

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
AUGUST 26, 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 W. Adams, Jr., County Administrator
Daniel Bosanko, County Attorney
Lenora Newsome, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Courts, and Allen MacDonald, Finance Director

(08/26/03 - 1 - 9:03 a.m.)

The meeting was called to order by Chairman Bryant.

(08/26/03 - 1 - 9:03 a.m.)

The Invocation was given by Stern and the Pledge of Allegiance was led by Maguire.

(08/26/03 - 1 -9:04 a.m.)

ROLL CALL

Bryant stated that all five Commissioners were present.

(08/26/03 - 1 -9:04 a.m.)

SPECIAL RECOGNITION FOR GEORGE FLINT

Dick Martinelli, Chair of the Water and Sewer Authority, made the presentation, mentioning that George Flint was leaving as the Executive Director of the Water and Sewer Authority, and that he served in this position from 1997 through August 6, 2003. Flint accepted the plaque presented by Martinelli.

(08/26/03 - 1 - 9:09 a.m.)

PROCLAMATION DESIGNATING SEPTEMBER 13, 2003 AS PONTE VEDRA READS CROSS CREEK

Meiszer read the Proclamation and presented it to the Friends of the Library of Ponte Vedra Beach. Susan Drain and Neva Nelson accepted the Proclamation.

(08/26/03 - 1 - 9:13 a.m.)

ACCEPTANCE OF PROCLAMATION

Motion by Jacalone, seconded by Meiszer, carried 5/0, to accept the Proclamations that were previously read.

(08/26/03 - 2 - 9:14 a.m.)

PUBLIC COMMENT

Louise Thrower, 288 Orange Avenue, spoke on having a reality check regarding the MPO.

(9:18 a.m.) Mary O'Brien, 3530 Agricultural Center Drive, Advanced Disposal, gave a status report on the transition and current services being provided. Jacalone spoke on glass recycling and he asked Adams to place it on a future agenda. He also arranged the schedule for yard waste pickup and receiving complaints on all the yard waste not being picked up.

(08/26/03 - 2 - 9:27 a.m.)

DELETIONS TO CONSENT AGENDA

There were no deletions to the Consent Agenda.

(08/26/03 - 2 - 9:28 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Approval of Minutes:
08/01/03 - BCC Special Meeting
3. Motion to authorize the County Administrator, or his designee, to move \$5,000 from 1107-56301-7520-59920 to 1107-56301-7520-56301 to help cover the cost of a Tedder pre-stress boat ramp, approach way and 80' of retaining wall for the Doug Crane Boat Ramp replacement
4. Motion to adopt **Resolution No. 2003-159**, approving a Final Plat for North River Island

RESOLUTION NO. 2003-159

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR NORTH RIVER ISLAND

5. Motion to authorize the County Administrator to execute the Project Agreement for the Land and Water Conservation Fund improvements to Trout Creek Park
6. Motion to adopt **Resolution No. 2003-160**, accepting a Grant of Easement for the Community Development Block Grant Project

RESOLUTION NO. 2003-160

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF EASEMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT

7. Motion to adopt **Resolution No. 2003-161**, accepting Grants of Easement for installation of an outfall pipe from Roscoe Boulevard to the Intracoastal Waterway

RESOLUTION NO. 2003-161

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING GRANTS OF EASEMENT FOR INSTALLATION OF AN OUTFALL PIPE FROM ROSCOE BOULEVARD TO THE INTRACOASTAL WATERWAY

8. Proofs:
 - a. Proof, Notice of Public Hearing, St. Johns County Water and Sewer Authority, August 6, 2003 at 9:00 a.m.
 - b. Proof, Notice of Public Hearing, Petition to Vacate a Portion of the Plat of the Town of Elkton, August 19, 2003 at 1:30 p.m.
 - c. Proof, Public Notice, Applications for Special Masters, St. Johns County Value Adjustment Board
 - d. Proof, Notice of Meeting, Special Masters 2003, St. Johns County Value Adjustment Board, August 11, 2003 at 9:00 a.m.
 - e. Proof, Notice of Public Hearing, Ordinance, County Attorney & County Bonds, August 12, 2003 at 1:30 p.m.
 - f. Proof, Notice of Private Meeting, Attorney/Client Session, St. Johns County Board of County Commissioners, August 12, 2003 at 3:30 p.m.
 - g. Proof, Notice of Public Hearing, Intercoastal Utilities & JEA Bulk Water & Wastewater Service Agreement, August 26, 2003 at 9:00 a.m.

(08/26/03 - 3 - 9:28 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Bryant requested to add as Item A1, an Update on the FDOT Five-year Work Program.

(08/26/03 - 3 - 9:28 a.m.)

APPROVAL OF REGULAR AGENDA

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

(9:28 a.m.) Maguire mentioned that today was Kate Permuy's last day as a reporter for the Ponte Vedra Leader, and he thanked her for her coverage of the Commission Meetings

(08/26/03 - 3 - 9:29 a.m.)

A1. AN UPDATE ON THE FDOT FIVE-YEAR WORK PROGRAM

Lea Gabbay, 2250 Irene Street, Jacksonville, FDOT, gave an update on their five-year work program. She requested that the Board provide a priority list to them by October 1, 2003. She also requested that the Board provide the Enhanced Project List by September 1, 2003. Jacalone questioned who was working with the County on their list. (9:32 a.m.) Joe Stephenson, Public Works Director, responded that Larry Parks had been their primary contact and there were several other people who also assisted. Discussion followed on the bond issue and the work program priority list.

(08/26/03 - 4 - 9:35 a.m.)

1. PUBLIC HEARING - CONSIDER THE BULK WATER AND WASTEWATER SERVICE AGREEMENT BY AND BETWEEN INTERCOASTAL UTILITIES, INC. AND THE JACKSONVILLE ELECTRIC AUTHORITY (JEA), DATED APRIL 30, 2003

George Flint, Water and Sewer Authority, explained the wholesale agreement between JEA and Intercoastal Utilities that was presented in the packet. Maguire questioned when they were actually planning on having the lines in place. Flint replied that his understanding was that the construction would start immediately. (9:37 a.m.) **Motion by Maguire, seconded by Jacalone, to approve, without modification, the Bulk Water and Wastewater Agreement by and between Intercoastal Utilities, Inc. and JEA, dated April 30, 2003.**

(9:38 a.m.) Mike Vergo, 1238 Salt Creek Island Drive, Ponte Vedra, spoke in favor of the agreement.

