

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
FEBRUARY 25, 2003
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: James E. Bryant, District 5, Chair
Karen Stern, District 2, Vice Chair
Nicholas Meiszer, District 1
Marc Jacalone, District 3
Bruce Maguire, District 4
Ben Adams, County Administrator
Daniel Bosanko, County Attorney
Cecelia Aldrich, Deputy Clerk

Also Present: Cheryl Strickland, Clerk of Courts
Allen Mac Donald, Finance Director

(02/25/03 - 1 - 9:08 a.m.)
Chair Bryant called the meeting to order.

(02/25/03 - 1 - 9:08 a.m.)
The Invocation was given by Meiszer and the Pledge of Allegiance was led by Stern.

(02/25/03 - 1 - 9:08 a.m.)
ROLL CALL

Bryant stated that all five Commissioners were present.

(02/25/03 - 1 - 9:09 a.m.)
PUBLIC COMMENT

Janie Coleman, Waste Management, 6501 Greenland Road, Jacksonville, stated that she had done some research after submitting information to the Board at its' prior meeting. She said it would be very difficult to enforce asking vendors to cease signing up customers until the non-exclusive franchise is issued to all vendors. Subsequently, she asked the Board to allow vendors to proceed with trying to secure commercial customers in St. Johns County. (9:12 a.m.) Jacalone said he agreed with Ms. Coleman and stated that it is assumed that the whole County will be a non-exclusive franchise area. He said he did not have a problem with the haulers going out now. (9:13 a.m.) Bosanko stated that he would get back to the Board if any action would be warranted regarding the matter.

(02/25/03 - 1 - 9:14 a.m.)
DELETIONS TO CONSENT AGENDA

Adams reported that there was an additional item for the Cash Report. It was decided to pull the Cash Report from the Consent Agenda and add the check request to the Regular Agenda as Item A1.

(9:15 a.m.) Bosanko requested that Items 8 and 9 be pulled from the Consent Agenda and rescheduled to a later date.

(02/25/03 - 2 - 9:15 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Jacalone, seconded by Stern, carried 5/0, to approve the Consent Agenda, as amended, including the changes from the Administrator and the County Attorney.

1. Approval of the Cash Requirement Report

(Pulled to Regular Agenda for the addition of a check, as Item A1)

2. Approval of Minutes:
2/13/03 – Regular BCC Meeting
3. Motion to adopt **Resolution No. 2003-33**, urging the Florida Legislature to fully fund the Department of Environmental Protection’s Beach Control Protection Priority List for FY 03-04 for \$30 million

RESOLUTION NO. 2003-33

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, URGING THE FLORIDA LEGISLATURE TO FULLY FUND THE DEP BEACH PROTECTION CONTROL PROJECT PRIORITY LIST FOR FY 03-04 FOR \$30 MILLION, AS PROVIDED FOR IN CHAPTERS 161 AND 201, FLORIDA STATUTES

4. Motion to transfer \$20,000 from the Category III TDC fund (1146-59100) to fund 1146-53717, to closeout consultant services for the Beach Restoration Project
5. Motion to adopt **Resolution No. 2003-34**, recognizing unanticipated grant revenue in the amount of \$42,669.69, and increasing the expenditure budget by the same amount of Category III TDC Funds for monitoring for beach restoration

RESOLUTION NO. 2003-34

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2003 TDC CATEGORY III BUDGET TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY RECREATION AND PARKS DEPARTMENT

6. Motion to adopt **Resolution No. 2003-35**, approving the terms of a Purchase and Sale Agreement for the acquisition of property for the construction of the Holmes Boulevard Extension

RESOLUTION NO. 2003-35

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF A PURCHASE AND SALE

**AGREEMENT FOR THE ACQUISITION OF PROPERTY
NECESSARY FOR THE CONSTRUCTION OF THE
HOLMES BOULEVARD EXTENSION**

7. Motion to adopt **Resolution No. 2003-36**, approving a final plat for Riverside at Burlington Creek Plantation, Phase I

RESOLUTION NO. 2003-36

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR RIVERSIDE
AT JULINGTON CREEK PLANTATION, PHASE 1**

8. Motion to adopt a Resolution approving a final plat for Greenfield

(This item was pulled from the Consent Agenda.)

9. Motion to adopt a Resolution approving a final plat for Stone Hurst Plantation, Unit One-B

(This item was pulled from the Consent Agenda.)

