

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
DECEMBER 1, 2004
(8:00 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: Bruce Maguire, District 4, Chair
 James E. Bryant, District 5 Vice Chair
 Cyndi Stevenson, District 1
 Karen Stern, District 2,
 Ben Rich, District 3
 Ben W. Adams, Jr., County Administrator
 Daniel Bosanko, County Attorney
 Lenora Newsome, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Courts; Jolie Tillis, Assistant Finance Director

8:00 AM - CLOSED SESSION - THIS IS A PRIVATE ATTORNEY - CLIENT MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN ACCORDANCE WITH SECTION 286.011(8), FLORIDA STATUTES. THE SPECIAL MEETING WILL BE CONFINED TO SETTLEMENT NEGOTIATIONS AND LITIGATION EXPENSE STRATEGY PERTAINING TO THE LAWSUIT BRENDA WHITLOCK VS. ST. JOHNS COUNTY. THE SPECIAL MEETING HAS BEEN ADVERTISED FOR 8:00 A.M. CONFERENCE ROOM "A" HAS BEEN RESERVED FOR THIS MEETING.

(8:10 a.m.) Maguire opened the meeting.

(8:11 a.m.) Bosanko announced and explained the Private Attorney/Client Meeting.

(8:11 a.m.) Maguire announced the people attending the meeting; Bruce Maguire, James Bryant, Karen Stern, Cyndi Stevenson, Ben Rich, Ben Adams, Daniel Bosanko, Dixon Bridgers, Esquire, special counsel to the Board; and Cathy UpChurch, the Court Reporter. He recessed the meeting to Conference Room A.

(8:35 a.m.) Maguire closed the Private Attorney/Client meeting.

(12/01/04 - 1 - 9:05 a.m.)
Maguire called the meeting to order.

(12/01/04 - 1 - 9:05 a.m.)
Rich gave the Invocation and Stevenson led the Pledge of Allegiance.

(12/01/04 - 1 - 9:07 a.m.)
ROLL CALL

Maguire announced that all five Commissioners were present.

(12/01/04 - 1 - 9:07 a.m.)
SPECIAL RECOGNITION OF MARGO STEVENS, FIRE RESCUE SUPPORT SERVICES

Adams presented to Margo Stevens a picture of the headquarters building with signatures from everyone on it. Maguire read and presented to Margo Stevens a certificate of appreciation. Margo Stevens mentioned that this meant a lot to her and thanked everyone.

(12/01/04 - 2 - 9:14 a.m.)

SPECIAL RECOGNITION OF THE ST. AUGUSTINE LIONS CLUB

Bryant read and presented a certificate of recognition to the Lions Club with Marty Miller accepting it. Marty Miller explained what the Lions Club represented.

(12/01/04 - 2 - 9:17 a.m.)

PROCLAMATION DESIGNATING DECEMBER 1, 2004 AS WORLD AIDS DAY

Stern read and presented the proclamation to Pat Batters and Geneva Anderson. Pat Batters spoke.

(12/01/04 - 2 - 9:22 a.m.)

ACCEPTANCE OF PROCLAMATION

Motion by Stern, seconded by Bryant, carried 5/0, to accept the Proclamation designating December 1, 2004 as World Aids Day.

(12/01/04 - 2 - 9:22 a.m.)

PUBLIC COMMENT

Ellen Whitmer, 1178 Nature Hammock Road South, spoke on the progress of the transportation hearings and the lack of funding for roads. She asked the Board for their views regarding placing tolls on roads.

(9:25 a.m.) Cheryl Freeman, 40 Orange Street, Coordinator for the Retired and Senior Volunteer Program in St. Johns County, read information on fundraisers they had coming up for the health of the mentally ill

(12/01/04 - 2 - 9:28 a.m.)

DELETIONS TO CONSENT AGENDA

Bosanko requested to pull Item 13 and placed it on the Regular Agenda as 18a and pull Item 16 to be rescheduled at a later date.

(12/01/04 - 2 - 9:29 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Minutes:
10/20/04 - BCC Regular Meeting
3. Sheriff Office Bonds:
Approve: David Shoar Asa A. Higgs Stefanie A. Elliott

Cancel: Paul B. Dostie Larry L. Shook William MacDowell, Sr.
Susan Rodriguez Robert Bissell Ivan G. Rule

4. Motion to adopt **Resolution No. 2004-342**, approving the contract with Putnam Behavioral Healthcare to provide detoxification and substance abuse residential services to indigent St. Johns County residents and authorize the County Administrator to sign

RESOLUTION NO. 2004-342

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, CONDITIONS, PROVISIONS, AND REQUIREMENTS OF A CONTRACT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND PUTNAM BEHAVIORAL HEALTHCARE AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE CONTRACT ON BEHALF OF THE COUNTY

5. Motion to adopt **Resolution No. 2004-343**, approving the terms, provisions, conditions, and requirements of a Memorandum of Understanding between St. Johns County, Florida, and State of Florida, Department of Health, that is associated with the compensation for primary care services for the period that runs from October 1, 2004 through 11:59 p.m. on November 30, 2004, and authorizing the County Administrator to execute a Memorandum of Understanding on behalf of St. Johns County

RESOLUTION NO. 2004-343

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A MEMORANDUM OF UNDERSTANDING BETWEEN ST. JOHNS COUNTY, FLORIDA, AND STATE OF FLORIDA, DEPARTMENT OF HEALTH THAT IS ASSOCIATED WITH THE COMPENSATION FOR PRIMARY CARE SERVICES FOR THE PERIOD THAT RUNS FROM OCTOBER 1, 2004 THROUGH 11:59 P.M. ON NOVEMBER 30, 2004, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING ON BEHALF OF ST. JOHNS COUNTY

6. Motion to adopt **Resolution No. 2004-344**, recognizing unanticipated revenue in the amount of \$4,806.72 from Volunteer Fireman's Insurance Services

RESOLUTION NO. 2004-344

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE AMENDMENT OF ITS FY 2005 FIRE SERVICES BUDGET TO RECEIVE UNANTICIPATED REVENUE FOR THE PURPOSE OF PROVIDING EQUIPMENT MAINTENANCE FUNDS FOR COUNTY FIRE APPARATUS

