

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
MAY 8, 2001
(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: Mary Kohnke, District 4, Chair
Marc Jacalone, District 3, Vice Chair
Nicholas Meiszer, District 1
John Reardon, District 2
James E. Bryant, District 5
Ben W. Adams, Jr., County Administrator
James G. Sisco, County Attorney
Lenora Newsome, Deputy Clerk

Also present was: Cheryl Strickland, Clerk of Courts

(05/08/01 - 1 - 9:00 a.m.)
CALL TO ORDER

The meeting was called to order by Chair Kohnke.

(05/08/01 - 1 - 9:00 a.m.)
The Invocation was given by Reverend Robert Boyd, Associate Pastor, Calvary Assembly.
The Pledge of Allegiance was led by Jacalone.

(05/08/01 - 1 - 9:01 a.m.)
ROLL CALL

The roll was called by the Deputy Clerk.

(05/08/01 - 1 - 9:01 a.m.)
PRESENTATION OF A PROCLAMATION DECLARING MAY 12, 2001 AS LETTER CARRIERS FOOD DRIVE DAY

Reardon read the proclamation. The proclamation was accepted by Jim Beleau and Bill Brewer, with Beleau explaining the event and Brewer explaining the history of the program and asking for everyone to help.

(05/08/01 - 1 - 9:06 a.m.)
PRESENTATION OF PROCLAMATION DECLARING THE MONTH OF MAY 2001 AS CIVILITY MONTH

Bryant read the proclamation. Alexandra M. MacLennan received it explaining the Civility Project.

(05/08/01 - 1 - 9:09 a.m.)
PUBLIC COMMENT

Louise Thrower, 288 Orange Avenue, spoke on the Metropolitan Planning Organization letter that was sent April 30, 2001, and the item, MPO, which is listed on the agenda this

morning.

(9:13 a.m.) Col. Edward Taylor, 3665 Crazy Horse Trail, read a letter about Mike Frye's ride for MIA. He spoke on his interview in the Governor's Office as one of the five finalist's of the Florida Executive Director of the Department of Veterans Affairs.

(9:17 a.m.) Roger Van Ghent, 4005 Moultrie Foreside, spoke on being disturbed at a hearing on a verified complaint concerning the Nocatee Development Order held on April 20 and the allegations made by the attorney for the complainant, on the integrity and qualifications of members of the County Staff and of Lucy Seeds.

(9:23 a.m.) Glenn Lightsey, 870 SR 16, spoke on public safety on the beach and urged the Board to get protection on the beach now.

(05/08/01 - 2 - 9:28 a.m.)

DELETIONS TO CONSENT AGENDA

Meiszer requested to pull Consent item 13, *Agreement to provide Lifeguard Services to Anastasia State Recreation area*, and place it on the Regular Agenda as 12a.

(05/08/01 - 2 - 9:29 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of minutes:
 - 04/10/01 - BCC Workshop (amended)
 - 04/17/01 - BCC Regular Meeting
 - 04/17/01 - BCC Workshop
 - 04/17/01 - BCC Special Meeting
 - 04/24/01 - BCC Regular Meeting
2. Motion to adopt **Resolution No. 2001-85** recognizing unanticipated revenues in the amount of \$30,000 and appropriating them to the Seventh Judicial Circuit Court for use in the Model Family Court Focus Program

RESOLUTION NO. 2001-85

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2001 GENERAL FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE CIRCUIT COURT

3. Motion to adopt **Resolution No. 2001-86** designating the Director of Emergency Services, in their capacity as the Director of the EMS Division, and their designees, as the individual(s) authorized to execute and deliver all of the necessary documentation for St. John's County to continue its participation in the Florida Medicaid Program

RESOLUTION NO. 2001-86

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,

AUTHORIZING THE COUNTY'S DIRECTOR OF EMERGENCY SERVICES, IN HIS CAPACITY AS DIRECTOR OF THE COUNTY'S DEPARTMENT OF EMERGENCY SERVICES, EMS DIVISION (THE "EMS DIVISION"), AND THE DIRECTOR'S DESIGNEES TO EXECUTE AND DELIVER MEDICAID PROVIDER ENROLLMENTS, RE-ENROLLMENTS AND ALL OTHER DOCUMENTATION NECESSARY FOR ST. JOHNS COUNTY TO CONTINUE TO PARTICIPATE THROUGH ITS EMS DIVISION AS PROVIDER NUMBER 0894800-00 IN THE FLORIDA MEDICAID PROGRAM

