

NOTE:

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**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
SEPTEMBER 20, 2005  
(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:       Bruce A. Maguire, District 4, Chairman  
                          James E. Bryant, District 5, Vice Chairman  
                          Cyndi Stevenson, District 1  
                          Karen R. Stern, District 2  
                          Ben Rich, District 3  
                          Ben W. Adams, Jr., County Administrator  
                          Daniel Bosanko, County Attorney  
                          Yvonne King, Deputy Clerk

Also present:       Cheryl Strickland, Clerk of Courts

(09/20/05 - 1 - 9:01 a.m.)

Maguire called the meeting to order.

(09/20/05 - 1 - 9:01 a.m.)

ROLL CALL

Maguire announced that all five commissioners were present.

(09/20/05 - 1 - 9:01 a.m.)

INVOCATION & PLEDGE OF ALLEGIANCE

Rich gave the Invocation, and Bryant led the Pledge of Allegiance.

(09/20/05 - 1 - 9:03 a.m.)

Maguire thanked County Staff for the contributions during the Time of Sharing Ceremony this morning to the victims of Hurricane Katrina.

(09/20/05 - 1 - 9:03 a.m.)

PROCLAMATION DESIGNATING SEPTEMBER 2005 AS NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH

Stern read the proclamation, designating September, 2005 as Alcohol and Drug Addiction Recovery Month, and presented it to Judge Berger, who on behalf of the St. Johns County Adult Drug Court Program and all the program participants, thanked the Commission for the proclamation. (9:06 p.m.) Stevenson announced a forum to be held at Flagler College on September 29, 2005 in the Flagler Room by the PACT prevention Coalition regarding youth drug addiction.

(09/20/05 - 1 - 9:08 a.m.)

ACCEPTANCE OF PROCLAMATION

**Motion by Stern, seconded by Rich, carried 5/0, to accept the proclamation, designating September 2005 as National Alcohol and Drug Addiction Recovery Month.**

(09/20/05 - 2 - 9:08 a.m.)  
PUBLIC COMMENTS

There were no public comments.

(09/20/05 - 2 - 9:09 a.m.)  
DELETIONS TO CONSENT AGENDA

Rich requested that Consent Items 18 and 19 be added to the Regular Agenda as Items 15a and 15b. Maguire requested that Consent Item 5 be added to the Regular Agenda as Item 15c. Adams requested that Consent Items 20 and 21 be added to the Regular Agenda as Items 15d and 15e; and requested Item 4 be removed from the Consent Agenda to be rescheduled.

(09/20/05 - 2 - 9:11 a.m.)  
APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Minutes:  
08/09/05 - BCC Regular Meeting  
08/23/05 - BCC Regular Meeting  
01/06/04 - BCC Regular Meeting (amended)
3. Sheriff's Office Bonds:  
Approve: Edwin Carter & Lynn Vaccaro  
Cancel: Lisa Ackerman, Christine Erb, & Carol Wutkowski  
Name Change: Tammy Casio to Tammy Kaelin; and Kimberly Moody to Kimberly Brown
4. Motion to adopt a resolution authorizing the Clerk of Circuit Courts, under Section 95.361, Florida Statutes, to file a survey map for Bradbury Road, claiming a vested interest in the road described in the survey map, and/or establishing a prescriptive easement in the same right-of-way, in accordance with the principles set forth in Downing v. Bird 100 So. 2d 57 (Fla. 1958)  
  
*This agenda item was removed from the Consent Agenda to be rescheduled.*
5. Motion to adopt a resolution approving the terms of, and authorizing the Chair to execute a Special Warranty Deed for property needed for the West King Street Improvement Project; conveying a 203 square foot strip of land owned by the St. Johns County Community Redevelopment Agency to St. Johns County, pursuant to Section 125.38, Florida Statutes  
  
*This agenda item was removed from the Consent Agenda and was added to the Regular Agenda as Item 15c.*
6. Motion to adopt **Resolution No. 2005-261**, accepting a Deed of Dedication for conveyance of an athletic park located within Marshall Creek DRI Unit One, pursuant to the requirements within the Development of Regional Impact/Development Order