7. Motion to adopt **Resolution No 2004-345**, authorizing the execution of an Interlocal Agreement between the City of Jacksonville Beach and St. Johns County to provide Mutual/Automatic Aid

RESOLUTION NO. 2004-345

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE CITY OF JACKSONVILLE BEACH FOR AUTOMATIC AID FOR THE RESPONSE OF EMERGENCY APPARATUS IN THE EVENT OF A STRUCTURAL FIRE OR OTHER EMERGENCY SITUATION THAT ENDANGERS LIFE OR PROPERTY IN A DESIGNATED RESPONSE AREA AND MUTUTAL AID WHEN ASSISTANCE IS REQUESTED DURING OTHER LARGE SCALE EMERGENCIES

8. Motion to adopt **Resolution No. 2004-346**, approving the terms, provisions, conditions, and requirements of an Amendment to the Infrastructure Co-Construction Agreement between the World Commerce Center, and St. Johns County, Florida, and authorizing the County Administrator to execute the Agreement on behalf of the County

RESOLUTION NO. 2004-346

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF AN AMENDED AGREEMENT BETWEEN WORLD COMMERCE CENTER AND ST. JOHNS COUNTY FOR THE ENGINEERING DESIGN, PERMITTING AND CONSTRUCTION OF SOUTH FRANCIS ROAD AND APPROVED CERTAIN SHARED REPSONSIBILITIES FOR THIS TRANSPORTAITON PROJECT

9. Motion to adopt **Resolution No. 2004-347**, accepting an Easement for Utilities for water and sewer service to Marshall Creek DRI Village Center Unit Four Subdivision and a Bill of Sale conveying all personal property associated with the water and sewer system

RESOLUTION NO. 2004-347

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO MARSHALL CREEK DRI VILLAGE CENTER UNIT FOUR SUBDIVISION AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM

10. Motion to adopt **Resolution No. 2004-348**, approving the terms and authorizing the County Administrator to execute the 1st Amendment to the Purchase and Sale Agreement to extend the closing date for property needed for a park in the Northwest portion of St. Johns County

RESOLUTION NO. 2004-348

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE 1ST AMENDMENT TO THE PURCHASE AND SALE AGREEMENT TO EXTEND THE CLOSING DATE FOR PROPERTY NEEDED FOR A PARK IN THE NORTHWEST PORTION OF ST. JOHNS COUNTY

11. Motion to adopt **Resolution No. 2004-349**, accepting an Easement for Utilities for water and sewer service to Island Cottages Subdivision and a Bill of Sale conveying all personal property associated with the water and sewer system

RESOLUTION NO. 2004-349

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO ISLAND COTTAGES SUBDIVISION (A RE-PLAT OF A PORTION OF REMINGTON ESTATES) AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM

12. Motion to adopt **Resolution No. 2004-350**, authorizing the County Administrator to acquire a FDOT landscape permit required for installing Gateway Enhancement Landscaping at the intersection of SR-16 and I-95 and Motion to adopt a Resolution authorizing the County Administrator to acquire a FDOT landscape permit required for installing Gateway Enhancement Landscaping on US-1 north at the Durbin Creek Bridge

RESOLUTION NO. 2004-350

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A LANDSCAPING AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, FOR MAINTENANCE OF LANDSCAPING AND RIGHTS-OF-WAY ON PORTIONS OF STATE ROAD 16 (SR-16) AT ITS INTERSECTION WITH INTERSTATE 5 (I-95) IN ST. JOHNS COUNTY FROM COUNTY ROAD 208 (CR-208) TO INMAN ROAD, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE LANDSCAPING AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

13. Motion to adopt a Resolution approving a Final Plat for Saint Johns Six Mile Creek West Unit 2

This item was pulled and placed on the Regular Agenda as Item 18a.

14. Motion to adopt **Resolution No. 2004-352**, to set a Public Hearing for 9:00 A.M. on January 12, 2005 to consider a petition to vacate and simultaneously convey to the Homeowner's Association the roads in Greenfield Subdivision

RESOLUTION NO. 2004-352

**A RESOLUTION ON VACATION OF CERTAIN
STREETS, ALLEY WAYS OR ROADS WITHIN
GREENFIELD SUBDIVISION**

15. Motion to adopt **Resolution No. 2004-353**, approving a Final Plat for Marshview Estates, Lot 44 Replat

RESOLUTION NO. 2004-353

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR
MARSHVIEW ESTATES, LOT 44 REPLAT**

16. Motion to adopt a Resolution approving a Final Plat for Commons at Wingfield Glen- Unit Two

This item was pulled and will be rescheduled at a later date.

17. Motion to adopt **Resolution No. 2004-354**, approving a Final Plat for Murabella Unit One

RESOLUTION NO. 2004-354

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR MURABELLA
UNIT ONE**

18. Motion to adopt **Resolution No. 2004-355**, approving a Final Plat for Stonehurst Plantation Unit Two-B

RESOLUTION NO. 2004-355

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR
STONEHURST PLANTATION UNIT TWO-B**

19. Motion to adopt **Resolution No. 2004-356**, amending the Capital Asset Policy contained in the St. Johns County Administrative Code

RESOLUTION NO. 2004-356

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AMENDING THE CAPITAL ASSET POLICY**

CONTAINED IN THE ST. JOHNS COUNTY
ADMINISTRATIVE CODE

20. Motion to adopt **Resolution No. 2004-357**, recognizing unanticipated revenue in the amount of \$3,825.91 from a developer's contribution and appropriating it to 4431-54603 (Golf Course Maintenance - Other Maintenance) for the relocation of the existing irrigation system at the County Golf Course

RESOLUTION NO. 2004-357

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2005 GOLF COURSE FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE GOLF COURSE MAINTENANCE DEPARTMENT

21. Motion to adopt **Resolution No. 2004-358**, authorizing \$100,000 in SHIP funds for Betty Griffin House (Safety Shelter of St. Johns County, Inc.) to fund construction of transitional housing units for low-income domestic violence victims

RESOLUTION NO. 2004-358

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING USE OF \$100,000 OF THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM FUNDS AS GRANT FUNDING FOR A TRANSITIONAL HOUSING APARTMENT BUILDING FOR SAFETY SHELTER OF ST. JOHNS COUNTY, INC. (BETTY GRIFFIN HOUSE) DOMESTIC ABUSE VICTIMS