4. Motion to allow the County Administrator, or his designee, to award the contract for Bid No. 01-49 (18" DOT F Type Curb & Gutter at the Northeast Park) to the low bidder, Jensen Civil Construction, Inc. (*See Exhibit A*)
5. Motion to allow the County Administrator, or his designee to award Bid No. 01-52 (Refurbishment of One (1) 1989 104ft aerial platform truck) to the low bidder, Ten-8 Fire Equipment Company (*See Exhibit B*)
6. Motion to allow the County Administrator, or his designee, to negotiate with and enter into a contract with the No. 1 ranked firm, Pandion Systems, Inc. for RFP No. 01-31(Vegetative Community Types and Wildlife Survey/Consulting Services). If an agreement cannot be reached with the No. 1 ranked firm, authorization to terminate negotiations and begin negotiations with the No. 2 ranked firm and continue until an agreement is reached (*See Exhibit C*)
7. Motion to adopt **Resolution No. 2001-87** approving the execution of a County Deed reconveying an unused portion of donated property in Presidential Gardens of Whitehouse Boulevard pursuant to Florida Statutes 255.22

RESOLUTION NO. 2001-87

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE EXECUTION OF A COUNTY DEED RECONVEYING AN UNUSED PORTION OF DONATED PROPERTY IN PRESIDENTIAL GARDENS OF WHITEHOUSE BOULEVARD PURSUANT TO FLORIDA STATUTES, SECTION 255.22

8. Motion to adopt **Resolution No. 2001-88** accepting Easements for Utilities to provide water and sewer service to the Park and Swim and Tennis Center at Saint Johns Six Mile Creek North Unit 1

RESOLUTION NO. 2001-88

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING EASEMENTS FOR UTILITIES TO PROVIDE WATER AND SEWER SERVICE TO THE PARK AND SWIM AND TENNIS CENTER AT SAINT JOHNS SIX MILE CREEK NORTH UNIT 1

9. Motion to adopt **Resolution No. 2001-89** accepting a Temporary Grant of Easement from Julington Partners Limited Partnership to St. Johns County located at the dead end of Loch Tanna Loop in Julington Creek Plantation Parcel 54 Phase 1 to allow use

of a turnaround for public safety purposes until Julington Creek Plantation Parcel 53 Phase 1 is completed

RESOLUTION NO. 2001-89

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A TEMPORARY GRANT OF EASEMENT FROM JULINGTON PARTNERS LIMITED PARTNERSHIP TO ST. JOHNS COUNTY LOCATED AT THE DEAD END OF LOCH TANNA LOOP IN JULINGTON CREEK PLANTATION PARCEL 54 PHASE 1 TO ALLOW USE OF A TURNAROUND FOR PUBLIC SAFETY PURPOSES UNTIL JULINGTON CREEK PLANTATION PARCEL 53 PHASE 1 IS COMPLETED

10. Motion to adopt **Resolution No. 2001-90** authorizing the filing of a map of Ranch Road with the Clerk of Courts in accordance with Florida Statute No. 95.361 roads presumed to be dedicated when constructed by the County and maintained by the County for 4 years the road shall be vested in St. Johns County, Florida

RESOLUTION NO. 2001-90

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE FILING OF A MAP OF RANCH ROAD WITH THE CLERK OF COURTS IN ACCORDANCE WITH FLORIDA STATUTE NO. 95.361 ROADS PRESUMED TO BE DEDICATED WHEN CONSTRUCTED BY THE COUNTY AND MAINTAINED BY THE COUNTY FOR 4 YEARS THE ROAD SHALL BE VESTED IN ST. JOHNS COUNTY, FLORIDA

11. Motion to adopt **Resolution No. 2001-91** approving a 2nd extension of lease agreement between St. Johns County and Cowboys Inc.

RESOLUTION NO. 2001-91

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A 2ND EXTENSION OF LEASE AGREEMENT BETWEEN ST. JOHNS COUNTY AND COWBOYS, INC.

12. Motion to approve the transfer of \$22,486 from 0083-59920 (General Fund Reserve) to the Beach Services Fund for the purpose of upgrading the salaries and related costs of Lifeguards during the FY 2001 beach season
13. Motion to recommend the execution of an agreement between St. Johns County and Florida Department of Environmental Protection/ Anastasia State Recreation Area to provide Lifeguard Services to the Anastasia State Recreation Area

This item was pulled and placed on the Regular Agenda as 12a.