10. Motion to allow the County Administrator, or his designee, to enter into a contract with Bill Williams Air Conditioning & Heating, Inc., the low bidder, for Bid No. 03-48 for hot water boilers for the St. Johns County Health & Human Services Center

11. Motion to approve **Resolution No. 2003-37**, authorizing the County Administrator to execute agreements with volunteer firefighters' organizations for the donation and transfer of equipment and vehicles to St. Johns County Fire Rescue Department and providing for use of communications equipment

RESOLUTION NO. 2003-37

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR TO
EXECUTE AGREEMENTS WITH VOLUNTEER
FIREFIGHTERS' ORGANIZATIONS FOR THE
DONATION AND TRANSFER OF EQUIPMENT AND
VEHICLES TO ST. JOHNS COUNTY FIRE RESCUE
DEPARTMENT AND PROVIDING FOR USE OF
COMMUNICATIONS EQUIPMENT, AND PROVIDING
AN EFFECTIVE DATE**

12. Motion to authorize the County Administrator to execute the Project Agreement with the DEP/OGT for the Recreational Trails Program project at Southeast Intracoastal Waterway Park, and to authorize the Recreation and Parks Department to administer this project

13. Motion to authorize the County Administrator to execute the Grant Agreement with the FFWCC for the "Reef Ball Project," and to authorize the Recreation and Parks Department to administer this project

(02/25/03 - 4 - 9:15 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Bryant stated that Items 5 and 6 would be reversed. Adams requested that Item 7 be pulled and rescheduled in March.

(9:16 a.m.) Hunt entered the meeting.

(02/25/03 - 4 - 9:17 a.m.)

APPROVAL OF REGULAR AGENDA

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

(02/25/03 - 4 - 9:17 a.m.)

A1. OPERATING CASH FOR BEACH TOLL BOOTHS

Joe Vonasek, Director, Office of Management and Budget, explained that the beach toll booths would be opening on March 1st and a check was needed to fund the cash drawers.

(9:17 a.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to approve adding the request for a check for \$2,600.00 by the Beach Department, to the Cash Report.**

Motion by Jacalone, seconded by Stern, carried 5/0, to approve the Cash Requirement Report.

(02/25/03 - 4 - 9:18 a.m.)

1. CONSIDER RECOMMENDATIONS REGARDING THE INCREASE IN ANNUAL BOND ADMINISTRATION FEES

Allen MacDonald, County Finance Director, explained the rate increases by the administrators of the County's refunded bond issues and requested the Board's direction on proceeding. (9:20 a.m.) Maguire asked for definition of "advanced refunded bond issues." MacDonald responded that when the interest rates come down, the County borrows funds to build certain interest rates that are paid on the bonds. He said as those rates come down, it becomes advantageous to sell new bonds, escrow those dollars and refund the other bonds. MacDonald stated that an interest savings is then he realized and compared it to refinancing a house. (9:21 a.m.) Maguire asked what the current total cost is to the County for that service. MacDonald said last year's cost was approximately \$21,000 for all issues. MacDonald said that PFM financial advisors indicated there are other agencies that would be willing to bid on these services. (9:23 a.m.) Bosanko expressed concern about the current contracts being cancelled if the County went out to bid on these services. (9:24 a.m.) MacDonald said his recommendation would be to hold them to the current contract, which states that the fee can be raised, if it is mutually agreed upon. He noted that, in the past he simply did not agree, and the banks backed down. He noted that one of the banks had recently bid considerably less. MacDonald suggested he notify the banks that these fees are not reasonable and give them 30-days notice that the County intends to ask PFM to re-bid these services. (9:27 a.m.) Meiszer noted that they [the banks] are already in breach of contract. (9:28 a.m.) **Motion by Meiszer, seconded by Stern, carried 5/0, to take alternative #3, to ask PFM to assist the County in re-bidding and possibly restructuring these services as recommended by the Finance Director.** Jacalone referred to a letter from Wachovia and expressed concern about their information being outdated, as well as, the percentage increase they used being confusing. Jacalone