22. Motion to adopt **Resolution No. 2004-359**, extending the agreement between St. Johns County, Florida and Medical Specialists of St. Augustine for a period of ninety (90) days beginning December 1, 2004 and ending February 28, 2005

RESOLUTION NO. 2004-359

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, EXTENDING AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND MEDICAL SPECIALISTS OF HASTINGS ON THE SAME TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS WITH THE EXCEPTION OF COMPENSATION, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ON BEHALF OF THE COUNTY, ANY AGREEMENTS, DOCUMENTS, EXTENSIONS, OR OTHER PAPERWORK NECESSARY TO ACCOMPLISH THAT PURPOSE

(12/01/04 - 7 - 9:29 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Maguire requested to add, as Item 1a, the request to add Beach Access to the St. Johns County Legislative Action Plan for the 2005 Session. Bosanko requested to pull Item 5 and reschedule it at a later date.

(12/01/04 - 8 - 9:30 a.m.)

APPROVAL OF REGULAR AGENDA

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

(12/01/04 - 8 - 9:30 a.m.)

1a. REQUEST TO ADD BEACH ACCESS TO THE ST. JOHNS COUNTY LEGISLATIVE ACTION PLAN FOR THE 2005 SESSION

Maguire reviewed this item stating that he would like to add this as a priority issue. Bryant stated that he supported Maguire on this. (9:31 a.m.) **Motion by Bryant, seconded by Stern, to add this to the priority list for the delegation.** Discussion followed by the Commissioners on the beach access issue. **The motion carried 5/0.** Jolie Tillis left the meeting.

(12/01/04 - 8 - 9:34 a.m.)

1. CONSIDER MOTION TO GRANT FREE USE OF SPACE AT THE ST. JOHNS COUNTY CONVENTION CENTER TO CHURCH ON THE ROCK MINISTRIES, INC. ON TUESDAY, MARCH 15, 2005 FROM 6:30 P.M. TO 9:30 P.M.

Dena Master, Office Manager, mentioned that Church On the Rock Ministries wanted to hold a pro-family rally and was asking for free use of space at the St. Johns County Convention Center. (9:35 a.m.) **Motion by Stern, seconded by Bryant, carried 5/0, to grant free use of space at the St. Johns County Convention Center to Church on the Rock Ministries, Inc. on Tuesday, March 15, 2005.**

(12/01/04 - 8 - 9:36 a.m.)

2. CONSIDER MOTION TO GRANT FREE USE OF SPACE AT THE ST. JOHNS COUNTY CONVENTION CENTER FOR ALLEN NEASE HIGH SCHOOL ON FRIDAY, FEBRUARY 11, 2005 FROM 9:00 A.M. UNTIL NOON

Master mentioned that Allen Nease High School requested free use of space to hold a workshop to educate middle and high school science teachers in laboratory safety. (9:36 a.m.) **Motion by Stern, seconded by Bryant, carried 5/0, to grant free use of space at the St. Johns County Convention Center for Allen Nease High School on Friday, February 11, 2005 from 9:00 a.m. until noon.**

(12/01/04 - 8 - 9:37 a.m.)

3. CONSIDER MOTION TO GRANT FREE USE OF SPACE AT THE ST. JOHNS COUNTY CONVENTION CENTER FOR THE FIRST COAST METROPOLITAN PLANNING ORGANIZATION ON THURSDAY, JANUARY 13, 2005 FROM NOON UNTIL 6:00 P.M.

Masters mentioned that the First Coast Metropolitan Planning Organization requested free use of space to hold a Board and Staff retreat. (9:37 a.m.) **Motion by Stevenson, seconded by Stern, carried 5/0, to grant free use of space at the St. Johns County Convention Center for the First Coast Metropolitan Organization on Thursday, January 13, 2005 from noon until 6:00 p.m.** Discussion followed on using so many free days already in the year 2005.

(9:42 a.m.) Maguire spoke on the approval process, and suggested having the Administrator handle this type of function himself instead of coming before the Board for approval. (9:43 a.m.) *It was the consensus of the Board to let the County Administrator handle approving free use of space at the St. Johns County Convention Center.*

(12/01/04 - 9 - 9:44 a.m.)

4. PRESENTATION BY MARSHA CHANCE, SENIOR ARCHAEOLOGIST, ESI: "A SURVEY OF FORTY-SIX HISTORICAL CEMETERIES IN ST. JOHNS COUNTY, FLORIDA."

Marsha Chance, Senior Archaeologist, briefly presented the results of their survey of 46 historical cemeteries in St. Johns County and stated that a description of the cemeteries were listed on the back of the report. Discussion followed on some of the cemeteries being neglected, and what qualifies a burial site as a cemetery.

5. CONSIDER REQUEST TO ENDORSE THE WILLIAM BARTRAM SCENIC & HISTORIC HIGHWAY CORRIDOR MANAGEMENT AGREEMENT

This Item was pulled.

(12/01/04 - 9 - 10:00 a.m.)

6. REPORT FROM TAYLOR ENGINEERING, INC. REGARDING THE ANTICIPATED BEACH RENOURISHMENT PROJECT THIS SPRING

Dan Weimer reviewed this item.

(10:01 a.m.) Bosanko mentioned that he received a notice that the parties involved in most of the land use items today, except for the first one, were going to be asking for a continuance. He suggested discussing it between this item and the next item.

(10:01 a.m.) Bruce Taylor gave a brief report on beach re-nourishment, utilizing the overhead projector. Discussion followed on the mean sea level, and the sea level rising. Taylor gave a background history on his credentials.

(10:28 a.m.) Steven Ross, Project Manager, Army Corp of Engineers, gave a scheduled update of why they were expediting this project on St. Augustine Beach.

(10:30 a.m.) Carl Blow, 100 Santa Monica Ave., spoke on the dredging project removing some of the sandbar and the problems with salt run and submitted information to the same.

(10:38 a.m.) Emmett Pacetti, 800 Mickler Blvd., gave an insight about the re-nourishment and provided pictures.