14. Proofs:
 - a. Proof, Notice to Bidders, Bid No. 01-60
 - b. Proof, Notice of Adoption of a Resolution, vacating, abandoning, discontinuing and closing certain streets, alleyways, roads or easements,

- portion of Fourth Street
- c. Proof, Notice of Meeting, Continued Special Meeting Resolution 2001-30 Nocatee Development DRI, April 20, 2001
- d. Proof, Notice of Continued Public Hearing, Consideration and Response Resolution 2001-30 Development Order for Nocatee DRI, April 20, 2001
- e. Proof, Notice to Bidders, Bid No. 01-58
- f. Proof, Notice to Bidders, Bid No. 01-61
- g. Proof, Notice to Bidders, Bid No. 01-55
- h. Proof, Notice of Special Meeting, Resolution 2001-30 Nocatee DRI, April 17, 2001
- i. Proof, Notice of Public Hearings, Establishment of Ordinance/Regulations affecting the Use of Land, March 6 & March 20, 2001
- j. Proof, Notice of Public Hearing, St. Johns County Water & Sewer Authority, Adoption of Annual Price Index, May 2, 2001
- k. Proof, Notice of Public Hearing, Resolution 2001-30 Nocatee DRI, April 17, 2001
- l. Proof, Certificate of Insurance, Gee & Jenson Engineers - Architects
- m. Proof, Certificate of Liability Insurance, Powertel, Inc.
- n. Proof, Certificate of Insurance, The IT Group, Inc.
- o. Proof, Certificate of Insurance, Taylor Engineering, Inc.
- p. Proof, Certificate of Liability Insurance, BCI Engineers & Scientists, Inc.
- q. Proof, Insurance Binder, X-ellent Landscaping
- r. Proof, Certificate of Liability Insurance, Vernon D. Keith, DBA Construction Debris Removal, Inc.
- s. Proof, Certificate of Liability Insurance, Exterior Expressions, Inc.
- t. Proof, Notice of Public Hearing, St. Johns County Land Development Code, May 1 & May 15, 2001
- u. Proof, Notice of Meeting, St. Johns County Grievance Committee Transportation Disadvantaged Local Coordinating Board, May 8, 2001
- v. Proof, Notice of Special Meeting, Ordinance 99-51 Sign Regulation, May 1, 2001
- w. Proof, Notice of Meeting, SJC Economic Development Committee, April 12, 2001

(05/08/01 - 5 - 9:29 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Kohnke requested to add to the Regular Agenda the item, *Dr. Walker - Request for Funds for Grant Writers - AIDS & HIV* as item A.

(05/08/01 - 5 - 9:30 a.m.)

APPROVAL OF REGULAR AGENDA

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

(05/08/01 - 5 - 9:30 a.m.)

A. DR. WALKER REQUEST FOR FUNDS FOR GRANT WRITERS-AIDS AND HIV

Dr. Walker spoke on the County enlarging their clinic in Hastings at the cost of \$160,000 and on the number of AIDS and HIV patients in the County which causes the need for enlarging the clinic. Discussion followed on the Grant monies available, the program being for the detection of HIV identification and treatment of AIDS patients, on the Grant Writers, and on getting a report of the outcome of this grant application. **Motion by Bryant, seconded by Reardon, carried 5/0, to appropriate \$4,000 from the Community Health Improvement Partnership budgeted money in the Social Services's department**

contractual line for this grant.

(05/08/01 - 6 - 9:39 a.m.)

1. MR. BRUCE LUCKER, WORLD GOLF HALL OF FAME, WILL GIVE A BRIEF PRESENTATION ON UPCOMING DEVELOPMENTS AT THE WORLD GOLF VILLAGE

Bruce Lucker, Chief Operating Officer, World Golf Hall of Fame, gave a brief update on what has happened at the World Golf Village, Golf Hall of Fame and what will be happening in the months to come. He showed a video of the World Golf Village, World Golf Hall of Fame.

(05/08/01 - 6 - 9:55 a.m.)

2. UPDATE ON THE DEVELOPMENT OF THE JACKSONVILLE URBAN AREA TRANSPORTATION PLAN PRESENTATION BY THE METROPOLITAN PLANNING ORGANIZATION'S CONSULTANT

Rob Schiffer, 1901 Commonwealth Lane, Tallahassee, Consultant for the MPO, gave an update on the development of the Jacksonville Urban Area Transportation Plan, with the assistance of visual display. Discussion followed on the MPO boundaries changing after the full results of the census are simulated, and where and when the meeting are being held on the updates.

