

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
NOVEMBER 21, 2000
(9:00 A.M.)**

Proceedings of a special/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: James E. Bryant, District 5, Chair
Mary Kohnke, District 4, Vice Chair
Pal Howell, District 1 (Outgoing Commissioner)
Nicholas Meiszer, District 1 (Incoming Commissioner)
John Reardon, District 2
Marc Jacalone, District 3
Ben W. Adams, Jr., County Administrator
James Sisco, County Attorney
Daniel Bosanko, Deputy County Attorney
Doug Burnett, Assistant County Attorney
Judy Hamilton, Deputy Clerk

Also present: Sheriff Neil Perry; Supervisor of Elections Penny Halyburton; Judge Robert K. Mathis, Administrative Judge of St. Johns County; Cheryl Strickland, Clerk of Courts; George Lareau, Chief Deputy Clerk; Michael Givens, Chief Deputy-Finance

(11/21/2000 - 1 - 1.0048)

CALL TO ORDER OF SPECIAL MEETING

The meeting was called to order by Chair Bryant.

(11/21/2000 - 1 - 1.0057)

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

(11/21/2000 - 1 - 1.0095)

1. APPROVE BONDS FOR ELECTED OFFICIALS

Motion by Kohnke, seconded by Jacalone, carried 5/0, to approve the bonds for the elected officials.

(11/21/2000 - 1 - 1.0115)

2. PRESENTATION OF A PLAQUE RECOGNIZING THE OUTGOING COMMISSIONER BY CHAIRMAN JAMES BRYANT:

S Commissioner Pal W. Howell, District 1

A recognition plaque was given to Howell by Bryant, Kohnke, Jacalone and Reardon, with appreciative remarks by each Commissioner.

(1.0259) A recognition plaque was presented to Kohnke for her tenure as the past year's Vice Chair. (1.0272) A plaque, with appreciation, was presented to Bryant as outgoing Chair by the Board.

S Remarks by Commissioner Howell

(1.0353) Howell thanked the Board and all the people in St. Johns County, and made further closing remarks.

(11/21/2000 - 2 - 1.1050)

3. OATHS OF OFFICE FOR THE NEW COMMISSIONERS BY JUDGE ROBERT K. MATHIS, ADMINISTRATIVE JUDGE OF ST. JOHNS COUNTY:

- S *Commissioner James Bryant, District 5*
- S *Commissioner Marc Jacalone, District 3*
- S *Commissioner Nicholas Meiszer, District 1*

Bryant introduced Judge Mathis, who administered the oaths of office for the respective Commissioners. Judge Mathis then left the meeting.

(11/21/2000 - 2 - 1.1083)

4. PUBLIC COMMENTS

Paul Fagundo, 15 Willow Dr., St. Augustine, spoke on Friends of the Library. Ms. Billie Pruitt spoke in appreciation to the Board for its support to the Library system.

(1.1136) Jerry Cameron, 518 Gentian Rd., St. Augustine, spoke on Commissioners duties and responsibilities.

(1.1311) Roger Van Ghent, 4005 Moultrie Foreside Blvd., St. Augustine, representing the St. Johns County Audubon Society, addressed the issue of two whooping cranes, which were shot to death in a farm field in the center of St. Johns County.

(11/21/2000 - 2 - 1.1559)

UPDATE ON ELECTIONS

Adams had requested the Supervisor of Elections Penny Halyburton give a public update on the elections. Halyburton reported the election had went well and the results were certified. Overseas ballots had been counted on Friday and those results had also been certified. They were now waiting on the Court's intent on a State manual recount. She thanked and commended Staff and Poll Workers. The Board expressed appreciation to Halyburton and her office.

(11/21/2000 - 2 - 9:53 a.m.)

FURTHER PUBLIC COMMENT

Harold R. Hines, 1541 Fruit Cove Woods Drive, a member of the Library Advisory Board, and a member of the Executive Board of the Florida Library Association, and current leader of the Friends and Trustees interest section, expressed appreciation for the support provided by the County.

(11/21/2000 - 2 - 9:55 a.m.)

5. RECESS 10 MINUTES

The meeting recessed at 9:55 a.m. and reconvened at 10:03 a.m.

(11/21/2000 - 2 - 10:03 a.m.)

6. CALL BACK TO ORDER BY CHAIR JAMES BRYANT

Bryant called the meeting back to order.

(11/21/2000 - 3 - 10:04 a.m.)