(10:49 a.m.) Weimer stated that he would come back to the Board after the holidays with a funding mechanism from the Tourist Development Council, which would involve some loans to be paid back from future TDC funds to cover their share of the cost of this project.

The meeting recessed at 10:50 a.m. and reconvened at 11:05 a.m. with Strickland leaving the meeting.

Bosanko mentioned that he received information that an appeal had been filed on a concurrency determination by the County's Concurrency Review Committee. He said that he had received requests from both parties on both sides to continue Items 10

through 15 to a date uncertain and stated it would have to be re-noticed. There was also a request to schedule a hearing to hear an appeal on the concurrency at an expedited manner, at a special meeting on December 20th. (11:10 a.m.) **Motion by Bryant, seconded by Stern, to continue Items 10, 11, 12, 13, 14, and 15 to a time uncertain to be rescheduled and re-advertised and also hear an appeal to the concurrency on December 20th.** Adams stated that January 12th and 26th are the next scheduled meetings and he had room on those meetings if needed. **The motion carried 5/0.** Laura Barrow, Assistant County Attorney, entered the meeting.

(12/01/04 - 10 - 11:12 a.m.)

7. CONSIDER A RESOLUTION APPROVING HISTORIC PROPERTY TAX EXEMPTION FOR SANCHEZ HOMESTEAD LOCATED AT 7270 OLD HIGHWAY 207, ELKTON, FLORIDA

Stern introduced this item. Laura Barrow, Assistant County Attorney, gave the history on this item. (11:19 a.m.) James Browning explained the historical side and the financial benefits. He recommended to the Commission to change the Ordinance from a five-year to a ten-year. Maguire asked Adams to have Godfrey check into it. (11:25 a.m.) **Motion by Stern, seconded by Rich, carried 5/0, to adopt Resolution No. 2004-360, approving historic property tax exemption for Sanchez Homestead located at 7270 Old Highway 207, Elkton, Florida.**

Browning spoke on having a tremendous amount of vandalism on the property.

RESOLUTION NO. 2004-360

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR CERTAIN IMPROVEMENTS TO HISTORIC PROPERTY KNOWN AS THE SANCHEZ HOMESTEAD LOCATED AN 7270 OLD HIGHWAY 207, ELKTON, FLORIDA, ON ACCORDANCE WITH ST. JOHNS COUNTY ORDINANCE 97-61 AND SECTION 196.1997, FLORIDA STATUTES, AND PROVIDING AN EFFECTIVE DATE

(12/01/04 - 10 - 11:29 a.m.)

8. PUBLIC HEARING - CONSIDERATION OF PROPOSED ORDINANCE PERTAINING TO REMOVAL/TOWING OF JUNK AND ABANDONED VEHICLES - THE BCC PREVIOUSLY DIRECTED THAT AN ORDINANCE BE DRAFTED ADDRESSING THE PROBLEM OF THE PROLIFERATION OF JUNK, ABANDONED, INOPERABLE AND WRECKED VEHICLES ON PRIVATE PROPERTY. THE ORDINANCE RELATES TO THE REMOVAL OF ABANDONED, JUNK, INOPERABLE, OR WRECKED VEHICLES FROM PRIVATE OR PUBLIC PROPERTY; PROVIDING DEFINITIONS AND ENFORCEMENT PROCEEDINGS; PROVIDING PROCEDURES PERTAINING TO NOTICE AND HEARING; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. THE DRAFT PRESENTED TODAY IS FOR THE BCC'S CONSIDERATION FOR POSSIBLE ENACTMENT

Proof of publication of the Notice of Public Hearing on the Removal/Towing of Junk and Abandoned Vehicle Ordinance was received, having been published in *The St. Augustine Record* on November 18, 2004.

James Acosta, Code Enforcement Supervisor, reviewed this item, stating that this should be thought of as a code enforcement tool. Rich asked if the regulation on the towing portion of it was tied to the cash limits on the towing that was in place now. Bosanko replied that in his opinion, they were tied together. (11:32 a.m.) **Motion by Rich, seconded by Stern, to enact Ordinance No. 2004-112, relating to removal of abandoned, junk, inoperable or wrecked vehicles.** Stevenson questioned vehicles being in front of businesses that were ornamental. Barrow replied that there was a State Statute 320.086 pertaining to ancient or antique motor vehicles and historical vehicles. Acosta added to Barrow's statement. Discussion followed on using vehicles as advertisement tools and having an Ordinance in place now for the removal of junk cars.

(11:40 a.m.) Doug Burnett, 170 Malaga Street, recommended changes to the proposed Ordinance, providing a copy. The recommended changes were as followed; in the second whereas clause, add the words "or area" after neighborhood, in the definition area Section 2, delete the language, *has been left unprotected from the elements* and replace it with the language, *is not enclosed in a structure*, and changes to the definition of a Code Enforcement Officer. Maguire directed Bosanko to go over the changes with Burnett and bring it back to the Board with suggestions later on in the meeting. (11:46 a.m.) *Rich withdrew his motion and the second also withdrew.*

The meeting moved to Item 9.

(12:12 a.m.) McCormack left the meeting and Barrow entered the meeting. Burnett reviewed the changes, stating that the Staff agreed with adding the language, "or area" in the second whereas, the Staff agreed to the second change in the definition section under abandoned, except for striking through the word *enclosed*, on the second page, Staff agreed with the first two changes in paragraph C and D, paragraph F and G would remain the same, Staff agreed with paragraph K except the lettering should be J instead of K, on the top of page 3, Staff agreed with the addition of the paragraph writing in blue, "nothing in this section shall prevent any Enforcement Officer otherwise lawfully on Private property from posting a notice of violation," inserting the word, "on" a vehicle," Staff agreed with the language a couple of paragraphs down under paragraph C, "or is not otherwise lawfully on Private property," on page 3 under Section 5 Enforcement, only part of the change would be included, strike the word "building" and replace it with "structure," and strike out "completely enclosed," there would be no changes to pages 4 and 5, and stated that he disagreed with section H, Public Property, stating that they needed to make the definition include the incorporated areas of the County. Bosanko recommended not making the change of including the incorporated areas of the County, at this time. (12:22 p.m.) **Motion by Rich, seconded by Stern, to enact Ordinance No. 2004-112, relating to the removal of abandoned, junk, inoperable or wrecked vehicles with all the additions and deletions that had been directed by Bosanko, and Item H would remain as originally printed by County Staff.**