(10:03 a.m.) Louise Thrower, 288 Orange Avenue, spoke on the Northwest area needing to see this update in person and it needing to be seen on all TV stations.

(05/08/01 - 6 - 10:04 a.m.)

3. REVIEW OF A PROPOSED TURN LANE PROJECT FOR SOLANA ROAD AS REQUESTED BY THE PONTE VEDRA BEACH MUNICIPAL SERVICE DISTRICT

Bosanko made a brief statement to the background of this item. Kevin Feldt, AICP, Transportation Planning Manager, briefly made a presentation to show how they got to the point they are at now, with the assistance of visual display. He stated that he was seeking direction from the Board to re-process the Library's concurrency certificate using the A1A Service Volume Analysis. He stated that in the future, Staff will present a Consent Agenda item to remove the Solana Road Turn Lane Project from the Capital Improvement Plan. Discussion followed on the County being exempt from concurrency on their own projects, an increase in the footage of the Library not increasing the traffic flow, having flexibility on how impact is mitigated, and the lack of notification given the residents from the beginning.

(10:20 a.m.) Mack McCuller, 28 Monterey Street, Ponte Vedra Beach, thanked everyone for working on this project.

(10:22 a.m.) Ron Schwartz, 39 Solana Road, thanked everyone for their help in resolving this issue. He requested that an amendment be made to the Comp Plan showing Solana Road as a constraint segment, such as those listed in Section B112 in the Comp Plan.

Meeting recessed at 10:26 a.m. and reconvened at 10:32 a.m.

(10:32 a.m.) Ashley Rea, 37 Monterey Street, spoke in favor of this item.

(10:34 a.m.) Marshall Hartmann, 28 Ramona Street, thanked everyone, and spoke on having community input.

(10:35 a.m.) Dawn Rodriguez Hudson, 57 Solana Road, thanked everyone who participated

and expressed her concerns.

(10:37 a.m.) Virginia Simpson, 37 Ramona Street, thanked everyone who took time to go to Ponte Vedra and look at the Solana Road Project.

(10:39 a.m.) Douglas Hudson, 57 Solana Road, thanked everyone who took time to go to Ponte Vedra and look at the Solana Road Project.

(10:42 a.m.) George Ruotolo, 59 Solana Road, thanked everyone who helped with checking out the Solana Road Project. He spoke on the Community hiring a traffic expert at the cost of \$3,000, and asked the Board if the County would consider paying the bill.

(10:46 a.m.) Kimberly Ruotolo, 59 Solana Road, thanked everyone on helping the community. She requested the Board to rescind the decision to widen Solana Road. She also requested the Board to make it Staff's duty to advise residents on projects that may negatively or positively impact their neighborhood, and put the \$180,000, saved the County, to good use.

(10:50 a.m.) Ward Koutnik, 6620 South Point Drive South #120, Jacksonville, distributed a traffic report on Solana Road. **Motion by Reardon, seconded by Jacalone, carried 5/0, to approve the reprocessing of the library concurrency application using SR A1A Service Volume Study Results.**

(10:51 a.m.) Reardon requested starting off the usage of the \$180,000 with turn lanes on Roscoe Blvd. in the area of Landrum, and on repaying the citizen \$3,000 for the traffic study. Discussion followed on considering using the money in the Northwest area, having no doubt of the credentials of the firm who did the traffic study, reimbursing the cost of the traffic study to the citizens, and if there was financial and legal questions whether to pay the bill or not. **Motion by Meiszer, seconded by Reardon, carried 5/0, for the Board to take the responsibility for the payment of the bill and authorize it to be paid, observing all of the legal requirements.** Strickland left the meeting.

(05/08/01 - 7 - 10:59 a.m.)

4. CONSIDER A FIRST COAST TRANSPORTATION JOINT MPO PARTICIPATION AGREEMENT

Feldt reviewed this item. **Motion by Reardon, seconded by Jacalone, carried 5/0, to direct the County Administrator to execute a Joint Participation Agreement between the First Coast Metropolitan Planning Organization and St. Johns County authorizing the provision of assistance in developing the 2025 LRTP and other general assistance.**

(05/08/01 - 7 - 11:01 a.m.)