(9:39 a.m.) Susan Rudd, 7950 Belfort Parkway, Suite 1600, Jacksonville, the developer's engineer, stated that she was available for questions. **The motion carried 5/0.**

(08/26/03 - 4 -9:39 a.m.)

2. PRESENTATION ON THE NEW LEGAL AID FUNDING REQUIREMENT

Bosanko gave a background history on the new legal aid funding requirement. He relayed what he had learned this week regarding the legal aid service process and how it is handled here in St. Johns County. He spoke on the money for this program coming from numerous sources, one being from a fee collected at the courthouse, which will go away July, 2004. He stated that he was asked to ask the Board to take action to shift direction of fees from Putnam County to Duval County. The County Commission will be responsible for fees for legal services as of July 1, 2004. Bosanko requested permission to look into the shifting of the fees.

(9:46 a.m.) Pat Underwood, 1206 West Adams Street, Jacksonville Area Legal Aid, clarified how the decision was made regarding who would be providing services. The change over to the Jacksonville area legal aid is scheduled to take place on January 1, 2004, as well as the shifting of the court costs. Maguire questioned the direction of filing fees. Cheryl Strickland, Clerk of Courts, explained the restructuring under Article V. Discussion followed on the costs and who would determine them. (9:55 a.m.) Joe Vonasek, Director of Management and Budget, stated that one of the keys would be what the State Legislature defined in their next session and he explained. Maguire questioned being sued, and Bosanko addressed lawsuits and stated that he would follow the direction of the Board.

(10:04 a.m.) Ellen Whitmer, 1178 Natures Hammock Road S., spoke on retaining legal aid services within our county.

(08/26/03 - 4 -10:06 a.m.)

3. WORKSHOP FOR OPEN DISCUSSION BY THE BOARD OF COUNTY COMMISSIONERS ON THE FISCAL YEAR 2004 BUDGET ISSUES

Vonasek asked if the Board had any further direction or discussion concerning their Fiscal Year 2004 Budget. Stern spoke, on behalf of the Flagler Estates group, regarding a request for \$26,000 for placing street signs and stop signs at intersections in Flagler Estates. The biggest issues in Flagler Estates are the health and safety issues. Vonasek mentioned that it was his understanding that the money was to cover the cost of

primary signage at intersections. The reason the project was cut was there was not enough money. The County could loan money to the CRA, but they would have to repay it. Their projections don't show that they could pay it back. (10:14 a.m.) Laura Barrow, Assistant County Attorney, entered the meeting. Jacalone stated that the County did not have jurisdiction in those rights-of-way, but maybe by an agreement, the signage could be accommodated. Jacalone mentioned what the Board needed from them, was specifically what they wanted from the County in the way of signage. (10:19 a.m.) Joe Stephenson, Public Works Director, stated that the County installs signs at the intersections of all roads whether they are public roads or private roads, if the road intersects with a county road. Bosanko stated that the roads in Flagler Estates are not private roads, but are public roads, just not county roads.

(10:26 a.m.) Jacalone mentioned that the trim notices were out, and the residents of the county are calling and are not happy with the tax increases. Vonasek explained the tax increases that went out on the trim notices. (10:28 a.m.) Barrow left the meeting.

The meeting recessed at 10:28 a.m. and reconvened at 10:34 a.m.

(08/26/03 - 5 - 10:34 a.m.)

4. UPDATE AND DISCUSSION OF THE ST. JOHNS VISION

John Hewins, Chairman of St. Johns Vision, gave an update on the progress of St. Johns Vision. He stated at the present time, five alliances were well underway and two more alliances were started during the month of August.

(10:37 a.m.) Jim Sutton, 4265 Lewis Avenue, Executive Director of St. Johns Vision, gave a presentation on the details of the progress made by the alliances to date. Hewins continued Sutton's presentation by requesting financial support from the County as a founding partner in the strategic planning process. Bryant questioned raising private donations. Hewins responded. Jacalone stated that he did not support the County putting any more money into this as not much fund raising was being done. Jacalone stated that he supported the County being involved in this effort, but not in funding any more money to this effort. Jacalone stated that the Corporation has not provided the Board with a report on what the money has been spent on that was provided earlier. Sutton replied that they would provide the report to the Board and would come before the Board every six months, or quarterly, to report on what the money has been spent on. Hewins spoke on their budget, fund raising, and what money the Chamber has contributed. Meiszer spoke on the visioning process. Maguire stated that he believed in the vision, but was not ready to put money into it.

(11:22 a.m.) George Moon, 1016 San Rafael Street, spoke in favor of the St. Johns Vision.

(11:24 a.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., spoke in favor of the St. Johns Vision.

(11:27 a.m.) Sydney Perry, 13065 CR 13 N., spoke in favor of the St. Johns Vision.

(11:30 a.m.) Daniel Stewart, 112 Dogwood Drive, spoke in favor of the St. Johns Vision.

(11:32 a.m.) A. J. McGuinness, 238 W. King Street, spoke in favor of the St. Johns Vision.

(11:33 a.m.) Gary Jurenovich, 536 Morningside Drive, spoke in favor of the St. Johns Vision.

(11:37 a.m.) Sasha Martin, 13 Costal Hollow Circle, spoke in favor of the St. Johns Vision and distributed information on the Government Study Recommendations.

(11:44 a.m.) Lynne Doten, 200 Gull Circle, spoke in favor of the St. Johns Vision.

(11:46 a.m.) Dennis Chipman, 5400 Atlantic View, spoke in favor of the St. Johns Vision.

(11:50 a.m.) John Birney, 200 Malaga Street, spoke in favor of the St. Johns Vision.

(11:54 a.m.) John Yanni, 38 Lee Drive, spoke in favor of the St. Johns Vision.

(11:56 a.m.) Richard Bowers, 6504 Birnham Circle, spoke in favor of the St. Johns Vision.