(12:23 p.m.) Walter Kelly 1515 A1A South, spoke in favor of this ordinance. (12:26 p.m.) **The motion carried 5/0.**

ORDINANCE NO. 2004-112

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA,
RELATING TO REMOVAL OF ABANDONED JUNK,
INOPERABLE, OR WRECKED VEHICLES FROM
PRIVATE OR PUBLIC PROPERTY; PROVIDING
DEFINITIONS AND ENFORCEMENT PROCEEDINGS;
PROVIDING PROCEDURES PERTAINING TO NOTICE

**AND HEARING; PROVIDING FOR SEVERABILITY;
AND PROVIDING AN EFFECTIVE DATE**

The meeting moved to Item 17

(12/01/04 - 12 - 11:47 a.m.)

9. PUBLIC HEARING - APPEAL, ZADMAPL 2004-02, DONALD TAYLOR - THIS ITEM IS AN APPEAL TO THE DENIAL OF A ZONING VARIANCE FOR THE REDUCTION IN FRONT YARD SETBACKS FOR A CORNER LOT LOCATED AT 2401 OLEANDER STREET. THE PROPOSED SETBACKS ARE FROM 25 FT. TO 15 FT. ON FIRST FRONTAGE ON OLEANDER STREET AND FROM 15 FT. TO 8 FT. ON UNOPENED 11TH STREET. ON OCTOBER 7, 2004 THE PLANNING AND ZONING AGENCY CONSIDERED THE MATTER AND BY THE MOTION FAILING TO RECEIVE A MAJORITY VOTE OF THE MEMBERS PRESENT (3-3) THE REQUEST WAS DENIED PURSUANT TO SECTION 8.01.03.B OF THE LAND DEVELOPMENT CODE. ON OCTOBER 14, 2004 THE APPLICANT FILED AN APPEAL IN A TIMELY MANNER AS PRESCRIBED BY THE LAND DEVELOPMENT CODE. COPY OF THE ORDER OF THE PLANNING AND ZONING AGENCY AND STAFF REPORT ARE INCLUDED WITH THE APPEAL APPLICATION ATTACHED. THIS ITEM CONTAINS TWO REQUEST FOR VARIANCES. THE BOARD MAY APPROVE/DENY EITHER OR BOTH OF THE REQUESTS. STAFF REPORT DATED SEPTEMBER 23, 2004, PAGES 3, 4, AND 5 CONTAIN MOTIONS TO APPROVE/DENY ANY OR PART OF THE REQUEST, WITH SUGGESTED FINDINGS TO SUPPORT THE MOTION

Proof of publication of the Notice of Public Hearing on Zoning Appeal ZVAR 04-09 Oleander was received, having been published in *The St. Augustine Record* on November 16, 2004.

Rosemary Yeoman, Zoning Manager, explained that this was an appeal to the denial of a zoning variance for the reduction in front yard setbacks for a corner lot located at 2401 Oleander Street. She distributed information not in the packet. Patrick McCormick, Assistant County Attorney entered the meeting and Barrow left the meeting.

(11:48 a.m.) Bill Brown, 2825 Lewis Speedway, speaking in behalf of Donald Taylor, reviewed this item stating why a variance was needed.

(11:52 a.m.) Dan Bushnell, 2516 Oleander Street, spoke in favor of the denial of the setback and asked if the e-mails sent in on this item could be read or acknowledged.

(11:55 a.m.) George Schesyenter, 2551 Hydrangea Street, spoke in favor of the denial of the setback. McCormack stated that the request for the zoning variance could not be harmful to the purposes of the zoning code. He stated that one had to look at the property and the request and it could not be a personal hardship. Yeoman mentioned that Staff had no objection to the second reduction. Bryant asked Brown if his client would accept the Staff's recommendation. Brown responded yes. (12:06 a.m.) **Motion by Bryant, seconded by Stern, carried 4/1 with Rich opposed, to grant Staff's recommendation of the one variance on 11th Street, 15 foot to 8 foot and to deny the first portion of the motion, the setback from the wetland area.**

Items 10, 11, 12, 13, 14, and 15 were rescheduled to a time uncertain.

10. FINAL PUBLIC HEARING - DEVAGREE 2004-01, SUNSHINE HOLDINGS DEVELOPMENT AND IMPACT FEE AGREEMENT - THIS IS THE SECOND OF

TWO REQUIRED PUBLIC HEARINGS. THE FIRST PUBLIC HEARING WAS HELD ON NOVEMBER 17, 2004. THE FOLLOWING CHANGES HAVE BEEN MADE TO THE DEVELOPMENT AGREEMENT: 1. ALL REFERENCES TO STOKES & COMPANY HAVE BEEN CHANGED TO SAMARA LAKES, LLC; 2. TYPOGRAPHICAL ERRORS WERE CORRECTED; AND 3. THE REVISED EXHIBIT E-2 (HANDLED OUT AT THE 11/17/04 MEETING) HAS BEEN INCORPORATED INTO THE AGREEMENT. THE PROPOSED DEVELOPMENT AGREEMENT ADDRESSES ROADWAY CAPACITY ISSUES FOR THE PALM LAKES PUD PHASES 4 AND 5, THE SUNSHINE 13 PUD, THE SUNSHINE 16 PUD PHASES 1 AND 2A, AND THE LIBERTY PARK PUD

Proof of publication of the Notice of Public Hearing on Development and Impact Fee was received, having been published in *The St. Augustine Record* on November 2, 2004.