reiterated that there is currently an agreement that doesn't allow for fees to be changed unless it is mutually agreed. (9:31 a.m.) MacDonald indicated that PFM suggested another alternative to preclude this from occurring again. He said the County could bid the services in present value, for the life of the bond, and pay one upfront fee. MacDonald said he thinks there are funds available to make a one-time payment and it is likely to be at a lower rate. (9:33 a.m.) Jacalone agreed that would be good to look into. (9:34 a.m.) Stern agreed and asked that PFM bring back both options. (9:34 a.m.) Bryant commented that the companies should be notified that the County is not going to pay the higher rate. Bosanko agreed and queried the cancellation dates of the current contracts and what length of time would be involved in re-bidding. (9:35 a.m.) MacDonald said he thought it could be done within the 30 days. (9:35) Meiszer explained the mechanics of an upfront payment. (9:36 a.m.) MacDonald said he would get it both ways and look at each issue individually. Bryant called the vote at 9:38 a.m.

(02/25/03 - 5 - 9:39 a.m.)

2. CONSIDER A REQUEST TO AUTHORIZE A CONDITIONAL USE PERMIT TO THE BMX ORGANIZATION FOR THE OPERATION OF A BICYCLE TRACK AT THE TILLMAN RIDGE LANDFILL

Daniel Weimer, Director of Recreation and Parks, explained the request and commented on the BMX group being a very well run organization. He then turned the presentation over to Frank Kenton, Administrative Manager for the County's Utility Department and President of the St. Augustine BMX Association. (9:40 a.m.) Jacalone said he supported this and asked that when applicants come before the Board, materials related to the item be submitted in advance so there is ample opportunity for review. Kenton explained what BMX is about while providing a visual presentation. He noted that the age range of riders is from three to seventy-three years old. He gave a general explanation of the sport and reviewed the organization from the local to the state level. He reported on the procedures for licensing and certification and noted that all appropriate steps are being taken, including their Certificate of Insurance. He noted that the St. Augustine BMX Association is working towards a 501(c)(3) status. Kenton talked about fundraising and the number of riders who typically attend various events. He submitted a packet of information (Exhibit A) which includes: a copy of BMX Today (trade magazine), a copy of the State corporation document, a data sheet including cost estimates for constructing a track, and a copy of the Certificate of Insurance. (9:46 a.m.) Bryant expressed his gratitude and said when the landfill was closed, the intent was to make it available to County residents for activities such as this. (9:46 a.m.) Stern commented that it looked like fun and asked about the number of riders in St. Johns County. Kenton said there are probably 25 to 30 licensed riders with the National Bicycle League. He also noted that the license provides insurance as well. (9:48 a.m.) Jacalone expressed appreciation that there wasn't a request for money and agreed that there would be good opportunity for fundraising. (9:50 a.m.) Maguire commented on the fundraising and asked about parking availability. Kenton said there are 55 acres and they're asking for seven to ten acres for overflow parking. (9:52 a.m.) Meiszer asked how many of these facilities in the state are operated by local governments. Kenton said the majority are operated on, or in, city parks by not-for-profit local parent groups. In response to a question by Meiszer, Kenton said if funding was in place, the operation could be up and running in 60 to 90 days, and they hope to start construction by October. Kenton explained that the track would be open only to licensed operators and for planned activities. (9:55 a.m.) **Motion by Stern, seconded by Maguire, carried 5/0, to authorize a Conditional Use Permit to the BMX Organization for the operation of a bicycle track at the Tillman Ridge Landfill.**

(02/25/03 - 6 - 9:56 a.m.)

3. CONSIDER A REQUEST FOR TRANSFER OF A ROAD IMPACT FEE CREDIT

Teresa Bishop, Planning Director, explained that the County purchased property that would have been used as a commercial park, thus the reason for the request for a transfer of an impact fee payment. (9:57 a.m.) Jacalone said that this was a straightforward request. **Motion by Jacalone, seconded by Stern, carried 5/0, to authorize a transfer of the 210 Commercial Center road impact fee credit in the amount of \$6,817.00 to the Watermark Plaza PUD.** (9:58 a.m.) Maguire asked why the request had to come before the Board. Bosanko and Bishop explained that any transfer of impact fees, or impact fee credits, must be approved by the Board. Bosanko added that traditionally the transfer of impact fees has been discouraged and that BCC approval is mandated by County Ordinance. Discussion followed regarding monies being used for specific projects. It was noted that road impact fees can be transferred, within the same district, with permission of the BCC. It was also noted that this rarely happens, and therefore it is not necessary to change the policy.

(02/25/03 - 6 - 10:06 a.m.)