(11:59 a.m.) Louise Thrower, 288 Orange Avenue, asked 5 questions: (1) what public benefit would County monies generate and would these monies be an on going yearly County donation, (2) if the Board of County Commissioners advertised this agenda item as an update and discussion of the St. Johns Vision, how can the Board vote for support monies, (3) what County strings, ties and controls accompany any such County monetary donations or in-kind participation, (4) if the Vision achieved 501(c3) status, what grants had been written before the final paper was received, and (5) what is the salary amounts paid for the entire 18-month period.

(12:01 p.m.) Bryant stated that he thought that there had been a lack of communication. Jacalone mentioned that he thought that the group should not have any problem raising the funds that they need through the members of the community, and this should not be funded with County money. (12:02 p.m.) **Motion by Jacalone, seconded by Maguire, by roll call vote, to not support them for this fiscal year budget in any amount, but do provide Staff support and other in-kind services to the Corporation.**

Roll Call Vote:

Meiszer	nay
Stern	nay
Jacalone	aye
Maguire	aye
Bryant	nay

The motion failed 2/3.

(12:05 p.m.) **Motion by Bryant, seconded by Stern, by roll call vote, for every \$2.00 that they generate, the County match amount would be made up to \$50,000.**

Roll Call Vote:

Stern	aye
Jacalone	nay
Maguire	aye
Bryant	aye
Meiszer	aye

The motion passed 4/1.

(The above motion was revisited at a regular Board of County Commissioners meeting on October 7, 2003 and the following transpired: Maguire stated that the wording of the motion [in the 8/26/03 Minutes] for the St. Johns Visioning funding was vague and he wanted to clarify that the Board did approve a motion to match a two for one ratio; up to a maximum of \$50,000.

(9:21 a.m.) Jacalone referred an article that reported a committed match of 50 cents on the dollar and the intent was clear, though the motion was not. **Motion restated by Maguire, seconded by Jacalone, carried 5/0, "that we [the County] will match fifty cents for every dollar they [St. Johns Visioning] raise on the private side, to a maximum of \$50,000.)**

The meeting moved to Item 7.

(08/26/03 - 7 - 1:37 p.m.)

5. **CONSIDER A MOTION TO ADOPT A RESOLUTION RECOGNIZING UNANTICIPATED REVENUE IN THE AMOUNT OF \$400,008 AND TO ADOPT A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE FDOT LOCAL AGENCY PROGRAM AGREEMENT**

Vicki Renna, Principal Planner, stated that the Federal Highway Administration had awarded the County a National Scenic Byway Grant in the amount of \$400,008, of which 80% is the Federal amount and 20% is the County match. The grant would be used to hire a consultant to prepare a scenic and historic A1A master plan for the entire 52 miles. She stated that the grant funds would have to be accepted as unanticipated revenue to be used for its intended purpose. The County would also have to obtain certain program certifications. Jacalone questioned who would pick the consultant, the County or the DOT, and Renna responded that a team, consisting of Planning Staff, would make the decision after the bid process. Jacalone clarified that ultimately it would be up to the Board to choose and hire the consultant, not the DOT.

(1:41 p.m.) **Motion by Jacalone, seconded by Stern, carried 4/0 with Maguire absent, to approve Resolution 2003-163, to recognize unanticipated revenue in the amount of \$400,008.**

RESOLUTION NO. 2003-163

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2003 GENERAL FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY PLANNING DIVISION

(1:41 p.m.) **Motion by Jacalone, seconded by Stern, carried 4/0 with Maguire absent, to adopt Resolution 2003-164, authorizing the County Administrator to execute the FDOT Local Agency Program Agreement.**

RESOLUTION NO. 2003-164

A RESOLUTION BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF A LOCAL AGENCY PROGRAM AGREEMENT AND PROVIDING WHEN THIS RESOLUTION WILL TAKE EFFECT

The meeting proceeded to Item 8.

(08/26/03 - 8 - 1:35 p.m.)

6. CONSIDER A MOTION TO ADOPT A RESOLUTION APPOINTING A SUCCESSOR REGISTRAR AND PAYING AGENT FOR A CERTAIN SERIES OF THE COUNTY'S OUTSTANDING BONDS

Allen MacDonald, Finance Director, presented the details of this item and stated that this contract could save the County several thousand dollars in bond issuance fees.

Motion by Jacalone, seconded by Stern, carried 4/0 with Maguire absent, to approve Resolution Number 2003-162.

RESOLUTION NO. 2003-162

RESOLUTION APPOINTING A SUCCESSOR REGISTRAR AND PAYING AGENT FOR CERTAIN SERIES OF THE COUNTY'S OUTSTANDING BONDS; APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A REGISTRAR AND PAYING AGENCY AGREEMENT WITH SUCH SUCCESSOR REGISTRAR AND PAYING AGENT; DIRECTING EACH OF THE CURRENT REGISTRAR AND PAYING AGENTS TO PROVIDE NOTICE OF SUCH APPOINTMENT TO THE HOLDERS OF SUCH BONDS AND TO DELIVER CERTAIN RECORDS AND DOCUMENTATION TO SUCH SUCCESSOR REGISTRAR AND PAYING AGENT; DIRECTING THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS TO PROVIDE A CERTIFIED COPY OF THIS RESOLUTION TO EACH OF THE CURRENT REGISTRAR AND PAYING AGENTS; AND PROVIDING AN EFFECTIVE DATE

The meeting moved to Item Number 5.

(08/26/03 - 8 - 12:07 p.m.)

7. UPDATE ON THE EXCELSIOR BUILDING

Jacalone stated that he supported Option 3. Mike Rubin, Director of Construction Services, reviewed the three options listed in the packet. He recommended Option 2. Vonasek stated that Option 3 was currently in the Fiscal Year 2004 Budget. (12:13 p.m.)

Motion by Jacalone, seconded by Stern, carried 5/0, that the County Commission support the recommended Option 2 for the renovation of the Excelsior Building.

The rest of the Morning Agenda Items were moved to the Afternoon Agenda.

The meeting recessed at 12:47 p.m. and reconvened at 1:35p.m., with Bryant, Stern, Jacalone, Meiszer, Adams, MacDonald, Dan Bosanko, County Attorney, and Robin Platt, Deputy Clerk, present.

The meeting moved to Item 6.

(08/26/03 - 9 - 1:41 p.m.)