11. PUBLIC HEARING - CPA (SS) 2004-03 PALM LAKES SMALL SCALE COMPREHENSIVE PLAN AMENDMENT - THIS IS A PROPOSED SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO AMEND THE FUTURE LAND USE MAP FROM RESIDENTIAL-B TO COMMUNITY COMMERCIAL. THE SUBJECT PROPERTY IS LOCATED AT THE INTERSECTION OF SR 16 AND PACETTI ROAD. THE SUBJECT PROPERTY IS PARTIALLY WITHIN THE PALM LAKES PUD AND A PORTION IS ZONED OR. THE PROPERTY CONTAINS APPROXIMATELY 9.99 ACRES OF LAND. THE EXISTING PALM LAKES PUD ALLOWS NEIGHBORHOOD COMMERCIAL USES AS PROVIDED IN THE LAND DEVELOPMENT CODE AND ARE LIMITED TO FACILITIES WITHOUT DRIVE-THROUGH SERVICES. THE APPLICANT HAS PROVIDED THAT DRIVE-THROUGH BANKS, PHARMACIES AND RESTAURANTS ARE COMMON USES ALONG COLLECTOR ROADS AND AT THE ENTRANCE OF SUBDIVISIONS. FURTHER THE APPLICANT HAS PROVIDED THE PROPERTY ALONG THE WEST SIDE OF PACETTI ROAD (HORTONS GROCERY) ALLOWS FOR COMMUNITY COMMERCIAL USES. IF THIS AMENDMENT IS APPROVED THE PALM LAKES PUD WILL BE MODIFIED TO ALLOW THESE USES. IN ADDITION, THE PALM LAKES PUD IS DESIGNED TO PROVIDE CONNECTIVITY BETWEEN THE COMMERCIAL USES AND THE RESIDENTIAL USES, THEREBY ALLEVIATING THE NEIGHBORHOOD RESIDENTS' NEED TO TRAVEL SR 16 FOR COMMUNITY SHOPPING AND COMMERCIAL SUPPORT. THE PLANNING AND ZONING AGENCY CONSIDERED THIS APPLICATION AT THEIR NOVEMBER 18, 2004 MEETING. THE AGENCY RECOMMENDED APPROVAL AND THE MOTION FAILED WITH A 3-3 VOTE, WHICH CONSTITUTES A RECOMMENDATION OF DENIAL. THE AGENCY EXPRESSED CONCERN ABOUT THE TIMING OF THE DEVELOPMENT IN RELATION TO THE APPLICANT'S PLANNED TRANSPORTATION IMPROVEMENTS

Proof of publication of the Notice of Public Hearing on CPA(SS) 2004-03 Palm Lakes Small Scale Comprehensive Plan Amendment was received, having been published in *The St. Augustine Record* on November 1, 2004.

12. PUBLIC HEARING - MAJMOD 2004-14 PALM LAKES PLANNED UNIT DEVELOPMENT - THE PALM LAKES PUD CONSISTS OF 419.2 ACRES AND IS LOCATED SOUTH OF STATE ROAD 16, EAST OF PACETTI ROAD. THE MAJOR MODIFICATION PROPOSES TO ADD COMMERCIAL USES DESCRIBED IN THE COMMUNITY COMMERCIAL LAND USE CATEGORY TO PARCEL 4A (3.7 ACRES). THE MODIFICATION IS CONTINGENT UPON THE APPROVAL OF THE PROPOSED SMALL-SCALE AMENDMENT APPLICATION (SSCPA 2004-03). THE RESULT PROVIDE FOR 140,000

SQUARE FEET OF RETAIL USE AND 5,000 SQUARE FEET OF OFFICE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR NOVEMBER 18, 2004 MEETING WITH A VOTE OF 4/2. DISSENTING VOTES WERE BASED UPON CONCERNS OVER THE LACK OF AN APPROVED DEVELOPMENT AGREEMENT PROVIDING FOR TRANSPORTATION IMPROVEMENTS AS WELL AS THE CURRENT OPERATION OF THE SR 16/ CR13A/ IGP INTERSECTION WITH REGARDING TO THE TIMING OF ROAD IMPROVEMENTS

Proof of publication of the Notice of Public Hearing on MAJ 04-14 Palm Lakes PUD was received, having been published in *The St. Augustine Record* on October 29, 2004.

13. PUBLIC HEARING - PUD 2004-21 SUNSHINE 16 PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 43.7 ACRES LOCATED IN THE SOUTH OF STATE ROAD 16 AND EAST OF PACETTI ROAD WITHIN THE NORTHWEST SECTOR OF ST. JOHNS COUNTY. THE PLAN OF DEVELOPMENT INCLUDES 109,000 SQUARE FEET OF SHOPPING CENTER RETAIL AND 60 SINGLE-FAMILY RESIDENTIAL UNITS. THE PROJECT DOES NOT CONTAIN ANY ONSITE WETLANDS, AS IT WAS PREVIOUSLY USED AS CULTIVATED CROPLAND. THE PROJECT IS LOCATED IN THE RESIDENTIAL B LAND USE CATEGORY. A COMPANION SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT IS UNDER REVIEW TO CHANGE APPROXIMATELY 6.29 ACRES FROM RESIDENTIAL B TO COMMUNITY COMMERCIAL. THE LAND USE AMENDMENT WOULD PROVIDE FOR MORE INTENSE COMMERCIAL USES THAN CURRENTLY ALLOWED UNDER THE RESIDENTIAL B LAND USE CATEGORY. LOTS WILL BE A MINIMUM OF 7,800 SQUARE FEET IN SIZE. THE PROJECT HAS A NET DENSITY OF 1.92 UNITS PER ACRE. DEVELOPMENT WITHIN THE NORTHWEST SECTOR REQUIRES A MINIMUM OF 5.0 ACRES OF ACTIVE RECREATION. A MINIMUM OF 5.67 ACRES OF RECREATION WILL BE PROVIDED; WITH 5.0 ACRES OF ACTIVE RECREATION AND 0.67 OF PASSIVE RECREATION. THE ACTIVE RECREATION FACILITIES INCLUDE JOGGING TRAILS WITH EXERCISE STATIONS, A CHILD'S PLAYSCAPE (TOT LOT), EXERCISE/WALKING/JOGGING PATH, A GRASSED FIELD AND A PASSIVE PARK. OPEN SPACE WILL BE PROVIDED THROUGH 12.43 ACRES INCLUDING THE RECREATION AREAS, BUFFERS, SCENIC EDGES, AND DEVELOPMENT EDGES. FOUR (4) FOOT WIDE SIDEWALKS WILL BE PROVIDED ALONG ONE SIDE OF ALL INTERNAL ROADS. THE PLANNING AND ZONING AGENCY VOTED 3/3, A DENIAL BY FAILED APPROVAL, ON THIS REZONING REQUEST AT THE NOVEMBER 18, 2004 HEARING. THE PLANNING AND ZONING AGENCY CITED CONCERNS OVER TRANSPORTATION ISSUES. NAMELY, CONCERNS CENTERED ON A DESIRE TO HAVE AN APPROVED DEVELOPMENT AGREEMENT PRIOR TO HEARING ANY ASSOCIATED REZONINGS AND/OR DEVELOPMENT APPLICATIONS AS WELL AS CONCERNS OVER THE CURRENT OPERATION OF THE SR16/CR13A/IGP INTERSECTION WITH REGARD TO THE TIMING OF ROAD IMPROVEMENTS

Proof of publication of the Notice of Public Hearing on PUD 04-21 Sunshine 16 was received, having been published in *The St. Augustine Record* on October 29, 2004.