7. REVIEW OF NOMINATING PROCEDURES FOR ELECTION OF CHAIR AND VICE CHAIR BY THE COUNTY ATTORNEY

Sisco read the rules verbatim to the Board, specifically Rule 1.106 of the Rules/Policies St. Johns County Board of County Commissioners -- Method of Election of Officers. Sisco then answered questions from the Commissioners.

(11/21/2000 - 3 - 10:06 a.m.)

8. ELECTION OF THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

(10:06 a.m.) *Motion by Jacalone, seconded by Bryant, to nominate Jacalone for Chair. Motion by Meiszer, seconded by Reardon, to nominate Reardon for Chair. Motion by Bryant, seconded by Kohnke, to nominate Kohnke for Chair.* Chair Bryant declared the nominations closed. Roll call votes on nominations for Chair ensued:

Nomination of Jacalone for Chair: *Meiszer, no; Reardon, no; Jacalone, yes; Kohnke, no; Bryant, yes -- Motion failed 2/3.*

Nomination of Reardon for Chair: *Reardon, yes; Jacalone, no; Kohnke, no; Bryant, no; Meiszer, yes -- Motion failed 2/3.*

Nomination of Kohnke for Chair: *Jacalone, no; Kohnke, yes; Bryant, yes; Meiszer, no; Reardon, no -- Motion failed 2/3.*

Upon advisement of the County Attorney, Chair Bryant asked if there were any motions to reconsider. (10:09 a.m.) *Motion by Reardon, seconded by Meiszer, moved to reconsider Reardon as Chair.* Roll call vote ensued on reconsideration of Reardon as Chair: *Kohnke, no; Bryant, no; Meiszer, yes; Reardon, yes; Jacalone, no -- Motion failed 2/3.*

(10:09 a.m.) Chair Bryant turned the meeting over to County Attorney Sisco, who suggested the rules be suspended while the Board went through this process, only for this day. At that point, motions would be heard on what rules the Board would like to follow for the remainder of this issue. To suspend the rules required a majority plus one vote of the Commissioners present. (10:11 a.m.) **Motion by Bryant, seconded by Kohnke, to suspend the rules to open it back up. Roll call vote: Bryant, yes; Meiszer, yes; Reardon, yes; Jacalone, yes; Kohnke, yes -- Motion carried 5/0.**

(10:11 a.m.) Discussion followed. (10:16 a.m.) *Motion by Bryant, seconded by Jacalone, to nominate Jacalone as Chair.* Roll call vote ensued on Jacalone as Chair: *Meiszer, no; Reardon, no; Jacalone, yes; Kohnke, no; Bryant, yes -- Motion failed 2/3.*

(10:16 a.m.) Discussion and advisement from the County Attorney followed on Chair and Vice Chair; Sisco asked that the Board continue its consideration. (10:17 a.m.) *Motion by Reardon to nominate Meiszer as Chair. Motion died for lack of a second.* Discussion was held on responsibilities of the Chair and other possibilities of a temporary presiding officer. The legal department advised they utilize the word "chair," and perhaps consider a time less than a year. Sisco read Rule 1.105 -- Officers, which said that the Chair and the Vice Chair shall serve for a period of one year unless otherwise designated by vote of the Board. (10:21 a.m.) **Motion by Jacalone, seconded by Kohnke, to nominate Kohnke as Chair. Roll call vote ensued on Kohnke as Chair: Reardon, no; Jacalone, yes; Kohnke, yes; Bryant, yes; Meiszer, no -- Motion carried 3/2 -- Kohnke as Chair.**

(10:22 a.m.) Bryant passed the gavel to Chair Kohnke.

(11/21/2000 - 4 - 10:22 a.m.)

9. ELECTION OF THE VICE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS

Kohnke opened the election for Vice Chair. *Motion by Meiszer, seconded by Reardon, to nominate Reardon as Vice Chair. Motion by Bryant, seconded by Kohnke, to nominate Jacalone as Vice Chair.* Chair Kohnke declared the nominations closed. Roll call votes on nominations for Vice Chair ensued:

Nomination of Reardon for Vice Chair: *Jacalone, no; Kohnke, no; Bryant, no; Meiszer, yes; Reardon, yes -- Motion failed 2/3.*

Nomination of Jacalone for Vice Chair: Kohnke, yes; Bryant, yes; Meiszer, no; Reardon, no; Jacalone, yes -- Motion carried 3/2 -- Jacalone as Vice Chair.

(10:24 a.m.) Sisco requested a motion be made that the rules were no longer suspended. **Motion by Jacalone, seconded by Reardon, carried 5/0, that the rules were no longer suspended. Restated motion with roll call vote: Motion by Kohnke, seconded by Jacalone, that the suspended rules were now unsuspended and back into the normal mode. Roll call vote ensued: Bryant, yes; Meiszer, yes; Reardon, yes; Jacalone, yes; Kohnke, yes -- Motion carried 5/0.**

(11/21/2000 - 4 - 10:25 a.m.)