8. PUBLIC HEARING - CPA (SS) 2002-03 SIMPSON TRUST, THE PROPERTY IS LOCATED ON THE EAST SIDE OF JOE ASHTON ROAD APPROXIMATELY 1,000 FEET NORTH OF COUNTY ROAD 208 - FILE #CPA(SS)2002-03 IS A PROPOSED SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE COUNTY'S FUTURE LAND USE MAP DESIGNATION FROM

RURAL SILVICULTURE (R/S) TO RESIDENTIAL DENSITY-A. THE 5.9-ACRE SITE IS LOCATED ON THE EAST SIDE OF JOE ASHTON ROAD APPROXIMATELY 1,000 FEET NORTH OF COUNTY ROAD 208. THE APPLICANT IS SEEKING THE MAP CHANGE AS THE FIRST STEP IN REMOVING THE NON-CONFORMING STATUS OF THE LOT SIZES AND LAYOUT, TO THEREBY ALLOW THE LAWFUL RE-SUBDIVISION AND THE DEVELOPMENT, OR RE-DEVELOPMENT, OF THE PROPERTY FOR THREE SEPARATE RESIDENTIAL HOME SITES

Proof of publication regarding the Notice of Public Hearing on File No. CPA(SS)2003-03, Simpson Trust, was received, having been published in *The St. Augustine Record* on July 23, 2003.

Isabelle Lopez, Assistant County Attorney, replaced Bosanko at the meeting.

Donna Godfrey, Senior Planner, outlined the details of this item, including the zoning, proposed lots and dwelling units, and utilities. She stated that the PZA recommended approval of this request at their August 7, 2003, meeting. Discussion followed regarding density.

(1:46 p.m.) Chuck Pacetti, 3125 U.S. 1 South, representing the applicant, stated that they would have to come back before the Board for a non-zoning variance regarding platting and a 30 foot easement and at that time they would specify that they only want to add one more dwelling.

(1:47 p.m.) **Motion by Jacalone, seconded by Stern, carried 4/0 with Maguire absent, to enact Ordinance 2003-68, adopting Findings 1 through 3.**

ORDINANCE NO. 2003-68

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 FUTURE LAND USE MAP OF COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, FROM RURAL SILVICULTURE (R/S) TO RESIDENTIAL-A; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(08/26/03 - 9 - 1:48p.m.)

9. PUBLIC HEARING - CPA (SS) 2003-03, SUNSHINE LAND HOLDING, LLC, THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF GREENBRIAR ROAD AND COUNTY ROAD 210 - FILE #CPA(SS)2003-03 IS A PROPOSED SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE COUNTY'S FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO RURAL COMMERCIAL (RC). THE 5.6-ACRE SITE IS LOCATED AT THE SOUTHWEST CORNER OF GREENBRIAR ROAD AND COUNTY ROAD 210 WEST. THE APPLICANT IS SEEKING THE MAP CHANGE IN ORDER TO MARKET THE PROPERTY FOR COMMERCIAL DEVELOPMENT TO SERVE THE NEEDS OF AREA RESIDENTS. THE APPLICANT IS UNSURE OF THE EXACT USE OF THE PROPERTY, BUT STATES THAT ONE POSSIBILITY IS FOR A GENERAL STORE WITH EIGHT FUELING STATIONS FOR GAS. THE RURAL COMMERCIAL DESIGNATION IS INTENDED TO SERVE RURAL COMMUNITIES WHICH ARE COMPATIBLE WITH RURAL LAND USE DENSITIES AND INTENSITIES

Proof of publication regarding the Notice of Public Hearing on CPA-(SS)-2003-03, Greenbriar Road and CR 210, was received, having been published in *The St. Augustine Record* on July 23, 2003.

Donna Godfrey, Senior Planner, presented the details of this item, including the permitted uses, and she stated that if the applicant were successful in obtaining the Comp Plan Amendment a rezoning would still be required. She commented that Planning Staff felt that the area could support a general store with gasoline sales.

(1:53 p.m.) Meiszer questioned if this property was in the JEA service area, Godfrey responded that that was what was on the application. Meiszer addressed other commercial designations in the area and stated that he felt that there was enough commercial zoning in that area.

(1:55 p.m.) Jacalone suggested that this could be a trip saver for housing that is being developed in the area, versus the residents having to go into a major commercial area for necessities and fuel. Godfrey agreed, and said that this would also serve traffic that was already passing by.

(1:57 p.m.) Meiszer stated that he thought it would be inappropriate to put commercial development in a predominately residential area and he saw no need for this amendment.

(1:58 p.m.) Beth Breeding, 4141 South Point Dr. E., Jacksonville, stated that this request is consistent with Objectives 8.1.2 and 8.1.2.4 of the Comprehensive Plan, as well as the Compatibility Index. She explained that what was being requested was Rural-Commercial and she illustrated the area on a map, Exhibit A, and outlined the possible uses of the property. Discussion followed regarding surrounding developments and their zoning classifications.

(2:03 p.m.) Stern said that this would be a good designation for this area, and agreed that this could be a trip saver. (2:05 p.m.) **Motion by Stern, seconded by Jacalone, carried 3/1 with Meiszer dissenting and Maguire absent, to enact Ordinance 2003-69, adopting CPA 2003-03 for property located in the southwest corner of Greenbriar Road and County Road 210 West, amending the Future Land Use Map designation from Rural-Silviculture to Rural-Commercial, including Findings of Fact 1 through 3.**

ORDINANCE NO. 2003-69

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 FUTURE LAND USE MAP OF COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, FROM RURAL SILVICULTURE (R/S) TO RURAL COMMERCIAL (RC); PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(08/26/03 - 10 - 2:05 p.m.)

10. PUBLIC HEARING - CPA (SS) 2003-01 RIVER MARSH, THE PROPERTY IS LOCATED BETWEEN MICKLER ROAD AND RIVER MARSH DRIVE APPROXIMATELY 600 FEET EAST OF NECK ROAD - FILE #CPA(SS)2003-01 IS A PROPOSED SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE COUNTY'S FUTURE LAND USE MAP DESIGNATION FROM

COMMERCIAL TO RESIDENTIAL-COASTAL C. THE 0.88 ACRE SITE IS LOCATED BETWEEN MICKLER ROAD AND RIVER MARSH DRIVE, AND CONTAINS A SINGLE-WIDE MOBILE HOME AND OUTBUILDINGS. THE APPLICANT IS SEEKING THE MAP CHANGE TO USE THE SUBJECT PROPERTY AS AN EXTENSION OF THE EXISTING RIVER MARSH SUBDIVISION LOCATED TO THE SOUTH

Proof of publication regarding the Notice of Public Hearing CPA-(SS)-2003-01, River Marsh, was received, having been published in *The St. Augustine Record* on July 23, 2003.