4. REQUEST FOR FREE USE OF THE ST. JOHNS COUNTY CONVENTION CENTER

Dena Masters, Office Manager, Tourist Development Council, reviewed the request for use of space at the Convention Center. She explained that the date of the request was changed to Thursday, May 29, 2003. (10:06 a.m.) Jacalone noted that normally the Board likes to hear from the applicant, though the Board is familiar with this annual event. He noted this year's topic is on terrorism (Exhibit A). **Motion by Jacalone, seconded by Stern, carried 5/0, to grant free use of the County Convention Center to host the Sixth Annual Regional Summit on Thursday, May 29, 2003.** (10:07 a.m.) Meiszer asked about designation of space as it relates to the size of a group and suggested that the amount of space requested be defined. (10:09 a.m.) Masters said that in the future she would include the amount of space being requested. (10:10 a.m.) Adams noted that the County has never used its' allowed 14 free days in a year.

(10:15 a.m.) Bryant called a five-minute recess and the meeting reconvened at 10:24 a.m.

(Item 6 was heard before Item 5.)

(02/25/03 - 6 - 11:37 a.m.)

5. PRESENTATION OUTLINING THE FIVE-YEAR PERMIT COMPLIANCE PROCESS THAT THE COUNTY WILL ENTER INTO BY SUBMITTING AN APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PHASE II PERMIT

Joe Stephenson, Public Works Director, stated that, for the past year, Staff has had a consultant under contract to study a requirement of the Federal government related to the National Pollutant Discharge Elimination System (NPDES). He noted that there is a relationship between the countywide storm water MSBU and the NPDES, but this project has not focused on that. He explained that this project focused on meeting the requirements to get the permit for the NPDES, as is required by the Federal government. He introduced the individuals present who would provide information and background on the project. (11:40 a.m.) Julia Palaschak, Environmental Scientist with Berryman & Henigar, Inc., gave the Board an overview of its' responsibilities under the Clean Water Act. She commented that Young's presentation was very good and she could see many relationships between what is being done and the NPDES

permit program, which will further reduce pollutants in surface waters. Palaschak talked about types of pollutants and their sources of entry. She said there is a deadline of March 10, 2003 for the permit, but the County would have five years to implement the requirements. She gave a brief overview of the NPDES Stormwater Program and explained that stormwater does not go to a treatment plant to be processed and have the pollutants removed. She said that it is required by law and that the purpose is to operate a Municipal Separate Storm Sewer System (MS4) for the runoff from ditches and pipes that collect water from the roadways. She commented that the County is well prepared in moving forward in these efforts. She reviewed the areas, on the map, which the County is responsible for in relation to implementing the Stormwater Management Program (SWMP). She said DEP would expect the following six minimum measures: Public Education & Outreach, Public Participation & Involvement, Illicit Discharge Detection & Elimination, Construction Site Runoff Control, Post-Construction Runoff Control, and Pollution Prevention & Good Housekeeping. She advised the Board what the County should be looking for as possible sources of pollution, as well as, what it will need to do in order to meet these requirements. Palaschak made some suggestions on how to fund the program. (11:59 a.m.) Meiszer commented that the erosion control barriers around construction sites appear to be totally ineffective and asked who enforces the proper standards. (12:03 p.m.) Following discussion, Gordon England, Berryman & Henigar, Inc., stated that the program does not get specific about this issue, and he indicated that the County would be responsible for developing the proper program and procedures.

(Item 6 was heard before Item 5.)

(02/25/03 - 7 - 10:24 a.m.)