10. ORIENTATION FOR NEW BOARD MEMBERS

Deputy County Attorney Bosanko gave a brief orientation to the Board. Bosanko was directed to provide the rules and references to Meiszer.

(11/21/2000 - 4 - 10:29 a.m.)

11. OTHER BUSINESS

Kohnke directed Patsy Heiss, Assistant to the Administrator, to provide the entire list of Committees to each Commissioner, and requested the Commissioners advise Kohnke of their preferred choices of Committees.

(11/21/2000 - 4 - 10:30 a.m.)

ADJOURN SPECIAL MEETING

Motion by Bryant, seconded by Reardon, carried 5/0, to adjourn the Special Meeting.

(11/21/2000 - 4 - 10:40 a.m.)

CALL TO ORDER OF REGULAR MEETING

Chair Kohnke called the Regular Meeting to order at 10:40 a.m.

(11/21/2000 - 4 - 10:40 a.m.)

ROLL CALL

The roll was called by the Deputy Clerk.

(11/21/2000 - 4 - 10:40 a.m.)

PRESENTATION OF CERTIFICATES OF ACHIEVEMENT TO THE ST. JOHNS COUNTY 4-H STORYTELLERS CLUB

Reardon introduced Grace Styron, who gave a brief introduction about the awards. Ms. Styron was representative of the 4-H Teen Court delegates as the Youth Leader, who won

a community service award through Colgate. As a team, they worked together to accommodate 700 hours community service through four different Teen Court counties and took first place in the nation out of all the nonprofit youth organizations who had applied for the award. That award also included a \$1,000 scholarship. Ms. Styron accepted the Certificate of Achievement from the Board for the group.

(10:44 a.m.) Bryant, with the assistance of Heiss, gave a brief presentation on the Florida Government Communicators Association, a group from various levels of government, municipal, county and state, of various informational entities. This year's annual conference was held the previous week and St. Johns County received recognition for their First Annual Legislative Day, in the special events category, ranking #3. Bryant then presented the award to Adams and Ted Zebrowsky, for their work in the First St. Johns County Legislative Day in Tallahassee. Adams expressed appreciation for good Staff work.

(11/21/2000 - 5 - 10:48 a.m.)

ADDITIONS/DELETIONS TO CONSENT AGENDA

Bosanko requested Item #2 be pulled and rescheduled at the end of the Regular Agenda as Item #4a. Bosanko also requested that Item #6 be pulled to be rescheduled at a later date. Meiszer requested Item #4 be transferred to the Regular Agenda as Item #4b.

(11/21/2000 - 5 - 10:54 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Reardon, seconded by Jacalone, carried 5/0, to approve the Consent Agenda as amended: Item #2 becoming 4a on the Regular Agenda; Item #4 become 4b on the Regular Agenda; and, pulling Item #6, be approved.

1. Sheriff's Bonds:

Approve:	Sharon Douglas	Approve:	Linda Morgan
Approve:	Catherine Smith	Approve:	Thomas Simpson
Approve:	Gloria Benyacko	Cancel:	Larry Douglas, Jr.
Approve:	Casandra Wood	Cancel:	Constantine Kouremetis
Approve:	Tony Yanni	Cancel:	Lisa Lawrence

2. Approval of a motion adopting a Resolution approving a Final Plat for Bartram Plantation Phase One. ***This item was placed on the Regular Agenda as Item #4a.***

3. Approval of a motion adopting a Resolution accepting a Grant of Easement for drainage purposes on Delcie Drive in Wildwood Creek Addition.

RESOLUTION NO. 2000-176

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING GRANT OF EASEMENT REQUIRED FOR DRAINAGE IMPROVEMENTS ON DELCIE DRIVE IN WILDWOOD CREEK ADDITION

4. Approval of a motion adopting a resolution approving a 1st Amendment to the Rental Agreement with Option to Purchase between Council on Aging St. Johns County and St. Johns County extending the Occupancy Date. ***This item was placed on the Regular Agenda as Item #4b.***

5. Approval of a motion adopting a Resolution accepting Utility Easement from EZ Flow, L.P., a Tennessee limited partnership to St. Johns County for access, installation and maintenance of water lines.