Janet Beason, Court Reporter, was present for this item and Maguire entered the meeting.

Donna Godfrey, Senior Planner, presented the details of this item and stated that Staff was of the opinion that this change would provide consistency on the Future Land Use Map for this particular piece of property. The PZA recommended approval of the request at its August 7, 2003, meeting.

(2:08 p.m.) Jacalone questioned the information in his packet that stated that this was a 5.9 acre site and Godfrey explained that that was an error, the commercial portion was only 0.88 acres.

(2:10 p.m.) D. Randall Briley, 135 Professional Drive, Ponte Vedra Beach, spoke on behalf of the applicant, and addressed the possible expansion of Mickler Road.

(2:11 p.m.) Motion by Maguire, seconded by Bryant, carried 5/0, to enact Ordinance 2003-70, adopting CPA 2003-01 for property located between Mickler Road and River Marsh Drive, approximately 600 feet east of Neck Road, amending the Future Land Use Map from Commercial (CM) to Residential-Coastal C, with the Findings of Fact.

ORDINANCE NO. 2003-70

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 FUTURE LAND USE MAP OF COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, FROM COMMERCIAL (CM) TO RESIDENTIAL COASTAL-C; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(08/26/03 - 11- 2:12 p.m.)

11. PUBLIC HEARING - CPA (SS) 2003-02 ORTHODOX CHRISTIAN MISSION CENTER, THE PROPERTY IS LOCATED SOUTHEAST OF OTIS MASON ELEMENTARY SCHOOL - FILE #CPA(SS)2003-02 IS A PROPOSED SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE COUNTY'S FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE TO MIXED USE DISTRICT. THIS REQUEST WAS SUBMITTED SIMULTANEOUSLY WITH A PLANNED UNIT DEVELOPMENT (PUD) REZONING REQUEST. THE 6.6 ACRE SITE IS LOCATED SOUTHEAST OF OTIS MASON ELEMENTARY SCHOOL AND IS ACCESSIBLE BY A GRASSY PATHWAY SOUTH OF THE PAVED PORTION OF MASON MANATEE DRIVE, WHICH LEADS FROM STATE ROAD 207 DIRECTLY ACROSS FROM THE NATIONAL GUARD ARMORY EAST OF THE I-95 INTERCHANGE. BASED ON AERIAL PHOTOGRAPHS, THE SUBJECT PROPERTY AND ADJACENT LANDS ARE UNDEVELOPED AND HEAVILY

WOODED AND, ACCORDING TO THE APPLICANT, HAVE BEEN TIMBERED OVER THE YEARS. EXHIBIT 32 OF THE APPLICATION SHOWS AN OVERALL 20-ACRE SITE WITH APPROXIMATELY 13.38 ACRES ALREADY DESIGNATED AS A MIXED USE DISTRICT

Proof of publication regarding the Notice of Public Hearing on CPA-(SS)-2003-02, Orthodox Christian Mission Center, was received, having been published in *The St. Augustine Record* on July 23, 2003.

Donna Godfrey, Senior Planner, presented the details of this item and stated that the applicant was proposing to construct an administrative center, a training center, a cafeteria, conference rooms, a chapel, residential dormitories, several single family residences, parking, drainage and recreational facilities. She also addressed water/sewer and solid waste useage, stormwater management and traffic demand. The PZA recommended approval of the request at its August 7, 2003, meeting.

(2:15 p.m.) Jacalone suggested considering Items 11 and 12 concurrently and the Board concurred. He also questioned access to the site.

(2:16 p.m.) Nicole Clayton, Planner III, addressed the specifics of the PUD rezoning request and explained that they have received a certificate of concurrency (CONMAJ 2003-8). Discussion followed regarding how the trips were calculated for the dormitories, zoning classifications, future land use designations and allowable uses. Clayton explained that they have an easement to provide access to the development from Mason Manatee Way.

(2:22 p.m.) Karen Taylor, 3070 Harbor Dr., representing the applicant, explained that this site was part of a 1,500 acre site, owned by Parish Properties, that is flanked by two large wetland systems and timber land. She also stated that it was currently partially designated Mixed-Use and that it was Planning Staff's determination to use the Mixed-Use guidelines for this area. She explained how the numbers were arrived at for concurrency determination, the proposed infrastructure and the wetlands.

(2:27 p.m.) Jacalone questioned if there were any concerns on the part of the School Board regarding the close proximity of the development to Otis Mason School. Taylor responded no, as this would not be an intense use.

(2:28 p.m.) Father Martin Ritsi, 290 Riverside Blvd., stated that they were looking for a place that was rural in nature, as they were striving to create a retreat type atmosphere. He said that they also have a land attorney who has been in contact with the School Board and has informed him that they are in favor of it. He explained that they are a mission sending agency for all of the Orthodox churches in the United States. They plan to send out about 250 missionaries each summer. The trainees would be picked up from the airport, oriented, filled with the spirit, and sent out. They would spend all of their time here at the mission/training center.

(2:32 p.m.) Maguire questioned if the road system would have to be brought up to County standards. Taylor responded that it was her understanding that it already met those standards, and that it would not affect school traffic.

(2:33 p.m.) Meiszer questioned if laymen or clerics would be attending the training center, Ritsi stated that the majority would be male and female non-clerics.

(2:33 p.m.) Stern stated that it was her belief that the School Board would welcome a neighbor like this. Taylor stated that any changes would be submitted to the School Board.