5. CONSIDER A REIMBURSEMENT AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS ON COUNTY ROAD 210

Feldt gave a presentation, with the assistance of visual display, recommending Alternative One from the CR 210 Corridor Study. Discussion followed on how the recommendation was reached and by whom, if the County had flexibility where to utilize these funds, if the proposed work is in performance with the Target Study, why there is not language in the agreement that the County will not exceed the amount of \$200,000, and the County's obligations. **Motion by Reardon, seconded by Jacalone, carried 5/0, to approve the Reimbursement Agreement between FDOT and St. Johns County for the expenditure of funds for CR 210, and adoption of Resolution No. 2001-92 attached as Appendix B of the agreement.**

RESOLUTION NO. 2001-92

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

(05/08/01 - 8 - 11:15 a.m.)

6. REVIEW OF THE CORRECTED ORDER ISSUED TO CAPPS RESTAURANT REGARDING OUTDOOR MUSIC

Mike Griffin, CBO, Director, Development Services, reviewed this item, using visual display. Bosanko explained, using visual display, the location of First Street, Second Street, and Myrtle Street. He stated that Mary Ann Blount, Real Estate, has done a lot of research on the history and status of these roads. He explained that the easement is a private easement owned by the developer of the project and any lot owners who purchase lots in the subdivision, necessary to access off that easement, would have an easement right to use it. He doesn't know any reason for the County to claim the easement at this time and the fence should be on their own property and not on any easements. Discussion followed on outdoor music, and the easement situation.

(11:25 a.m.) Deloris "DJ" Morsch, 509 North Point Road, explained how nice it was not having loud music outside this past weekend.

(11:28 a.m.) Joe Paffe, 545 Second Street, spoke on lack of access on Second Street and that he is opposed to any access to Capps parking from Second Street. Bosanko stated that research indicated that the Second Street easement belongs to the developer and to the adjoining lot owners. Discussion followed on the access to the Capps parking lot from Second Street, the easement being a dedication to the right-of-way for a subdivision, anyone being able to use the easement that has lots adjoining it, and the fence between Capps and the residential area.

(11:46 a.m.) Clay Seay, 4904 Sandcastle Circle, spoke on a letter sent to the residents from Mr. Durrad. Kohnke stated that Capps will abide by everything in the order. Bosanko mentioned that he will meet with Seay and go over it with him.

(11:52 a.m.) Mr. Upchurch spoke on not agreeing with County's interpretation of outdoor music. Reardon spoke on the construction of the fence.

(11:54 a.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to move the rest of the agenda items 7 through 12a and the Commissioners' Reports, County Administrator's Report, County Attorney's Report and Clerk of Court's Report to the end of the afternoon.**

The meeting recessed for lunch at 11:55 a.m. The meeting reconvened at 1:30 p.m. with Bryant, Jacalone, Kohnke, Meiszer, Adams, Isabelle Lopez, Assistant County Attorney, and Deputy Clerk Judy Hamilton present. Reardon entered the meeting at 1:37 p.m.

(05/08/01 - 8 - 1:32 p.m.)

13. PUBLIC HEARING - NOTICE OF PROPOSED CHANGE AND MAJOR MODIFICATION TO THE BARTRAM PARK DRI/PUD. THIS NOTICE OF PROPOSED CHANGE (NOPC) TO THE BARTRAM PARK DRI SEEKS TO MODIFY CERTAIN GENERAL PROVISIONS AND TRANSPORTATION PROVISIONS OF THE DRI DEVELOPMENT ORDER, INCLUDING AN AMENDMENT TO THE PROJECT-PHASING SCHEDULE AS CONTAINED

WITHIN THE PREVIOUSLY APPROVED BARTRAM PARK DRI DEVELOPMENT ORDER RESOLUTION AND WITHIN THE APPROVED PUD ORDINANCE. THE APPLICATION FOR MAJOR MODIFICATION IS CONSISTENT WITH APPLICABLE REQUIREMENTS OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, PARTICULARLY SECTION 5.03.05.C, WHICH PROVIDES CONDITIONS RELATED TO MAJOR MODIFICATIONS TO APPROVED PLANNED UNIT DEVELOPMENTS. THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL OF THIS NOPC AND THE MAJOR MODIFICATION AT THE APRIL 19, 2001 MEETING

Proof of publication of the public hearing of Notice of Proposed Change to the Bartram Park Development was received having been published in *The St. Augustine Record* on April 21, 2001.

The Commissioners revealed ex-parte communications: Bryant, none; Kohnke, none; Jacalone, none; Meiszer, none; Reardon, none.

Sonya Doerr, Chief Planner, briefly summarized the applicant's request. Kevin Feldt, Transportation Engineer, addressed specific changes in the transportation provisions, with visual display. Discussion was held, and Staff answered questions from the Board.