6. UPDATE ON THE UTILITIES DEPARTMENT AND ITS' CAPITAL IMPROVEMENT PROGRAM

Bill Young, Director of Utilities, gave a brief history of the utility service area and indicated the increase in service area on the map. He reviewed the results of the study done in 1999, as well as, other efforts that have been undertaken, to date, to improve the utilities and customer service. His presentation expanded on four fundamental principles: Customer Service Commitment, Environmental Stewardship, Inter-departmental Coordination/Cooperation, and Financial Strength. He talked about the strength in employees and the commitment to improve services and communications, both with employees and customers. Young submitted material regarding the key findings of the Peer Review Team, a summary of capital improvements, and recommendations from Hartman & Associates (Exhibit A). He said they were going to start a newsletter for customers, as well as, put together an annual report for the Board. Young read the Utility Department's Mission Statement. He reviewed the Organizational Chart and detailed the duties of several key positions. Young also reported on the water and wastewater plants' capacities, as well as, water reuse. He reviewed the monthly water consumption by customers and the current rates. Young noted that there is no degradation to the river by the wastewater lines from the City to the barrier island. He talked about plant security, customer growth and interdepartmental cooperation. Young reviewed the proposed Capital Improvement Plan. He expressed his pleasure with the installation of a new vacuum sewer system near the ocean and he noted that it is much less intrusive than a gravity system would have been. Young talked about the advanced technology being used to monitor the entire system. He stated that the system operates in 'real time,' which shows tank levels, pressures, etc. He gave a demonstration of the monitoring capabilities and noted that pressures at various locations can be changed via computer. Young reviewed the healthy financial state of the utility, which enabled a rate reduction. He noted that customer growth has been averaging 4.4% annually. He also stated that the Utility

Department is working on offering electronic fund transfers and now accepts credit card payments. A few other improvements include: replacement of galvanized lines, converting to automated meter reading, and improving upon interdepartmental coordination. Young acknowledged that there are some significant future needs and noted that there is a large capital cost associated with membrane plants. He reviewed the proposed capital improvements for the next few years, including new and renovated lift stations. He talked about the major projects: water mains, sewer mains, lift stations, relocation of the administrative offices, 214 WTP design, and meter replacement. In regard to the water supply, Young said it would be preferred to convert from shallow wells to the membrane technology and reverse osmosis. He said it's time for the administrative offices to move closer to the customer service area and other County government. (11:15 a.m.) Jacalone pointed out that the Utility Department is out of room in its' current location. Young said the funding requirements should be able to be achieved with the current financial plan. (11:19 a.m.) In response to a question on the flow to the island, Neal Shinkre, Utility Engineer, said there should be about an extra half million gallons of capacity or, 10 years. (11:20 a.m.) Bryant expressed concern regarding the future possibility of the County being mandated to retrofit all the neighborhoods on the island. Discussion followed about retrofitting and the cost to do it. (11:25 a.m.) The Commissioners congratulated Young on the presentation and expressed their pleasure with the Staff, its' commitment to customer service and the technological advances that have been instituted. (11:25 a.m.) Cheryl Strickland left the meeting. (11:29 a.m.) Meiszer talked about pumping waste to the treatment plant at the beach and suggested it should be the reverse. He indicated he was not in favor of expanding the treatment plant at beach, and said a solution could be to install the sanitary sewer system, do the retrofitting, treat what can be treated at the beach and pipe the rest to the mainland. Meiszer agreed with moving the administrative offices closer to the County offices. (11:32 a.m.) Kirby Green, Executive Director, St. Johns County Water Management District, introduced himself, commented that the community is providing for smart growth and offered the District's continued support.

(02/25/03 - 8 - 9:16 a.m.)

7. CONSIDER APPOINTMENT TO THE PONTE VEDRA ZONING & ADJUSTMENTS BOARD

(Item 7 was pulled and will be heard at a later date.)

(12:05 p.m.) Jacalone left the meeting.

(02/25/03 - 8 - 12:05 p.m.)

8. CONSIDER AN APPOINTMENT TO THE ADJUSTMENTS AND APPEALS BOARD

Patsy Heiss, Assistant to the County Administrator, reviewed the policy and reported on the appointments that were in need of being filled.

(12:06 p.m.) Motion by Stern, seconded by Maguire, carried 4/0, with Jacalone absent, to move Heather Michael from the Alternate-Building Industry position to the regular member's seat on the Adjustments and Appeals Board for an initial four-year term, scheduled to expire February 25, 2007.

(02/25/03 - 8 - 12:07 p.m.)

9. CONSIDER APPOINTMENTS TO THE CONTRACTORS REVIEW BOARD

Patsy Heiss, Assistant to the County Administrator, reviewed the candidates. Maguire asked about the terms, and Heiss explained there has been difficulty in filling the position that requires a Class II Sub-contractor's License.

(12:08 p.m.) Motion by Maguire, seconded by Stern, carried 4/0, with Jacalone absent, to reappoint George Robert Parker, Jr., to the Pool Contractor position on the Contractor's Review Board for a second four-year term, scheduled to expire February 25, 2007.

(12:09 p.m.) Motion by Stern, seconded by Maguire, carried 4/0, with Jacalone absent, to appoint Claude T. Abbott, to the Resident position on the Contractor's Review Board for an initial four-year term scheduled to expire February 25, 2007.