(2:35 p.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to enact Ordinance 2003-71, adopting CPA 2003-02, for property located southeast of Otis Mason Elementary School, amending the Future Land Use Map designation from Rural/Silviculture to Mixed-Use District, adopting Findings 1 through 3 to support the motion.**

ORDINANCE NO. 2003-71

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 FUTURE LAND USE MAP OF COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, FROM RURAL SILVICULTURE (R/S) TO MIXED-USE (MD); PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(2:35 p.m.) Clayton explained the two waivers that were being requested in conjunction with the rezoning request relating to parking standards and phasing. Discussion followed regarding buffers. (2:38 p.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to enact Ordinance 2003-72, known as PUD 2003-12, Orthodox Christian Mission Center, adopting Findings 1 through 6 contained in the package to support the motion.**

ORDINANCE NO. 2003-72

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OR (OPEN RURAL) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

12. PUBLIC HEARING - PUD 2003-12 ORTHODOX CHRISTIAN MISSION CENTER - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 20 ACRES LOCATED AT 220 MASON MANATEE WAY FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW FOR 20,000 SF MISSION TRAINING CENTER WITH A TRAINING CENTER, CAFETERIA, CONFERENCE ROOMS, ETC., A 19,500 SF MISSION ADMINISTRATION CENTER, A CHAPEL WITH SEATING FOR 100 PEOPLE, FIVE (5) RESIDENTIAL DORMITORIES FOR MISSION TRAINEES (WHICH MAY SLEEP A TOTAL OF 100 PERSONS), AND UP TO FOUR (4) SINGLE FAMILY HOMES TO SERVE AS TEMPORARY LIVING QUARTERS. THE SUBJECT PROPERTY IS LOCATED WITHIN BOTH THE MIXED USE DISTRICT (MD) AND RURAL SILVICUTLURE (R/S) FUTURE LAND USE DESIGNATIONS. AN APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT (CPA(SS) 2003-02) HAS BEEN FILED TO REQUEST THAT THE RURAL SILVICULTURE (R/S) PORTION BE CHANGED TO MIXED USE DISTRICT (MD). PROJECT ACCESS WILL BE PROVIDED VIA MASON MANATEE WAY. THE ST. JOHNS COUNTY UTILITY DEPARTMENT WILL PROVIDE CENTRAL WATER AND SEWER. THE PROJECT WILL CONNECT TO EXISTING LINES ALONG SR

207. UTILITIES WILL BE INSTALLED UNDERGROUND. THERE ARE NO KNOWN SIGNIFICANT NATURAL COMMUNITIES HABITAT OR LISTED SPECIES ON THIS SITE. THE PROJECT WILL BE PERMITTED AND CONSTRUCTED IN THREE PHASES, WITH CONSTRUCTION OF HORIZONTAL SITE IMPROVEMENTS ACCOMPLISHED OVER TEN (10) YEARS. A FINAL CERTIFICATE OF CONCURRENCY (FCOC) CONMAJ 2003-08 WAS APPROVED FOR THE DEVELOPMENT OF A MISSION CENTER CONSISTING OF A 17,500 SQUARE FOOT ADMINISTRATION CENTER, A 20,000 SQUARE FOOT TRAINING CENTER AND CHAPEL, FIVE (5) RESIDENTIAL DORMITORIES (FOR UP TO 100 PEOPLE), AND FOUR(4) SINGLE FAMILY HOMES (FOR RETURNING MISSION FAMILIES) TO BE DEVELOPED IN 3 PHASES. PHASE 1 (2002-2004) WILL CONSIST OF 12,000 SQUARE FEET OF OFFICE SPACE (ADMINISTRATION) AND A 20,000 SQUARE FOOT MISSION TRAINING CENTER AND CHAPEL. PHASE 2 (2004-2006) WILL CONSIST OF FOUR (4) SINGLE FAMILY HOMES. PHASE 3 (2006-2008) WILL CONSIST OF THE REMAINING 5,500 SQUARE FEET OF OFFICE SPACE AND THE FIVE (5) DORMITORY BUILDINGS

Proof of publication regarding the Notice of Public Hearing on PUD 2003-12, Orthodox Christian Mission Center, was received, having been published in *The St. Augustine Record* on July 23, 2003.

Item 12 was heard in conjunction with Item 11.

(08/26/03 - 14 - 2:39 p.m.)

13. PUBLIC HEARING - ORDINANCE TO AMEND SECTION 9.06.04 OF THE LAND DEVELOPMENT CODE ENTITLED NOTICE OF HEARINGS - THIS ORDINANCE AMENDS SECTION 9.06.04.B TO REVISE THE PROCESS IN WHICH THE REQUIRED ADJACENT PROPERTY OWNERS LIST IS DEVELOPED AND OBTAINED. THIS CHANGE ALLOWS THAT THE COUNTY ADMINISTRATOR MAY PROVIDE THE LIST TO THE APPLICANT. THE LIST SHALL BE NO OLDER THAN 30 DAYS FROM THE DATE THAT THE 10 DAY MAILED NOTICE IS DUE TO BE MAILED. THE COUNTY SHALL MAINTAIN A RECORD OF THE DATE OF THE LIST. THIS ORDINANCE ALSO AMENDS SECTIONS 9.06.04.B, C, AND D TO PROVIDE THAT ADMINISTRATIVE REZONINGS MAY BE ADVERTISED AND NOTICED AT A MINIMUM AS REQUIRED BY FLORIDA STATUTES SECTION 125.66. THE COUNTY IS PROPOSING ADMINISTRATIVE REZONINGS TO BRING EXISTING ZONING DISTRICTS INTO COMPLIANCE WITH THE COMPREHENSIVE PLAN. SECTION 9.06.04 OF THE LAND DEVELOPMENT CODE DOES NOT PROVIDE FOR A SEPARATE ADVERTISING AND NOTICING PROCESS FOR THESE COUNTY INITIATED ADMINISTRATIVE REZONINGS; HOWEVER, THE FLORIDA STATUTES PROVIDE FOR A SEPARATE PROCESS

Proof of publication regarding the Notice of Public Hearing regarding an amendment to Article IX of the Land Development Code was received, having been published in *The St. Augustine Record* on August 15, 2003.

Teresa Bishop, Planning Director, explained that this was an amendment to Section 9.06.04., of the Land Development Code, which relates to how adjacent property owner information is obtained. Bosanko returned to the meeting. Bishop also stated that there were changes in Sections B, C and D of 9.06.04, regarding noticing relating to the Administrative Rezoning Process. Discussion followed regarding compliance with the

Florida Statutes, acquisition of adjacent property owner lists, and the possibility of errors with the lists.