14. PUBLIC HEARING - PUD 2004-20 SUNSHINE 13 PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE 79.86 ACRES OF LAND FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) TO

ALLOW THE DEVELOPMENT OF A 159 UNIT SINGLE-FAMILY DEVELOPMENT WITH ASSOCIATED RECREATIONAL AMENITIES. THE SUBJECT PROPERTY IS SITUATED OFF OF PACETTI ROAD AND ABOUT 1/2 MILE SOUTH OF STATE ROAD 16. ST. JOHNS COUNTY WILL PROVIDE CENTRAL WATER AND SEWER SERVICE. SIDEWALKS WILL BE PROVIDED ALONG ONE SIDE OF PACETTI ROAD AND ALONG ALL MAIN ROADWAYS. THE PUD WILL CONSTRUCT 13.0 ACRES OF ACTIVE RECREATION AREA, WHICH WILL INCLUDE A CHILD'S TOT LOT, JOGGING TRAIL WITH EXERCISE STATIONS, AND A MULTIPURPOSE FIELD. THE PUD WILL ALSO HAVE 20.94 ACRES (26.2%) OF OPEN SPACE, WHICH EXCEEDS THE MINIMUM 25% REQUIRED. THE SUBJECT PROPERTY IS DESIGNATED AS RESIDENTIAL-B (2 UNITS PER ACRE) AND THE PUD HAS A NET DENSITY OF 1.99 UNITS PER ACRE. THE PLANNING AND ZONING AGENCY RECOMMENDED DENIAL OF THIS REZONING REQUEST AT THEIR NOVEMBER 18, 2004 HEARING BY A VOTE OF 3 TO 3. THE AGENCY HAD CONCERNS OVER THE TIMING OF THE SCHEDULED INFRASTRUCTURE IMPROVEMENTS AND THEY WOULD HAVE PREFERRED THE DEVELOPMENT AGREEMENT HAD BEEN APPROVED BEFORE RECOMMENDING APPROVAL

Proof of publication of the Notice of Public Hearing on PUD 04-21 Sunshine 13 was received, having been published in *The St. Augustine Record* on October 29, 2004.

15. PUBLIC HEARING - PUD 2004-25 LIBERTY PARK PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 148.05 ACRES LOCATED EAST OF PACETTI ROAD IN THE NORTHWEST SECTOR OF ST. JOHNS COUNTY. THE PROJECT PROPOSES DEVELOPMENT OF 408 SINGLE-FAMILY RESIDENTIAL UNITS. THE PROJECT WILL PROVIDE AFFORDABLE HOUSING THROUGH THE AFFORDABLE HOUSING DENSITY BONUS (POLICY A.1.11.1.H.7 OF THE COMPREHENSIVE PLAN). THE PROJECT IS LOCATED WITHIN THE RESIDENTIAL B LAND USE CATEGORY WHICH PROVIDES TWO DWELLING UNITS PER ACRE AND AN OPTIONAL DENSITY BONUS OF UP TO ONE DWELLING UNIT PER ACRE INCREASE FOR AFFORDABLE HOUSING (I.E. MAXIMUM DENSITY 3 DU/AC). THE GROSS DENSITY OF THE SITE IS 2.76 DU/AC. THE AFFORDABLE HOUSING DENSITY BONUS PROVIDES FOR AN ADDITIONAL 112 DWELLING UNITS. OF THE 112 BONUS UNITS, 56 UNITS WILL BE CONSTRUCTED AS AFFORDABLE HOUSING IN ACCORDANCE WITH LAND DEVELOPMENT CODE CRITERIA OF SECTION 5.07.00. APPROXIMATELY 160 LOTS WILL MEET A MINIMUM SIZE OF 7,245 SQUARE FEET AND 248 LOTS WILL MEET A MINIMUM SIZE OF 6,095 SQUARE FEET. THE PROJECT PROPOSAL INCLUDES 6.0 ACRES OF ACTIVE PARKS THAT WILL INCLUDE A COMBINATION OF A MULTI-PURPOSE PLAY FIELDS, CHILDREN'S PLAY AREAS, WALKWAYS AND JOGGING TRAILS. OPEN SPACE WILL BE PROVIDED THROUGH 31 ACRES INCLUDING THE RECREATION AREAS, SCENIC EDGES AND DEVELOPMENT EDGES. FOUR (4) FOOT WIDE SIDEWALKS WILL BE PROVIDED ALONG ONE SIDE OF ALL INTERNAL ROADS. THE PLANNING AND ZONING AGENCY VOTED 3/3, A DENIAL BY FAILED APPROVAL, ON THIS REZONING REQUEST AT THE NOVEMBER 18, 2004 HEARING. THE PLANNING AND ZONING AGENCY CITED CONCERNS OVER TRANSPORTATION ISSUES. NAMELY, CONCERNS CENTERED ON A DESIRE TO HAVE AN APPROVED DEVELOPMENT AGREEMENT PRIOR TO HEARING ANY ASSOCIATED REZONINGS AND/OR DEVELOPMENT APPLICATIONS AS WELL AS

CONCERNS OVER THE CURRENT OPERATION OF THE SR16/CR13A/IGP INTERSECTION WITH REGARD TO THE TIMING OF ROAD IMPROVEMENTS

Proof of publication of the Notice of Public Hearing on PUD 04-25 Liberty Park was received, having been published in *The St. Augustine Record* on November 1, 2004.