(1:43 p.m.) George McClure, 170 Malaga Street, representing Bartram Park Limited, responded to various concerns and questions of the Commission and rephrasing of the project. (1:47 p.m.) Louise Thrower, 288 Orange Avenue, questioned the road changes and the date established for vertical construction.

(1:48 p.m.) **Motion by Reardon, seconded by Bryant, carried 5/0, to adopt Resolution No. 2001-93, approving a Notice of Proposed Change to the Bartram Park DRI Development Order Resolution 2000-139, adopting Findings of Fact A and B to support the motion.**

RESOLUTION NO. 2001-93

ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS RESOLUTION NO. 2001-93 A NOTICE OF PROPOSED CHANGE FOR THE BARTRAM PARK DEVELOPMENT OF REGIONAL IMPACT

(1:49 p.m.) **Motion by Reardon, seconded by Bryant, carried 5/0, to enact Ordinance No. 2001-33, a Major Modification to the Bartram Park PUD Ordinance 2001-03, adopting Findings of Fact A through E, that support the motion.**

ORDINANCE NO. 2001-33

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE BARTRAM PARK PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 2001-03, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(05/08/01 - 9 - 1:49 p.m.)

14. PUBLIC HEARING - NZV-2001-03, FLYING J NON-ZONING VARIANCE FOR SIGNAGE. THE PROPOSED NON-ZONING VARIANCE IS TO ALLOW THE CONSTRUCTION OF AN 850 SQUARE FOOT POLE SIGN ON PROPERTY LOCATED AT 950-A STATE ROAD 206. THE PROPERTY IS ZONED CHT

(COMMERCIAL HIGHWAY TOURIST), IS LOCATED AT THE NORTHEAST QUADRANT OF STATE ROAD 206 AND I-95, AND IS BEING DEVELOPED WITH A TRUCK-STOP FACILITY. THE LAND DEVELOPMENT CODE PERMITS FOUR POLE SIGNS, TWO 150 SQUARE FOOT SIGNS AND TWO 100 SQUARE FOOT SIGNS. DUE TO THE PROPERTY'S PROXIMITY TO THE INTERSTATE, THE PROPERTY IS PERMITTED AN ADDITIONAL POLE SIGN 120 FEET IN HEIGHT WITH A TOTAL OF 300 SQUARE FEET OF DISPLAY AREA. THE APPLICANT IS PROPOSING THE CONSTRUCTION OF AN 850 SQUARE FOOT SIGN, 100 FEET IN HEIGHT

Proof of publication of the public hearing of Flying J Non-Zoning Variance for Signage was received having been published in *The St. Augustine Record* on April 20, 2001.

Ex-parte communications were disclosed: Bryant, none; Jacalone, none; Reardon, none; Kohnke, none; Meiszer, none.

Heather Morris, Assistant Zoning Manager, explained the requested signage variance.

Vic Arnold, 9 W. Forest St., 3rd Floor, Brigham City, Utah, the applicant, made oral and visual presentation to the Board. Examples of the proposed signage were discussed and questions from the Board were answered by Staff and the applicant. (2:08 p.m.) Pat Bucek, Federal Sign Co., 3015 Ave. E East, Arlington, Texas, spoke in favor of the requested variance. Further discussion ensued on the variance request.

(2:14 p.m.) Motion by Reardon, seconded by Jacalone, carried 5/0, to deny the non-zoning variance NZV-2001-03: (1) the request for rezoning has been fully considered after public hearing with legal notice duly published as required by law; (2) there are not practical difficulties carrying out the strict letter of the regulation; and, (3) the effect of the proposed variance is not in harmony with the general intent of the relevant subject areas of the Code.

(05/08/01 - 10 - 2:15 p.m.)

7. CONSIDER FINES AGAINST INTERCOASTAL UTILITIES INC. FOR NON-RESPONSIVENESS TO DATA REQUEST

George Flint, contractual Executive Director, gave a brief background to the Commission on this issue. Discussion was held by the Board on the Order and the proposed fines, among other related issues. Daniel Bosanko, Deputy County Attorney, entered the meeting.

(2:40 p.m.) Motion by Reardon, seconded by Jacalone, carried 5/0, to approve Order. No. 01-00007, levying fines on Intercoastal in the event that the requested information is not received within said time frame; and, amending page 2, with the wording "2. In the event that Intercoastal Utilities does not comply with the provisions hereof within the time specified in Paragraph ~~(2)~~ (1) hereof,"

(05/08/01 - 10 - 2:41 p.m.)