(2:48 p.m.) **Motion by Jacalone, seconded by Stern, to enact Ordinance 2003-73.**

(2:49 p.m.) Diane Mills, 3455 Lewis Speedway, questioned if the requirement to notice owners up to 300 feet was being eliminated. Bosanko explained that with Administrative Rezoning there would be a letter to the person whose land was being rezoned and an ad would be placed in the newspaper. Mills stated that not everyone in the County reads the same paper, or any paper. Bosanko stated that the only time the County would do an Administrative Rezoning would be to bring a property into compliance with the Comprehensive Plan.

(2:54 p.m.) Meiszer stated that just because the Statute did not require noticing did not mean that the County still could not do it on its own. Bishop responded that it could become very cost prohibitive for local governments to have to advertise and notice all the property owners within 300 feet for an administrative action, as all the costs would be borne by the County, and discussion followed. (2:59 p.m.) **Motion by Maguire, seconded by Bryant, carried 5/0, to call the vote.** (2:59 p.m.) **The motion carried 5/0.**

ORDINANCE NO. 2003-73

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING ARTICLE IX OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE AS ADOPTED BY ORDINANCE 99-51, AS PREVIOUSLY AMENDED; THIS ORDINANCE AMENDS SECTION 9.06.04 TO REVISE THE PROCESS IN WHICH THE REQUIRED ADJACENT PROPERTY OWNERS LIST IS DEVELOPED AND OBTAINED, AND TO PROVIDE THAT ADMINISTRATIVE REZONINGS MAY BE ADVERTISED AND NOTICED AT THE MINIMUM AS REQUIRED BY FLORIDA STATUTES, SECTION 120.66; AND PROVIDING FOR AN EFFECTIVE DATE

The meeting recessed from 2:59 p.m. until 3:03 p.m.

(08/26/03 - 15 - 3:03 p.m.)

14. PUBLIC HEARING - ORDINANCE AMENDING ST. JOHNS COUNTY ROAD IMPACT FEE ORDINANCE - THE COUNTY ROAD IMPACT FEE ORDINANCE REQUIRES THAT A PERSON MUST BE A FEEPAYER IN ORDER TO RECEIVE ROAD IMPACT FEE CREDITS FOR MANDATORY OR REQUIRED RIGHT-OF-WAY DEDICATIONS AND ROADWAY IMPROVEMENTS AND/OR FOR VOLUNTARILY OFFERED RIGHT-OF-WAY DEDICATIONS AND ROADWAY IMPROVEMENTS. THE COUNTY ROAD IMPACT FEE ORDINANCE DEFINES "FEEPAYER" AS A PERSON WHO COMMENCES A LAND DEVELOPMENT ACTIVITY WHICH GENERATES TRAFFIC AND WHICH REQUIRES THE ISSUANCE OF A BUILDING PERMIT, OR PERMIT FOR MOBILE HOME INSTALLATION. DEVELOPERS AND OTHER PERSONS AND ENTITIES WHO ARE NOT FEEPAYERS, AS SUCH TERM IS DEFINED IN THE ST. JOHNS COUNTY ROAD IMPACT FEE ORDINANCE, MAY BE REQUIRED BY OTHER ST. JOHNS COUNTY, FLORIDA ORDINANCES AND/OR BY THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE TO DEDICATE NON SITE RELATED RIGHT-OF-WAY TO ST. JOHNS COUNTY (THE "COUNTY") AND/OR TO CONSTRUCT OR

PROVIDE NON SITE RELATED ROADWAY IMPROVEMENTS FOR THE COUNTY. DEVELOPERS AND OTHER PERSONS AND ENTITIES WHO ARE NOT FEEPAYERS, AS SUCH TERM IS DEFINED IN THE ST. JOHNS COUNTY ROAD IMPACT FEE ORDINANCE, MAY OFFER TO VOLUNTARILY DEDICATE NON SITE RELATED RIGHT-OF-WAY TO THE COUNTY AND/OR MAY OFFER TO VOLUNTARILY CONSTRUCT OR PROVIDE NON SITE RELATED ROADWAY IMPROVEMENTS FOR THE COUNTY ON THE CONDITION THAT THE COUNTY WOULD PROVIDE THEM WITH ROAD IMPACT FEE CREDITS FOR SUCH RIGHT-OF-WAY AND/OR ROADWAY IMPROVEMENTS. IT IS APPROPRIATE AND FAIR THAT NON FEEPAYERS (PERSONS AND ENTITIES WHO DO NOT MEET THE DEFINITION OF "FEEPAYER"), AS WELL AS FEEPAYERS, HAVE THE ABILITY TO RECEIVE COUNTY ROAD IMPACT FEE CREDITS WHEN THEY ARE REQUIRED BY COUNTY ORDINANCES OR BY THE COUNTY LAND DEVELOPMENT CODE TO DEDICATE NON SITE RELATED RIGHT-OF-WAY TO THE COUNTY AND/OR TO CONSTRUCT OR PROVIDE NON SITE RELATED ROADWAY IMPROVEMENTS FOR THE COUNTY. IT IS ALSO APPROPRIATE AND FAIR THAT NON FEEPAYERS, AS WELL AS FEEPAYERS, HAVE THE ABILITY TO RECEIVE COUNTY ROAD IMPACT FEE CREDITS WHEN THEY VOLUNTARILY DEDICATE TO THE COUNTY NON SITE RELATED ROAD RIGHT-OF-WAY THAT IS NEEDED BY THE COUNTY AND/OR THEY VOLUNTARILY CONSTRUCT OR PROVIDE NON SITE RELATED ROADWAY IMPROVEMENTS FOR THE COUNTY ON THE CONDITION THAT THEY RECEIVE ROAD IMPACT FEE CREDITS IN RETURN

Proof of publication regarding the Notice of Public Hearing for the SJC Road Impact Fee Ordinance amendment was received, having been published in *The St. Augustine Record* on August 15, 2003.

MacDonald returned to the meeting.