RESOLUTION NO. 2000-177

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING UTILITY EASEMENT FROM EZ FLOW, L.P., TO ST. JOHNS COUNTY, FOR ACCESS, INSTALLATION AND MAINTENANCE OF WATER LINES

6. Approval of a motion adopting a Resolution accepting Easement for Utilities for water service to the King & Bear Golf Course, St. Johns Six Mile Creek, North Unit 2. *This item was pulled from the Consent Agenda by Bosanko to be rescheduled.*
7. Approval of a motion authorizing the County Administrator to enter into an agreement with the Department of Community Affairs in the amount of \$750,000.00 for the drainage improvements for the Community Development Block Grant (CDBG) in West Augustine.
8. Approval of a motion authorizing the St. Johns County Engineering Division to submit to the St. Johns River Water Management District a grant application for the Stormwater Management Projects Cost-Share Program, FY 2000-2001.

(11/21/2000 - 6 - 10:54 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

There were no additions or deletions to the Regular Agenda.

(11/21/2000 - 6 - 10:54 a.m.)

APPROVAL OF REGULAR AGENDA

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

(11/21/2000 - 6 - 10:55 a.m.)

ADDITIONS TO WORKSHOP AGENDA

There were no additions to the Workshop Agenda.

(11/21/2000 - 6 - 10:55 a.m.)

APPROVAL OF WORKSHOP AGENDA

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

(11/21/2000 - 6 - 10:55 a.m.)

PUBLIC COMMENT

Jerry Cameron, 518 Gentian Rd., St. Augustine, congratulated Kohnke on her election as Chair and reviewed the Chair's important position and responsibilities.

(11/21/2000 - 6 - 10:58 a.m.)

1. PUBLIC HEARING - AMENDMENT TO ORDINANCE 82-59 AND REPEALING ORDINANCE 2000-49 RELATING TO CODE ENFORCEMENT FINES. THE

ATTACHED PROPOSED ORDINANCE IS SUBMITTED AS AMENDING ORDINANCE 82-59 WHICH CREATES THE ABILITY FOR ST. JOHNS COUNTY TO OPERATE THE CODE ENFORCEMENT PROGRAM IN COMPLIANCE WITH F.S. 162 COUNTY OR MUNICIPAL CODE ENFORCEMENT. THE PROPOSED AMENDMENT REQUIRES THAT ADDITIONAL FINDINGS BE CONSIDERED DURING THE IMPOSITION OF FINES. THE STATUTE IN PART REQUIRES THE FINDINGS AND ALSO INCLUDED ARE ADDITIONAL FINDINGS THAT HAVE BEEN ADDED BY THE CODE ENFORCEMENT BOARD ATTORNEY. THE CODE ENFORCEMENT BOARD UNANIMOUSLY RECOMMENDED THE PROPOSED AMENDMENT AT THEIR OCTOBER 17, 2000 MEETING TO THE BOARD OF COUNTY COMMISSIONERS (BCC) FOR APPROVAL. THE REQUIRED FINDINGS ARE INTEGRATED INTO SECTION 15 OF THE PROPOSED ORDINANCE. THE MAXIMUM FINE AMOUNTS AS PREVIOUSLY APPROVED BY THE BCC ON AUGUST 15, 2000, ARE INCLUDED IN THE PROPOSED ORDINANCE AMENDMENT AS UNCHANGED. THESE FINE AMOUNTS ARE UP TO \$1,000 PER DAY FOR EACH VIOLATION, UP TO \$5,000 PER DAY FOR A REPEAT VIOLATION AND \$15,000 FOR AN IRREPARABLE OR IRREVERSIBLE VIOLATION

Proof of publication of the notice of public hearing on the Amendment to Ordinance 82-59 and Repealing Ordinance 2000-49 relating to Code Enforcement Fines, was received having been published in *The St. Augustine Record* on November 8, 2000.

Michael Griffin, CBO, Director Development Services, presented the proposed ordinance to the Board for consideration and answered questions of the Board. (11:06 a.m.) **Motion by Reardon, seconded by Jacalone, carried 4/1 with Meiszer dissenting, to repeal Ordinance No. 2000-49 and in its place approve recommended Ordinance No. 2000-64 creating findings and establishing fines for certain code violations.**

ORDINANCE NO. 2000-64

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE NO. 82-59, WHICH IS THE ORDINANCE THAT CREATED THE ST. JOHNS COUNTY CODE ENFORCEMENT BOARD; REPEALING ORDINANCE NO. 2000-49, RELATING TO THE MAXIMUM AMOUNT OF FINES THAT MAY BE IMPOSED BY THE CODE ENFORCEMENT BOARD; INCREASING THE MAXIMUM FINES THAT MAY BE IMPOSED; SETTING CRITERIA FOR THE CODE ENFORCEMENT BOARD TO CONSIDER IN IMPOSING FINES; AND PROVIDING FOR AN EFFECTIVE DATE

(11/21/2000 - 7 - 11:07 a.m.)