8. CONSIDER RESOLUTIONS IN SUPPORT OF FLORIDA INLAND NAVIGATION DISTRICT (FIND) GRANT APPLICATIONS

Georgia Katz, Waterfronts Florida Community Project Manager, informed the Board of the grant applications and the waterfront projects (Nature Boardwalk and Fishing Pier Pavilion, two ongoing Vilano Beach Town Center projects). Burnett left the meeting.

(2:43 p.m.) Sacha Martin, 133 Coastal Hollow Circle, St. Augustine, spoke in favor of the FIND grant. Discussion followed on the grants and the projects.

(2:53 p.m.) Motion by Reardon, seconded by Bryant, carried 5/0, to approve Resolution No. 2001-94 and Resolution No. 2001-95, in support of the two FIND grant applications, and direct the County Commission Chair to execute said resolutions.

RESOLUTION NO. 2001-94

VILANO INTRACOASTAL WATERWAY FISHING PIER IMPROVEMENTS; ATTACHMENT E-6; RESOLUTION FOR ASSISTANCE UNDER THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM

RESOLUTION NO. 2001-95

INTRACOASTAL NATURE GREENWAY BOARDWALK IMPROVEMENT; ATTACHMENT E-6; RESOLUTION FOR ASSISTANCE UNDER THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM

(05/08/01 - 11 - 2:56 p.m.)

9. REQUESTS BY ST. JOHNS HOUSING PARTNERSHIP TO WAIVE FEES FOR APPLICATIONS FOR PUD REZONING REQUEST AND DESIGNATION OF A ST. JOHNS COUNTY LANDMARK

Teresa Bishop, Planning Director, made presentation of this item to the Board. Bill Lazar, Executive Director for the St. Johns Housing Partnership, explained what they were attempting to do. Discussion was held on the request.

(2:59 p.m.) Motion by Reardon, seconded by Bryant, carried 5/0, to approve the waiver of a Planned Unit Development Rezoning Application Fee for the St. Johns Housing Partnership, and that it is in the best interests of the County, and that it will serve a public purpose.

Motion by Reardon, seconded by Bryant, carried 5/0, to approve the waiver of a Historic Resource Review Board Landmark Designation Application Fee for the St. Johns Housing Partnership, and it is also in the best interests of the County, and it will serve a public purpose.

(05/08/01 - 11 - 3:00 p.m.)

10. CONSIDER THE TRANSFER OF FUNDS FOR THE CLOSURE EXPENSE FOR THE TILLMAN RIDGE LANDFILL

Joe Vonasek, Director of Management and Budget, presented the request to transfer funds for payment of additional construction management services by the engineer. **Motion by Reardon, seconded by Bryant, carried 5/0, to approve the transfer of \$40,997 from 4400-59923 (Solid Waste Construction - Reserve) to 4400-54611 (Solid Waste Construction - Engineering Services).**

The meeting recessed at 3:05 p.m. and reconvened at 3:10 p.m.

(05/08/01 - 11 - 3:11 p.m.)

11. CONSIDER A JOINT RESOLUTION BETWEEN THE ST. JOHNS COUNTY COMMISSION AND THE SCHOOL BOARD ESTABLISHING A GENERAL PROCEDURE FOR ACCOMPLISHING REDISTRICTING

Daniel Bosanko, Deputy County Attorney, presented the proposed resolution to the Board. Brief discussion was held on the issue. **Motion by Jacalone, seconded by Reardon, carried 5/0, to adopt Resolution No. 2001-96.**

RESOLUTION NO. 2001-96

A JOINT RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA AND THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING A GENERAL PROCEDURE, GOALS AND STANDARDS FOR ACCOMPLISHING REDETERMINATION OF MEMBERS DISTRICT BOUNDARIES FOR BOTH SAID BOARDS

(05/08/01 - 12 - 3:14 p.m.)

12. CONSIDER A RESOLUTION DECLARING A CERTAIN COUNTY OWNED PROPERTY AS SURPLUS AND AUTHORIZING THE SALE TO THE ONLY ADJOINING LANDOWNER

Mary Ann Blount, Real Estate Manager, presented this issue to the Board for their consideration, advising that Tidewater Timber Corporation, as the only owner of a parcel of land adjoining a half-acre of County-owned land located off of Collier Road, had requested this parcel be declared surplus and had offered to purchase the parcel from the County at its current value (\$1,000.00). **Motion by Jacalone, seconded by Meiszer, carried 5/0, to adopt Resolution No. 2001-97.**

RESOLUTION NO. 2001-97

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING A CERTAIN COUNTY OWNED PROPERTY AS SURPLUS AND AUTHORIZING THE SALE TO THE ONLY ADJOINING LANDOWNER

(05/08/01 - 12 - 3:16 p.m.)

- 12a. MOTION TO RECOMMEND THE EXECUTION OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY AND FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION/ANASTASIA STATE RECREATION AREA TO PROVIDE LIFEGUARD SERVICES TO THE ANASTASIA STATE RECREATION AREA (*This item was pulled from the Consent Agenda, Item #13.*)

Meiszer reiterated that if the lifeguard service was as stretched as they had been told it was, and if there was so much of a beach area to take care of, etcetera; therefore, it made no sense to him to take on more area. Discussion followed, with Dan Weimer, Parks & Recreation, recommending execution of the agreement.

Motion by Jacalone, seconded by Bryant, carried 4/1 with Meiszer dissenting, to recommend execution of an agreement between St. Johns County and Florida Department of Environmental Protection/Anastasia State Recreation Area to provide Lifeguard Services to the Anastasia State Recreation Area.

(05/08/01 - 12- 3:19 p.m.)

COMMISSIONERS' REPORTS

Commissioner Bryant:

Bryant informed everyone that the Lutheran Services Food Bank was open for business.

Bryant stated that a package of Summer and Fall events would be announced later by Ed Dalrymple per yesterday's Amphitheater Board meeting.

Commissioner Reardon:

No report.

Commissioner Kohnke:

(3:20 p.m.) Kohnke read a letter from the Homeowners Utility Incorporated, St. Augustine, on behalf of the residents of Porpoise Point, thanking County Staff for a job well done on their drainage project.

Kohnke included a request, in her request for Staff to look up concurrency, if they could reserve capacity for County buildings for the future.

Kohnke spoke on possible road solutions that were being worked on.

Commissioner Jacalone:

(3:25 p.m.) Jacalone spoke on concurrency requirements and alternative ways for the County to meet concurrency requirements and change of land use notice requirements.

Jacalone spoke on beach safety and perils of the Atlantic Ocean and personal responsibility.

Commissioner Reardon expressed confidence in Staff on their plans to upgrade the lifeguard facilities.

Commissioner Meiszer:

(3:35 p.m.) Meiszer spoke on beach safety and the lifeguards situation.

Meiszer commented that the County's projects should not be exempt from concurrency.

Meiszer addressed the issue of Lewis Speedway between US 1 and SR 16 and San Sebastian School and the fact that there are no sidewalks or crosswalks, and requested that Staff be directed to look into a crosswalk in front of the school.

(3:40 p.m.) Kohnke spoke on the possibility of talking to the City, when they approve developments, they require sidewalks be put in.

Kohnke stated she and Staff had met with the sanitation people and attempts had been made to deal with garbage cans on Roscoe Boulevard.

(3:42 p.m.) Kohnke advised everyone of the moneys the County was in line for from the State on the legislative budget.

(05/08/01 - 13 - 3:44 p.m.)

COUNTY ATTORNEY'S REPORT

No report was given.

(05/08/01 - 13 - 3:44 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams request Joe Vonasek report on the City issue with the Galimore Center. Vonasek informed them that the County was seeking payment from the City for having the pool resurfaced.

Adams requested Dan Weimer to give a brief update on Skate Park. Weimer stated the Skate Park was near completion and there were a lot of people wanting to use the facility. Enforcement of rules and regulations, wearing of helmets, and volunteers/paid supervision were discussed.

Adams stated the speed signs were up on Roscoe and No Through Truck signs were also up.

(05/08/01 - 14 - 4:03 p.m.)
CLERK OF COURT'S REPORT

No report was given.

(4:03 p.m.) **Motion by Reardon, seconded by Bryant, carried 5/0, to adjourn.** There being no further business to come before the Board, the meeting adjourned at 4:03 p.m.

REPORTS:

1. St. Johns Board of County Commissioners Check Register, dated 05/01/01, Check Number 303248, totaling \$215.00
2. St. Johns Board of County Commissioners Check Register, dated 05/03/01, Check Number 303249 through 303510, totaling \$2,529,966.21
3. St. Johns Board of County Commissioners Check Register, dated 05/03/01, Check Number 303511 through 303527, totaling \$30,055.90
4. St. Johns County, Florida, Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2000

Approved: June 12, 2001

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Marc Jacalone, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____
Deputy Clerk