(12/01/04 - 16 - 12:08 a.m.)

16. CONSIDER A MOTION TO APPROVE THE INCREASE OF COUNTY WORKERS COMPENSATION PAYROLL RATES TO BE EFFECTIVE FOR THE COUNTY PAYROLL PERIOD ENDING DECEMBER 4, 2004

Doug Timms, Interim Director of Management and Budget reviewed this item, stating that there was an increase in the workman compensation situation at the County. (12:11 a.m.) **Motion by Stern, seconded by Stevenson, carried 5/0, to approve the increase of County Workers Compensation payroll rates to be effective for the County payroll period ending December 4, 2004.**

The meeting returned to Item 8.

(12/01/04 - 16 - 12:26 p.m.)

17. CONSIDER APPOINTMENTS TO THE TOURIST DEVELOPMENT COUNCIL

Melissa Lundquist, Administrative Coordinator, explained that there were two vacancies on the Tourist Development Council, that there were three new applications and a letter requesting reappointment by Mr. Peter for the Board to consider. (12:27 p.m.) **Motion by Stern, seconded by Bryant, carried 5/0, to reappoint Jack Peter to the Tourist Development Council for a four-year term scheduled to expire December 31, 2008.** (12:28 p.m.) **Motion by Stevenson, seconded by Bryant, carried 5/0, to appoint Frank Usina to the Tourist Development Council for a four-year term scheduled to expire December 31, 2008.**

(12/01/04 - 16 - 12:59 p.m.)

18. CONSIDER MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO ENTER INTO A CONTRACT WITH RESPONSIVE FIRM, JACKSONVILLE AREA LEGAL AID, INC FOR RFP NO. 05-27, LEGAL AID SERVICES

Joe Burch, Purchasing Manager, stated that this RFP was issued to solicit law firms who were interested in providing legal aid services to residents of St. Johns County. Bosanko explained that the County had already budgeted the funds for this. (12:31 p.m.) **Motion by Bryant, seconded by Rich, carried 5/0, to authorize the County Administrator, or his designee, to enter into a contract with the responsive firm, Jacksonville, Area Legal Aid, Inc., in the amount of \$207,625 spread over the next ten months.**

(12/01/04 - 16 - 12:31 p.m.)

- 18a. MOTION TO ADOPT A RESOLUTION APPROVING A FINAL PLAT FOR SAINT JOHNS SIX MILE CREEK WEST UNIT 2 (*Formally Consent Item 13*)

Kathy Nielsen, Applications Review Coordinator, Development Services Division, stated that they pulled this item to give the applicant time to get a new updated title opinion to them in the proper form and to reflect the 2004 taxes as paid. She stated that they had received everything that was needed and the County Attorney's Office had signed off on it. (12:32 p.m.) **Motion by Bryant, seconded by Stern, carried 5/0, to**

adopt Resolution No. 2004-361 approving a Final Plat for Saint Johns Six Mile Creek West Unit 2.

RESOLUTION NO. 2004-361

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR SAINT JOHNS SIX MILE CREEK WEST UNIT 2

(12/01/04 - 17 - 12:32 p.m.)
COMMISSIONER REPORTS

Commissioner Stevenson:

No report.

(12:32 p.m.)
Commissioner Stern:

No report.

(12:32 p.m.)
Commissioner Maguire:

Maguire mentioned that he would like to get an update on the liquor hours for the Super Bowl scheduled for the next meeting. Adams replied that he was already on it.

Maguire mentioned that the political signs left up from the election needed to be taken down.

Maguire spoke on reviewing the Bingo Ordinance issue.

(12:35 p.m.)
Commissioner Bryant:

Bryant commented on the variance issue.

Bryant commented on Dr. Colovito and Staff doing a good job with the Family Integrity Program.

(12:37 p.m.)
Commissioner Rich:

No report.

(12/01/04 - 17 - 12:37 p.m.)
COUNTY ADMINISTRATOR REPORT

Adams reminded the Board about the public meeting scheduled on December 8th, 6:00 p.m. at Rawlings Elementary School.

(12/01/04 - 17 - 12:38p.m.)
COUNTY ATTORNEY'S REPORT

Bosanko spoke on the package that was put together to assist Flagler Estates in building ten miles of road. He stated that the County would be borrowing the money and re-lending it to Flagler Estates. He spoke on adjusting it to a straight bank loan from the Bank of Alachua in Hastings, which would be done on an emergency basis. It would be brought to the Board on December 15 for consideration.

Bosanko stated that the liquor sales exception for Super Bowl night would have to be advertised. Stern suggested having a discussion about it first.

(12:42 p.m.) Bryant mentioned that he might not be able to make it to the meeting in Ponte Vedra on December 8th.

(12/01/04 - 18 - 12:38 p.m.)
CLERK OF COURT'S REPORT

No report.

Motion by Bryant, seconded by Rich, carried 5/0, to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 12:42 p.m.

REPORTS:

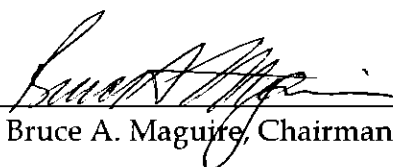
1. St. Johns County Board of County Commissioners Check Register, Check Number 359711 through 359805, totaling \$2,042.96 (11/16/04)
2. St. Johns County Board of County Commissioners Check Register, Check Number 359806 through 360392 totaling \$3,281,690.14 (11/17/04)
3. St. Johns County Board of County Commissioners Check Register, Check Number 360393 through 360399, totaling \$7658.69 (11/23/04)
4. St. Johns County Board of County Commissioners Check Register, Check Number 360400 through 360431, totaling \$40,130.55 (11/23/04)

CORRESPONDENCE:

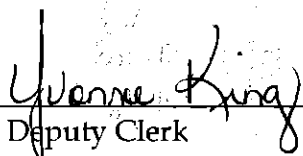
1. Letter dated November 22, 2004 to Liz Cloud, Department of State, Bureau of Administrative Code filing St. Johns County Ordinance Numbers 2004-108 through 2004-111

Approved January 12, 2005

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Bruce A. Maguire, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk