

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
DECEMBER 28, 2001
(10:00 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: Marc Jacalone, District 3, Chair
 Nicholas Meiszer, District 1
 John Reardon, District 2
 Mary Kohnke, District 4
 Ben W. Adams, Jr., County Administrator
 Daniel Bosanko, Deputy County Attorney
 Judy Hamilton, Deputy Clerk

Commissioner James E. Bryant, District 5, Vice Chair, was absent.

Also present: Allen MacDonald, Clerk's Office, Finance Director

(12/28/01 - 1 - 10:03 a.m.)

The meeting was called to order by Chair Jacalone.

(12/28/01 - 1 - 10:03 a.m.)

The Invocation was given by Jacalone. The Pledge of Allegiance was led by Meiszer.

(12/28/01 - 1 - 10:04 a.m.)

ADDITIONS/DELETIONS TO THE SPECIAL MEETING AGENDA

Adams requested to add Item #2, Golf Course Funding.

(12/28/01 - 1 - 10:04 a.m.)

APPROVAL OF SPECIAL MEETING AGENDA

Motion by Reardon, seconded by Jacalone, carried 4/0, with Bryant absent, to approve the special meeting agenda, as amended.

(12/28/01 - 1 - 10:05 a.m.)

1.a APPROVAL OF THE CASH REQUIREMENT REPORT.

Motion by Reardon, seconded by Kohnke/Meiszer, carried 4/0, with Bryant absent, to approve the Cash Requirement Report.

(12/28/01 - 1 - 10:05 a.m.)

1. PUBLIC HEARING - NORTHWEST SECTOR COMPREHENSIVE PLAN AMENDMENT AND REZONING MORATORIUM. ST. JOHNS COUNTY HAS COMPLETED A NORTHWEST SECTOR STUDY FOR A PORTION OF ST. JOHNS COUNTY. THIS STUDY IS BEING USED TO ESTABLISH A NORTHWEST SECTOR PLAN FOR THE AREA OF THE COUNTY LYING SOUTH OF THE DUVAL COUNTY LINE, WEST OF I-95, EAST OF THE ST. JOHNS RIVER AND NORTH OF SR16/CR 208 (THE "NORTHWEST SECTOR STUDY AREA"). THE ORIGIN OF THIS STUDY WAS AN AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND ST. JOHNS COUNTY FOR A

VARIANCE FROM RULE 14-94, F.A.C. THAT ALLOWED A CHANGE IN THE LEVEL OF SERVICE STANDARD ON INTERSTATE 95. AS CONDITIONS OF THE RULE VARIANCE, ST. JOHNS COUNTY AGREED TO PERFORM SEVERAL TASKS AND UNDERTAKE SEVERAL STUDIES, ONE OF WHICH IS THE ESTABLISHMENT OF A NORTHWEST SECTOR PLAN. FURTHER, THE RULE VARIANCE REQUIRES THAT THE NORTHWEST SECTOR PLAN ADDRESS FUTURE LAND USE, PROTECTION OF NATURAL RESOURCES, PUBLIC FACILITIES, URBAN DESIGN AND OTHER MATTERS NECESSARY TO BE CONSISTENT WITH THE REQUIREMENTS OF CHAPTER 163, PART II, F.S. IN ADDITION, THE RULE VARIANCE ESTABLISHED REQUIREMENTS FOR OTHER COMPREHENSIVE PLAN AMENDMENTS TO INCORPORATE IN THE CAPITAL IMPROVEMENTS ELEMENT FUNDING FOR A FUTURE NORTH/SOUTH ARTERIAL ROAD. THE RULE VARIANCE REQUIRED THAT BY DECEMBER 31, 2001, ST. JOHNS COUNTY MUST AMEND ITS COMPREHENSIVE PLAN TO ESTABLISH THE NORTHWEST SECTOR PLAN. 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, IT IS NECESSARY THAT THE COUNTY IMPOSE THE FOLLOWING DESCRIBED MORATORIUM ON LAND USE AND ZONING CHANGES IN THE NORTHWEST SECTOR STUDY AREA. ENACTMENT OF THIS MORATORIUM ORDINANCE IS INTENDED TO "CLOSE THE GAP" BETWEEN THE PRESENT NORTHWEST SECTOR MORATORIUM (ORDINANCE 2000-47) AND THAT TO BE CONSIDERED ON JANUARY 8, 2002. IF ENACTED, IT SHOULD BE IN EFFECT AS OF DECEMBER 31, 2001

Proof of publication of notice of public hearing in the matter of Northwest Sector Study Area, St. Johns County Board of County Commissioners, was received, having been published in *The St. Augustine Record* on December 18, 2001.

Daniel Bosanko, Deputy County Attorney, presented this item to the Board for its consideration. He explained this a one hearing type procedure, which would go into effect as soon as it was enacted by the Board and delivered to Tallahassee. It would be a close the gap type ordinance, which would cover from the time it reached Tallahassee until the other moratorium would go into effect, which would be about January 9, 2002. This ordinance would overlap the other moratorium ordinance, until February 8, 2002. The original moratorium expires on December 31, 2001. Discussion followed on moratoriums.

Public comment was received. (10:16 a.m.) John Metcalf, 1104 Mill Creek Drive, spoke on the Oak Harbor project and requested reconsideration on their request for variance if there was possible extension of the moratorium beyond February 8, 2002. Staff had no opposing point of view with this request. (10:22 a.m.) Dale Fletcher, 1757 Bishop Estates Road, spoke on relocating the Staff workshop meeting scheduled for January 7, 2002. Road signs would be placed and directions were published in advertisements of the meeting for Trout Creek Park. The meeting will be noticed on G-TV. Adams stated there would be law enforcement officials present. (10:33 a.m.) Ed Brunson, 3058 Prescott, Jacksonville, representing South Star Development Partners, commented that any additional meetings the Board may have might cause some challenges in pushing out the approval of the Northwest Sector Plan, and stated that was their only objection to any additional meetings.

(11:34 a.m.) **Motion by Reardon, seconded by Kohnke, carried 4/0 with Bryant absent, to enact Ordinance No. 2001-77.**

ORDINANCE NO. 2001-77

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

(12/28/01 - 3 - 10:34 a.m.)

2. GOLF COURSE FUND BALANCE

Joe Vonasek, Director of Office of Management and Budget, presented this item to the Board for their consideration. (10:38 a.m.) **Motion by Meiszer, seconded by Kohnke, carried 4/0 with Bryant absent, to approve the transfer of \$270,000 from the General Fund Reserve to the Golf Course Fund as a loan to be repaid at the end of Fiscal 2003.** (10:39 a.m.) Jacalone requested that the Board get a quarterly report on the St. Johns County Golf Course from Staff. MacDonald stated an interest rate needed to be designated. Staff recommended 4%. (10:43 a.m.) **Motion by Kohnke, seconded by Meiszer, carried 4/0 with Bryant absent, that the interest rate be 4%.** Staff was directed that in the future that requests be brought forward in their entirety.

(10:44 a.m.) **It was moved and seconded, carried 4/0, to adjourn the meeting.**

REPORTS:

- 1. St. Johns Board of County Commissioners Check Register, dated 12/21/01, Check #313255 through #313427, totaling \$380,464.36

Approved _____ January 15 _____, 2002

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Marc A. Jacalone, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____
Deputy Clerk