2. PUBLIC HEARING - R-00-031 - CHARLENE'S WAREHOUSE. THE APPLICANT IS REQUESTING TO REZONE PROPERTY LOCATED WEST OF US1 NORTH FROM OPEN RURAL TO IW. THE PROPERTY IS WITHIN THE AIRPORT DISTRICT OF THE COMPREHENSIVE PLAN AND THE AIRPORT AUTHORITY HAS PROVIDED THAT THEY HAVE NO OBJECTIONS TO THE PROPOSED USE OF THE PROPERTY. THE SURROUNDING VACANT PROPERTY IS ZONED IW AND OR. THE PROPOSED REZONING IS CONSISTENT WITH THE COMPREHENSIVE PLAN AND THE SURROUNDING ZONING, AND IS COMPATIBLE WITH THE AIRPORT MASTER PLAN. THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL OF THIS APPLICATION AT THEIR OCTOBER 5, 2000 MEETING.

Proof of publication of the notice of public hearing on application for rezoning R-00-031 - Charlene's Warehouse, was received having been published in *The St. Augustine Record* on November 7, 2000.

Heather Morris, Planning Coordinator, presented the rezoning ordinance for the Board's consideration.

At this point in the meeting, Meiszer indicated he had not had sufficient time to review the agenda packet and would vote "Present" when the vote was called on any motion. After stating that unless a Commissioner had a conflict of interest, they were required to cast a vote, Bosanko stated such a response would indicate a "no" vote.

Discussion followed. Further discussion was held on the proposed rezoning. (11:12 a.m.) George Boatwright, 9915 Shands Pier Road, Orangedale, the applicant, was present to answer questions. (11:13 a.m.) **Motion by Reardon, seconded by Jacalone, to enact Ordinance No. 2000-65, which is approving R-00-031, with adopting Findings of Fact 1 through 5, that support the motion.** Roll call vote ensued: *Meiszer, present, being recorded as a "no" vote; Reardon, yes; Jacalone, yes; Kohnke, yes; Bryant, yes.* **Motion carried 4/1 -- Ordinance No. 2000-65, approving R-00-031, enacted.**

ORDINANCE NO. 2000-65

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO INDUSTRIAL WAREHOUSE (IW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(11/21/2000 - 8 - 11:13 a.m.)

3. PUBLIC HEARING - MJM-00-005, MAJOR MODIFICATION TO THE SOUTH HAMPTON PUD. THIS REQUEST SEEKS TO MODIFY THE SOUTH HAMPTON PUD. THIS REQUEST SEEKS TO MODIFY THE SOUTH HAMPTON PUD TO PROVIDE FOR TWO ADDITIONAL ACCESS POINTS ON COUNTY ROAD 210, PROVIDING FOR A TOTAL OF FOUR ENTRANCES TO THE PROJECT. ONE OF THE REQUESTED ADDITIONAL ENTRANCES WILL PROVIDE DIRECT ACCESS TO THE COMMERCIAL PARCEL, AND WILL ALLOW THE COMMERCIAL USES TO HAVE AN EXCLUSIVE ENTRANCE AND EXIT. THE REQUEST ALSO SEEKS TO PROVIDE FOR A TEMPORARY WELL AND SEPTIC SYSTEM TO SERVE THE GOLF COURSE MAINTENANCE FACILITY UNTIL THE REQUIRED CENTRAL SERVICES ARE EXTENDED TO THIS PHASE OF THE PUD. THERE ARE NO OTHER CHANGES PROPOSED TO THE APPROVED PUD; HOWEVER, AS REQUIRED BY SECTION 10.02.03.B.4 OF THE LAND DEVELOPMENT CODE, WITH APPROVAL OF THIS MODIFICATION, REMAINING PORTIONS OF THE PROJECT WHICH DO NOT HAVE REQUIRED STATE AND COUNTY PERMITS, WILL BE SUBJECT TO THE PROJECT WHICH DO NOT HAVE REQUIRED STATE AND COUNTY PERMITS, WILL BE SUBJECT TO APPLICABLE PROVISIONS OF THE LAND DEVELOPMENT CODE UNLESS SUCH PORTIONS ARE DETERMINED TO BE OTHERWISE VESTED. AS SUCH, TERMS OF THE NEW LAND DEVELOPMENT CODE MAY IN SOME INSTANCES SUPERSEDE CERTAIN SPECIFIC PROVISIONS OF THE ORIGINAL PUD. THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL OF THIS ITEM AT THE SEPTEMBER 21, 2000 PUBLIC HEARING.

Proof of publication of the notice of public hearing on the request for MJM-00-005, Major Modification to the South Hampton PUD, was received having been published in *The St. Augustine Record* on November 8, 2000.

Givens left the meeting at 11:16 a.m. Sonya Doerr, AICP, Chief Planner, and Kevin Feldt, Transportation Planning Manager, presented the issue and answered questions of the Board concerning concurrency issues, entrances and exits on two-lane roads; types of vehicles used in maintenance exits and entrances; and other concerns, with use of the video display. (11:31 a.m.) Susan McDonald, 1301 Riverplace Blvd., Jacksonville, representing the applicant, stated they had two engineers present to answer questions. (11:31 a.m.) Jeff Crammen, 14775 St. Augustine Road, Jacksonville, addressed the issue of entrance number four, stating it would be strictly employee vehicles and minor deliveries that would occur to the golf center. Further discussion followed. (11:43 a.m.) *Motion by Reardon to enact Ordinance No. 2000-66, approving the well and septic requirements to serve the golf course maintenance facility only and to approve the entrance and exit structure of entrance 1, 2 and 3, as depicted on the mapsite, but deleting item number 4 and impressing upon this development to have the slow moving maintenance carts and employees that it is located on a dangerous road utilize the internal structure of the roadway system, thus keeping the slow moving vehicles off of County Road 210 with a large amount of traffic; and adopting the Findings of Fact 1 through 6 to support the motion; again, deleting the request for Entrance Number 4.* Bosanko stated he could provide Findings of Fact to support the deletion. Discussion ensued. *Motion died for lack of a second.*

(11:46 a.m.) **Jacalone moved, seconded by Bryant, to enact Ordinance No. 2000-66, adopting Findings of Fact 1 through 6 to support the motion. Roll call vote ensued: Reardon, no; Jacalone, yes; Kohnke, yes; Bryant, yes; Meiszer, "present" indicating a no vote -- Motion carried 3/2.**

ORDINANCE NO. 2000-66

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE SOUTH HAMPTON PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 97-41, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(11/21/2000 - 9 - 11:48 a.m.)

4. 1ST PUBLIC HEARING - DEVELOPMENT AND IMPACT FEE AGREEMENT FROM THE STONEHURST PLANTATION PUD, VININGS PUD, CR 210 WEST CHURCH. THE DEVELOPERS OF THE STONEHURST PLANTATION PUD (STONEHURST PLANTATION, INC.), THE VININGS PUD (A & S LAND DEVELOPMENT COMPANY), AND THE CR 210 WEST CHURCH (KKP CHIPPEWA, LTD.) HAVE PROPOSED A DEVELOPMENT AND IMPACT FEE CREDIT AGREEMENT WITH ST. JOHNS COUNTY. THE PROPOSED AGREEMENT WILL SERVE AS THE DEVELOPERS' COMMITMENT TO CONSTRUCT THE TRANSPORTATION IMPROVEMENTS NECESSARY TO SERVE THE IMPACTS OF THE PROPOSED DEVELOPMENTS, SPECIFICALLY IMPROVEMENTS THAT PROVIDE ADEQUATE ROADWAY CAPACITY ON CR 210 TO MEET TRANSPORTATION CONCURRENCY REQUIREMENTS. THE CONCURRENCY REVIEW COMMITTEE (CRC) REVIEWED THE AGREEMENT ON OCTOBER 11, 2000. THE CRC VOTED (3-0) TO SUPPORT THE PROPOSED IMPROVEMENTS AS SUFFICIENT TO PROVIDE ADEQUATE CAPACITY ON CR 210 TO ACCOMMODATE IMPACTS FROM THE THREE PROJECTS. THE CRC HAS NO AUTHORITY REGARDING IMPACT FEES AND THEREFORE TOOK NO ACTION ON THE IMPACT FEE PORTION OF THE AGREEMENT. THIS

HEARING IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS. DECEMBER 12, 2000 AT 9:00 A.M. HAS BEEN RESERVED FOR THE 2ND PUBLIC HEARING

Proof of publication of the notice of public hearing on the Development and Impact Fee Agreement from the Stonehurst Plantation PUD, Vinings PUD, CR 210 West Church, was received having been published in *The St. Augustine Record* on November 6, 2000.

