Inc., County's Tower Consultant, spoke on placing towers in zones and the reasons that zones exist. Discussion followed on cell phone services, towers servicing only a certain amount of channels, zoning classifications that allow the placing of towers, and the Telecommunication Act. Bosanko stated that the Telecommunication Act has two crucial provisions that limit how the County can regulate towers: regulations shall not deny cellular service to any area, and regulations shall not unreasonably impair competition between the providers in any area.

(3:34 p.m.) Andrew Coleman, 6889 W. Sea Cove Avenue, pastor of Crescent Beach Baptist Church, explained the reason the church is interested in the property is they need to relocate because they are now located in a shopping center. He stated that Planning and Zoning recommended for them to move and the church agreed with that. He requested the County to sell them the property so they can meet the needs of the community and spoke on owning 6 acres of land that the County might be interested in. Bryant questioned Coleman if the buildings would be built to meet hurricane strength winds as an evacuation shelter. Coleman responded absolutely. Jacalone questioned if the recreation area the church is planning to build will be for public use also and if the church would put it in writing to that affect. Reardon mentioned that he also favored the church group's proposal. Blount discussed bidding the property and the concern of the use of the property westerly for the utility use. (3:50 p.m.) Bill Young, Utility Director, stated that the Utility

Department's strong preference for land would be closer to the Intercoastal than further away for hydraulic purposes. He spoke on the Utility Department needing two acres. Doug Burnett, Assistant County Attorney, entered the meeting

(3:56 p.m.) Edward Strozier, 230 Cubbedge Road, spoke against the tower going in, on purchasing the property for conservation and on working with the Baptist Church to monitor their development on the land. Jacalone invited Strozier to sit in on the negotiation that the County has with anybody that is interested in the property.

(3:58 p.m.) James Abbott, 8376 A1A South, spoke in favor of the church developing on the property and voiced concern on a tower going in.

(4:00 p.m.) Ann Taylor, 1365 E. SR206 North, owns the property across from the property in question, spoke on keeping the land rural and for conservation.

(4:03 p.m.) Nancy Lowe, 929 Eagle Drive, spoke in favor of the church going in and in opposition of the towers for that location. She asked assistance from the Board on getting a visioning group started for the CR206 area. Reardon recommended for her to get with Staff on getting the visioning group going. Jacalone mentioned that he would help her get the visioning group started.

(4:07 p.m.) Heather Michael, 981 Irma Way, spoke in favor of the church going in on the property. She questioned how much money the County makes on the towers and how much surplus land the County owns.

(4:10 p.m.) Kathy Heaton, 3501 SW 2<sup>nd</sup> Avenue, Suite 2400, Gainesville, with Tower Com, spoke in favor of placing a tower in the area. Discussion followed on the size of the tower recommended to go on the property.

(4:13 p.m.) Coleman stated that he is not suggesting placing a tower in the area. Kohnke requested for Coleman to speak to Ann Taylor.

(4:14 p.m.) Jacalone requested Board's consent to negotiate with the Crescent Beach Baptist Church on the property. ***It was the consensus of the Board to follow Jacalone's request.*** Blount stated that she will be glad to work on the negotiation and that this was the direction that Staff needed. Bosanko left the meeting.

The meeting recessed at 4:16 p.m. and reconvened at 4:29 p.m.

(08/01/00 - 6 - 4:29 p.m.)

#### DISCUSSION ON BEACH PARKING

Dave Williams, Recreation and Parks Department, gave a brief overview of what the County is currently doing on beach parking, stating that the County does have a beach parking plan in place and has adopted rules specific to traffic flow on County operated beaches. He spoke on the plans for on-beach and off-beach parking and reviewed what they are doing to control traffic on the beach. Williams mentioned that they do have a conservation zone, accidents on the beach, and needing an off beach parking plan. Reardon mentioned concern on access points being opened, the concern of having access to those access points, spoke on one way driving creating a safer driving area and money collected for beach access. Williams explained the access points, accidents on the beach and where the money collected for beach access is going. Jacalone questioned the plans for A Street. Williams relayed that the plan is to open it back up. Discussion followed on providing an access point to the beach around the pier/pavilion area, and the annual report done by the Recreation Department.

(4:53 p.m.) Deputy Clerk Lenora Newsome left the meeting; Deputy Clerk Yvonne King entered the meeting.

Mike Bolluck, Assistant Director for the Division of Recreation and Parks, Tallahassee, addressed beach driving. (5:02 p.m.) Martin Miller, 29 Hildreth Drive, commented in favor of beach driving. (5:09 p.m.) Heather Michael, 981 Irma Way, commented in favor of beach driving. (5:12 p.m.) Joe Blewetl, 8200 A1A S. #37, commented in favor of beach driving. (5:16 p.m.) Dante Salamone, 5225 Datil Pepper Road, commented in favor of beach driving. (5:20 p.m.) Sarajane Brock, 8200 A1A South #32, commented in opposition to beach driving. (5:25 p.m.) Francis Fix, 318 South Ocean Trace Drive, commented in favor of beach driving. (5:28 p.m.) Carolyn Embury, 577 Boxwood Place, commented in favor of beach driving. (5:30 p.m.) Linda Noftell, 31 Milliken Lane, commented in opposition to beach driving. (5:35 p.m.) Frankie Lawrence, 1355 Thompson Bailey Road, commented in favor of beach driving. (5:36 p.m.) Bryant submitted a letter to the Clerk from Dr. Hazel Henderson, who is opposed to beach driving. Discussion followed regarding the use of traffic control devices, having one-way traffic in certain areas of the beach, driving lanes being identified, and having more enforcement on the beaches. (5:44 p.m.) ***It was the consensus of the Board that the Recreation Department report back in 30 days as to what further actions are being implemented based on what the State has announced that they are doing with the State Park.***

The workshop recessed at 5:45 p.m. and the special meeting was held. The workshop thereafter reconvened at 7:38 p.m.

(08/01/2000 - 7 - 7:38 p.m.)

#### COMMISSIONER'S REPORTS

Commissioner Howell: No report.

(7:38 p.m.)

Commissioner Kohnke: No report.

(7:38 p.m.)

Commissioner Bryant: No report.

(7:38 p.m.)

Commissioner Jacalone:

Jacalone said he has been contacted by several church organizations that are concerned about the loss of programming on Channel 3. Jacalone requested that someone contact those organizations and inform them of what is being proposed and where the programming will be viewed.

Jacalone said the St. Augustine Swim Team has contacted him regarding some support for the heating of the swimming pool at the Willie Galimore Center.

(7:40 p.m.)

Commissioner Reardon:

Reardon reminded the Board that he is working on a Manatee protection ordinance.

(08/01/2000 - 8 - 7:40 p.m.)  
COUNTY ATTORNEY'S REPORT

Bosanko informed the Board that the County won the lawsuit regarding the 1000 Friends of Florida in the 5<sup>th</sup> District Court of Appeals regarding the water and sewer lines on S.R. 206.

Bosanko informed the Board that the fertilizer ordinance has been challenged by an Alabama law firm representing a group.

(08/01/2000 - 8 - 7:41 p.m.)  
COUNTY ADMINISTRATOR'S REPORT: No report.

(08/01/2000 - 8 - 7:41 p.m.)  
CLERK OF COURT'S REPORT: No report.

There being no further business to come before the Board, the meeting adjourned at 7:41 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