(12:09 p.m.) Meiszer asked why Item 7 was pulled. Heiss explained that the Ponte Vedra Zoning and Adjustment Board had not yet made a recommendation.

(12:10 p.m.) Bryant moved reports to the end of day, since Jacalone was not present, and the meeting recessed at 12:10 p.m. and reconvened at 1:42 p.m. with Bryant, Stern, Jacalone, Meiszer, Adams, Daniel Bosanko, County Attorney, and Yvonne King, Deputy Clerk present. Maguire was not yet present.

(02/25/03 - 9 - 1:42 p.m.)

10. PUBLIC HEARING - ST. JOHNS FOREST COMMUNITY DEVELOPMENT DISTRICT PETITION - THE TAYLOR WOODROW "ST. JOHNS FOREST PUD" WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 8, 2002 PURSUANT TO ORDINANCE 2002-56 AND COVERS APPROXIMATELY 435 ACRES OF LAND LOCATED WEST OFF INTERSTATE 95 AND RUSSELL SAMPSON ROAD AND NORTH OF C.R. 210 IN NORTHWEST ST. JOHNS COUNTY. THE PROJECT IS PLANNED FOR APPROXIMATELY 545 RESIDENTIAL UNITS AND 75,000 SQUARE FEET OF COMMERCIAL SPACE. ON NOVEMBER 22, 2002, TAYLOR WOODROW COMMUNITIES AT ST. JOHNS SUBMITTED A PETITION TO ESTABLISH THE ST. JOHNS FOREST COMMUNITY DEVELOPMENT DISTRICT (CDD). PURSUANT TO SECTION 5.06.00.D OF THE LAND DEVELOPMENT CODE, A CDD PROCESSING GROUP WAS CREATED ON DECEMBER 5, 2002, TO REVIEW THE CDD PETITION. THE PROPOSED CDD BOUNDARY IS COTERMINOUS WITH THE PROPERTY BOUNDARIES OF THE APPROVED PUD

Proofs of Publication for St. Johns Forest CDD was received, having been published in *The St. Augustine Record* on January 31, February 7, February 14, and February 21, 2003.

Sherrie Smith, Court Reporter, was present. Bruce Ford, Chief Planner, explained that the CDD would provide infrastructure improvements within the CDD, which includes the following: a master stormwater system, which will be owned by the District, once constructed; a central water and sewer system, which will be transferred to JEA once constructed; an entry road, which would be CDD-owned; improvements to C.R. 210 and Russell Sampson Road, and purchase and maintenance of preserved wetlands, which will be CDD-owned. Ford then reviewed the six statutory factors to be considered in making a determination to grant or deny the petition to expand the CDD.

(1:46 p.m.) Maguire entered the meeting.

Discussion followed regarding: the minimum size of CDDs, the developer including wetland sales as an expense to the CDD, and the permitting fees.

(2:12 p.m.) Cheryl Stuart, Hopping, Green, & Sams, 123 South Calhoun Street, Tallahassee, FL, submitted written testimony of Keith E. Bass, Ann Eppinger, Vince Dunn, and Rhonda Archer Moss. Keith Bass, Vince Dunn, and Rhonda Moss, were sworn in by the Court Reporter. (2:15 p.m.) Keith Bass, 8430 Enterprise Circle, Suite 100, Bradenton, FL, responded to questions by Stuart, regarding: his name, address, employment, his written testimony, proofs of publication, a letter from the St. Johns River Water Management District relating to CDDs and wetland maintenance, disclosure language, and the financing of the proposed wetlands. Bass and Stuart then entertained questions from the Board regarding: the purchase of the wetlands, the bonds, the CDD electing its own board, powers of CDDs, maintenance requirements of wetlands, enhancements made on the silviculture, and the average lot selling price. (2:53 p.m.) Ann Eppinger, 200 South Orange Avenue, Suite 1900, Orlando, FL, was sworn in by the Court Reporter; then, responded to questions by Stuart, regarding: her name, address, employment, her written testimony, and bond financing.

The meeting recessed at 3:04 p.m. and reconvened at 3:14 p.m.