Teresa Bishop, Planning Director, presented this item to the Board for the first public hearing. Discussion followed on the proposed development and impact fee agreement. (12:02 p.m.) John Metcalf, 1104 Mill Creek Drive, representing KKP Chippewa, LTD, landowner of the property on which the Stonehurst Development would be placed, made the presentation with use of video display and a handout. Discussion ensued. (12:19 p.m.) Ernie O'Connor made further presentation of the project. (12:24 p.m.) Rick Wood, 4729 US 17, Suite 204, Orange Park, representing Stonehurst Plantation Inc., one of the applicants of the development agreement, addressed the Board on the project. (12:29 p.m.) Gary Silverfield, 7865 Southside Blvd., Jacksonville, representing A&S Land Development Company, spoke on the proposed project. (12:30 p.m.) Jeff Conn, Hallmark Partners, 8917 Western Way, Suite 6, Jacksonville, spoke on the proposed project and recommended approval. (12:31 p.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., St. Augustine, representing the Audubon Society, questioned about the wetland on the north side of 210. (12:32 p.m.) John W. Giehrl, 136 Bear Pen Road, Ponte Vedra Beach, spoke in support of the agreement. (12:33 p.m.) Bart Walchle, 739 Spinnakers Reach, Ponte Vedra Beach, spoke in support of the agreement.

The scheduled second public hearing for this issue will be for December 12, 2000 at 9:00 a.m.

The meeting recessed at 12:34 p.m. and reconvened with Kohnke, Jacalone, Meiszer, Reardon, Bryant, Bosanko, Adams and Deputy Clerk Yvonne King present.

Also present were: Joe Vonasek, Office of Management and Budget; and Doug Burnett, Assistant County Attorney.

(11/21/2000 - 10 - 1:30 p.m.)

4a. APPROVAL OF A MOTION ADOPTING A RESOLUTION APPROVING A FINAL PLAT FOR BARTRAM PLANTATION PHASE ONE (This item was removed from the Consent Agenda as Item #2.)

Kathy Nielsen, Application Review Coordinator, informed the Board that the title opinion showed a mortgagee who had not joined in on the plat, and that has since been resolved. (1:32 p.m.) **Motion by Jacalone, seconded by Reardon, carried 4/1 with Meiszer dissenting by a roll call vote, to adopt Resolution No. 2000-178, approving a Final Plat for Bartram Plantation Phase One.**

Roll Call Vote

Jacalone aye
Kohnke aye
Bryant aye
Meiszer present (no)
Reardon aye

Motion carried 4/1.

RESOLUTION NO. 2000-178

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING A SUBDIVISION PLAT FOR BARTRAM PLANTATION PHASE ONE

(11/21/2000 - 11 - 1:33 p.m.)

- 4b. APPROVAL OF A MOTION ADOPTING A RESOLUTION APPROVING A 1ST AMENDMENT TO THE RENTAL AGREEMENT WITH OPTION TO PURCHASE BETWEEN COUNCIL ON AGING ST. JOHNS COUNTY AND ST. JOHNS EXTENDING THE OCCUPANCY DATE

Meiszer voiced that he thinks any County property should be sold at public auction and competitively to the highest bidder, except in very special circumstances. Meiszer then urged the board to adopt a policy of public sale to the highest bidder. Discussion followed regarding the bidding process. Meiszer expressed concerns with the Council on Aging’s ability to sell that property at some future date. Meiszer suggested that some language be included in the lease agreement that the County has the first right of refusal before the Council on Aging sells it to anyone else. (1:40 p.m.) **Motion by Jacalone, seconded by Bryant, carried 5/0 by a roll call vote, to adopt Resolution No. 2000-179, approving a 1st Amendment to the Rental Agreement with option to purchase between Council on Aging St. Johns County and St. Johns County extending the occupancy date.**

Roll Call Vote

- Kohnke aye**
- Bryant aye**
- Meiszer aye**
- Reardon aye**

- Jacalone aye**

Motion carried 5/0.

RESOLUTION NO. 2000-179

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING A 1ST AMENDMENT TO THE RENTAL AGREEMENT WITH OPTION TO PURCHASE BETWEEN COUNCIL ON AGING ST. JOHNS COUNTY AND ST. JOHNS COUNTY EXTENDING THE OCCUPANCY DATE

(11/21/2000 - 11 - 1:40 p.m.)

- 5. CONSIDER PROPOSED USE OF SHIP FUNDS ON RENTAL PROJECTS

Judith Foxworth, SHIP Administrator, discussed the possibility of using \$200,000 in SHIP funds to enable a developer to leverage additional financing for an affordable rental complex. The SHIP allocation for fiscal year 2000/2001 is higher than it has ever been. It is over \$1 million. Although, SHIP was established to encourage home ownership, some of it can be used to enable construction of affordable rental units. (1:55 p.m.) Tom Crawford, Housing Director, commented on alternatives #1 & #2 in the agenda packet. Discussion followed on the SHIP funds being used for rental projects. (2:00 p.m.) **Motion by Reardon, seconded by Bryant, carried 4/1 by a roll call vote with Meiszer dissenting, to direct the SHIP Administrator to advertise the availability of \$200,000 in SHIP funds**

as a local government contribution for development of affordable rental properties as dictated in Items #1 & #2 of the agenda packet.

Roll Call Vote

Bryant **aye**
Meiszer **no**
Reardon **aye**
Jacalone **aye**
Kohnke **aye**

Motion carried 4/1.

(11/21/2000 - 12 - 2:01 p.m.)
COMMISSIONERS' REPORTS

Commissioner Bryant:

Bryant reported that they are having problems on the local level of identifying and getting uninsured kids signed up in the Healthy Kids Program and the Healthy Start Program. Bryant asked the commissioners if they knew of any business owners personally that hire entry level employees and if they suspect that business owner does not provide insurance to his employees that have dependents from ages 0-19, request that they approach the businesses and inform them of the Healthy Kids/Healthy Start Program.

Bryant reported on the success of the lighting of the Nights of Lights in downtown St. Augustine.

(2:04 p.m.)

Commissioner Reardon:

Reardon reported further on the Nights of Lights in downtown St. Augustine.

Reardon reported on the clean up of West Augustine.

Reardon mentioned that there are signs at the Calvin Peete Recreation Park that needs to be erected. They are inside the building waiting to be erected.

Reardon reported on several burned out structures in West Augustine that may meet the emergency criteria for the new abatement program. Reardon suggested Staff look into this.

Reardon commented on the whooping crane incident. Reardon suggested the incident and the reward offer be placed on the local TV station.

(2:08 p.m.)

Commissioner Kohnke:

Kohnke reminded the Board that on Monday the Friends of the Library have invited them to a reception.

Kohnke reported on the events at the World Golf Village.

(2:10 p.m.)

Commissioner Jacalone:

Jacalone said the Utility Director is supposed to bring to the Board some revised Water & Sewer rates, minimum gallonage amounts, and revised unit connection fees. Jacalone requested the County Administrator check into this.

Jacalone said there is certain dissatisfaction among the volunteers in the Fire Service Department. Jacalone requested a representative from the union and a representative from the volunteers, come to a future Board meeting to address some problems with the Division of Fire Services.

Jacalone reported on the policy meeting he attended in October of the Florida Association of Counties in Orlando, and again in November in Tallahassee the Legislative Conference of the Association of Counties. Both of those conferences were beneficial. The Association of Counties' main interest is to provide input and information to the Governor's Growth Management Study Commission. The Association of Counties' representative are taking a very active part in recommending to the Department of Community Affairs what the DCA's role will be in the future in the State of Florida regarding growth management. Jacalone reported that also at the conference, limiting the percentages that payday loan operations can charge, were discussed.

(2:20 p.m.)

Commissioner Meiszer:

Meiszer requested the Board consider increasing the reward that has been made by the Audubon Society for the death of the two whooping cranes.

Meiszer requested that he be provided with an introduction to the key staff and department heads.

(11/21/2000 - 13 - 2:22 p.m.)

COUNTY ATTORNEY'S REPORT

No report.

(11/21/2000 - 13 - 2:23 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams informed the Board that he is in the process of scheduling a joint meeting of the City of St. Augustine and the Board of County Commissioners.

Adams commented that the qualifications of the Code Enforcement Board members will be brought back at a future workshop meeting.

(2:24 p.m.) Kohnke requested further discussion on the issue of de minimis at a future meeting. Adams said this issue will be on the January 16, 2001 workshop agenda.

(11/21/2000 - 13 - 2:25 p.m.)

CLERK OF COURT'S REPORT

No report.

Motion by Jacalone, seconded by Reardon, carried 5/0 to adjourn the regular meeting. There being no further business to come before the Board, the Regular Meeting adjourned at 2:25 p.m.

REPORTS:

1. St. Johns County - Board Database - Check Register, dated November 16, 2000, Check Numbers 296328 through 296603, totaling \$1,128,530.52.
2. Proof of publication, Notice of Special Meeting in the matter of Oath of Office Newly Elected SJC Commissioners, published November 14, 2000 in *The St. Augustine Record*.

Approved December 12, 2000

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Mary F. Kohnke, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____
Deputy Clerk