Dan Bosanko, County Attorney, explained that the purpose behind the proposed change was to make the concurrency Ordinance more flexible and he elaborated. He handed out a new rendition of the proposed Ordinance that amended a paragraph on the second page that would allow others (than the feepayer) to receive impact fee credits. Discussion followed regarding who the credits currently go to, and who they would go to if this Ordinance were adopted, the life of the credits and the credits being tied to a particular development. (3:15 p.m.) **Motion by Bryant, seconded by Jacalone, carried 5/0, to enact Ordinance 2003-74.**

ORDINANCE NO. 2003-74

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE NO. 87-57, AS AMENDED, (THE ST. JOHNS COUNTY ROAD IMPACT FEE ORDINANCE). THIS AMENDMENT AMENDS SECTION 13(B) OF THE ORDINANCE AND AUTHORIZES PERSONS AND ENTITIES WHO DO NOT MEET THE DEFINITION OF FEEPAYER, AS SUCH WORD IS DEFINED IN THE DEFINITION SECTION OF THE ORDINANCE, TO RECEIVE ROAD IMPACT FEE CREDITS WHEN THEY ARE REQUIRED TO, OR VOLUNTARILY, DEDICATE NON-SITE RELATED RIGHT-OF-WAY TO THE COUNTY AND/OR THEY ARE REQUIRED TO, OR VOLUNTARILY, CONSTRUCT OR PROVIDE NON SITE RELATED ROADWAY

**IMPROVEMENTS FOR THE COUNTY; IT DESCRIBES
WHERE SUCH ROAD IMPACT FEE CREDITS MAY BE
USED; AND IT PROVIDES AN EFFECTIVE DATE**

(08/26/03 - 17 - 3:15 p.m.)

COMMISSIONERS' REPORTS

Commissioner Maguire

Maguire commented that he was supposed to meet with Nassau County last night regarding the MPO, however the meeting was postponed for two weeks due to a scheduling conflict.

(3:15 p.m.)

Commissioner Jacalone

Jacalone commented that he was contacted by someone who has been involved in a Code Enforcement action, and that the Code Enforcement Board had decided to put a lien on his property. He stated that he was assured by Administration that no action would be taken on this property until it came before the Board of County Commissioners.

(3:16 p.m.)

Commissioner Stern

Commissioner Stern had no report.

(3:16 p.m.)

Commissioner Meiszer

Meiszer stated that Ken Burk, Executive Director of the National Estuary Marine Reserve, contacted him regarding the fact that he was told, by certain County Staff, that he would have to pay impact fees for an educational facility being constructed in the Guana Wildlife Management Area. He explained that there was a provision in the Statutes that state that educational facilities do not have to pay impact fees. He suggested that the County waive, or pay, the impact fees. Bryant suggested that he make a formal application to the Board.

Meiszer reported that he, Bosanko, and Scott Clem met with John Metcalf, and others, regarding the Wolfe Ranch mediation. He stated that the mediation never took place, as there was no mediator, and the parties could not agree as to how to proceed. The request was subsequently withdrawn.

(3:21 p.m.) John Metcalf, 245 Riverside Ave., representing SJT, LLC, stated that there was a new property owner who, after considering the whole situation, decided to withdraw the request for mediation.

(3:22 p.m.) Meiszer concluded his report by informing the Board that he was contacted by the President of the National Association of Counties, and was asked to serve as the Chair of the Fiscal Affairs Subcommittee of the Intergovernmental Relations Steering Committee and he accepted. Bryant offered his congratulations.

(3:23 p.m.)

Commissioner Bryant

Bryant suggested that the Board consider hiring Marty Fiorentino as a consultant on the buffer issue, as he is an attorney and lobbyist who had key contacts with the Governor's Office. Stern supported his suggestion. Jacalone stated that he had several questions that would have to be answered before he could support that suggestion. Bryant stated that he, Bosanko and Clem were going to Tallahassee on Friday to meet with the DCA

and could report back to the Board after that. (3:24 p.m.) Maguire stated that he would support the suggestion, but he too had questions. Meiszer questioned what his fee would be, and what services would be provided for that fee, and discussion followed.

(3:29 p.m.) Bryant continued by addressing copies of surveys that were received from Gloria Benischeck, that Medical Specialist had distributed at the Primary Care and Hastings Clinics. He stated that Dr. Marathe is using scare tactics to create the impression that the clinics are going to be closed. Bryant stressed that the clinics were not going to be closed and he addressed how the clinics were currently being run.

(08/26/03 - 18 - 3:32 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams stated that he would like to open the transfer station at the landfill on Saturdays and Sundays from 7:00 a.m. to 4:00 p.m. He explained his plan to staff and fund the additional hours. He stated that he was working on getting a display, to put in the lobby of the Building Department, to advertise the recycled paint program and discussion followed on the paint program and staffing the additional hours at the landfill. (3:39 p.m.) Jacalone asked for an analysis of the costs of the new position/additional hours.

(08/26/03 - 18 - 3:40 p.m.)

COUNTY ATTORNEY'S REPORT

Bosanko stated that he received a request from Ron Brown, who represents the County in a litigation case with Whisper Oaks Gardens, to have a County Commissioner present at a court ordered mediation on Friday, September 19, 2003, at 9:00a.m. It was decided that Maguire would attend the mediation.

Bosanko also handed out a letter from John Metcalf regarding a slight modification to the Aberdeen/Durbin Crossing Settlement Agreement. The Board had no objections to the modification.

(08/26/03 - 18 - 3:45 p.m.)

CLERK OF COURT'S REPORT

There was no report.

(3:45 p.m.) **Motion by Stern, seconded by Bryant, carried 5/0, to adjourn.**

With there being no further business to come before the Board, the meeting adjourned at 3:45 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check 338962 through 339260, totaling \$1,806,154.71 (08/19/03)
2. St. Johns County Board of County Commissioners Check Register, Check 339261 through 339287, totaling \$45,984.71 (08/21/03)

CORRESPONDENCE:

1. Letter dated August 19, 2003, to Terrell K. Arline, Esq., regarding a certified copy of a Settlement Agreement.
2. Letter dated August 19, 2003, to John Metcalf, Esq., regarding a certified copy of a Settlement Agreement.

3. Letter dated August 20, 2003, to the Department of State, filing Ordinance Nos. 2003-62 and 2003-63.

Approved October 14, 2003

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

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

ATTEST: CHERYL STRICKLAND, CLERK

By: Patricia DeGrande
Deputy Clerk