(3:15 p.m.) Bass, Eppinger, and Stuart entertained further questions from the Board regarding the roadway improvements, the purchase of the wetlands, and the payoff of the bonds. (3:41 p.m.) Vince Dunn, 7950 Belfort Parkway, Suite 1600, Jacksonville, FL, responded to questions from Stuart regarding: his name; address; employment; his written testimony; and the costs related to planning, design, engineering, and permitting. (3:45 p.m.) Rhonda Mossing, 10300 N.W. 11th Manor, Coral Springs, FL, responded to questions of Stuart regarding: her name; address; employment; and her written testimony. (3:47 p.m.) Discussion followed regarding the six factors to be considered in making a determination on the petition to expand the existing CDD; the purchase of the wetlands, the costs for the engineering and permitting; and whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.

The meeting recessed at 3:52 p.m. and reconvened at 4:09 p.m.

(4:09 p.m.) Stuart offered to remove the language regarding the acquisition of the wetland areas by the CDD; the developer agreed not to sell the wetlands to the district. (4:14 p.m.) Bass agreed that the costs would not exceed anything other than the infrastructure and that other costs would not be added into that. (4:12 p.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to enact Ordinance No. 2003-12, approving the petition for the St. Johns Forest Community Development District; adopting the findings contained within the packet to support the motion; including the condition that was offered by the applicant that stated that the wetlands were not to be a part of the CDD expense and that the offer would be removed of a maximum cost associated with that purchase of \$1,456,500 for acquisition only; that cost would be removed; revised exhibits 8 & 9 to be submitted by the applicant that shows the removal of the wetland mitigation.**

ORDINANCE NO. 2003-12

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, ESTABLISHING THE ST. JOHNS COUNTY FOREST COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2002); NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE

DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

(02/25/03 - 11 - 4:14 p.m.)
COMMISSIONERS' REPORTS

Commissioner Meiszer:

Meiszer reported on his attendance at the 4th Annual Environmental Youth Congress at the Princess Place on Saturday, February 22, 2003.

(4:15 p.m.)
Commissioner Stern:

Stern informed the Board that on Friday, February 28, 2003, she would be attending the St. Johns River Restoration Working Group meeting in Jacksonville and she reported on a retreat she attended in Apalachicola.

(4:17 p.m.)
Commissioner Jacalone:

No report.

(4:17 p.m.)
Commissioner Maguire:

Maguire reported that he also attended the Youth Congress along with Commissioner Meiszer and requested some directional signs be placed in the County to the Veteran Organizations.

(4:18 p.m.)
Commissioner Bryant:

Bryant requested an update on St. Johns County applying for an MPO status. Clem provided an update. Discussion followed on the MPO status.

(02/25/03 - 11 - 4:28 p.m.)
COUNTY ADMINISTRATOR'S REPORT

Adams reported on the Fort Mose property was again available for purchase. The offering price has been greatly reduced from \$2.5 million.

Adams informed the Board of an agreement that has been signed regarding the remaining property along Holmes Blvd., and there will be a closing on that property. It will eventually be connected to S.R. 16 by the beginning of next year.

Adams reported of the many phone calls he has been receiving regarding the fire incidents in Rhode Island.

(02/25/03 - 12 - 4:29 p.m.)
COUNTY ATTORNEY'S REPORT

Hunt addressed some comments made by the public speaker, Ms. Coleman, during the Public Comment section of the meeting. Ms. Coleman, representing one of the solid waste companies, asked the Board of their concerns regarding solicitation of commercial solid waste pick up. He reported that he spoke with Ms. Coleman and informed her that from the County's perspective, from a legal standpoint, the County does not direct how two private businesses enter into an agreement between the two of them.

(02/25/03 - 12 - 4:31 p.m.)
CLERK OF COURT'S REPORT: No report.

Motion by Jacalone, seconded by Bryant, carried 5/0, to adjourn the meeting. There being no further business to come before the Board, the meeting adjourned at 4:31 p.m.

REPORTS:

1. St. Johns Board of County Commissioners Check Register, Check No. 330768 through 331131 totaling \$917,699.00 (2/18/03)
2. St. Johns Board of County Commissioners Check Register, Check No. 331132 through 331156 totaling \$44,871.31 (2/20/03)

CORRESPONDENCE:

1. Letter to Liz Cloud, Chief, Department of State, dated February 13, 2003, regarding the filing of Ordinance Nos. 2003-10 and 2003-11

Approved _____ March 11 _____, 2003

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: Cherise King
Deputy Clerk