**RESOLUTION NO. 2005-261**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, ACCEPTING A DEED OF DEDICATION FOR CONVEYANCE OF AN ATHLETIC PARK LOCATED WITHIN MARSHALL CREEK DRI UNIT ONE PURSUANT TO THE REQUIREMENTS WITHIN THE DEVELOPMENT OF REGIONAL IMPACT/DEVELOPMENT ORDER**

7. Motion to adopt **Resolution No. 2005-262**, accepting the terms of a Subordination Agreement, and authorizing the Chairman of the Board to execute the agreement on behalf of the St. Johns County Community Redevelopment Agency allowing subordination of the mortgage in favor of the St. Johns County Community Redevelopment Agency

**RESOLUTION NO. 2005-262**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, ACCEPTING THE TERMS OF A SUBORDINATION AGREEMENT AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE THE AGREEMENT ON BEHALF OF THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY ALLOWING SUBORDINATION OF THE MORTGAGE IN FAVOR OF THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY**

8. Motion to adopt **Resolution No. 2005-263**, approving the terms of, and authorizing the County Administrator to execute a certain purchase and sale agreement for property needed for improvements to Russell Sampson Road

**RESOLUTION NO. 2005-263**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CERTAIN PURCHASE AND SALE AGREEMENT FOR PROPERTY NEEDED FOR THE IMPROVEMENTS TO RUSSELL SAMPSON ROAD**

9. Motion to adopt **Resolution No. 2005-264**, authorizing the Chairman to execute a contract between St. Johns County and JALA to provide legal aid services to indigent persons residing within St. Johns County

**RESOLUTION NO. 2005-264**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, AUTHORIZING THE CHAIRMAN TO EXECUTE A CONTRACT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND JACKSONVILLE AREA LEGAL AID, INC., TO PROVIDE LEGAL SERVICES TO**

**INDIGENT PERSONS RESIDING WITHIN ST. JOHNS  
COUNTY, FLORIDA**

10. Motion to authorize the County Administrator, or his designee, to sign the Utility Agreement with Intercoastal Utilities, Inc., regarding Landrum Lane Community Center on behalf of St. Johns County
11. Motion to adopt **Resolution No. 2005-265**, implementing new and/or revised fees for services provided by St. Johns County departments

**RESOLUTION NO. 2005-265**

**A RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF  
FLORIDA, AMENDING THE SCHEDULE OF FEES FOR  
CERTAIN COUNTY DEPARTMENTS**

12. Motion to adopt **Resolution No. 2005-266**, approving the terms, provisions, conditions, and requirements of an Interlocal Sewer Agreement between St. Johns County and the City of St. Augustine, and authorizing the chairperson of the Board of County Commissioners to execute the Interlocal Agreement on behalf of the County

**RESOLUTION NO. 2005-266**

**A RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF  
FLORIDA, APPROVING THE TERMS, PROVISIONS,  
CONDITIONS, AND REQUIREMENTS OF AN  
INTERLOCAL AGREEMENT BETWEEN ST. JOHNS  
COUNTY, FLORIDA, AND THE CITY OF ST.  
AUGUSTINE, FLORIDA, FOR PHASE THREE B OF THE  
CENTRAL SEWER LINE EXTENSION PROJECT IN THE  
WEST AUGUSTINE AREA OF THE COUNTY, AND  
AUTHORIZING THE COUNTY ADMINISTRATOR TO  
EXECUTE THE AGREEMENT ON BEHALF OF ST.  
JOHNS COUNTY**

13. Motion to authorize the County Administrator, or his designee, to negotiate with and enter into a contract with the No. 1 ranked firm, Vanasse Hangen Brustlin, Inc., for RFP 05-124, Rail with Trail Feasibility Study. If an agreement cannot be reached with the No. 1 ranked firm, authorization is requested to terminate negotiations and begin negotiations with the No. 2 ranked firm
14. Motion to authorize the County Administrator, or his designee, to enter into a contract with Motorola, Inc., for the purchase of communications equipment in order to enhance the existing Motorola communications system in an amount not to exceed \$543,637.64
15. Motion to adopt **Resolution No. 2005-267**, to transfer the current balance of the Jail Debt Service Fund, and any future earnings, to the General Fund, and further transfer to the Sheriff's Detention Facilities budget in support of inmate programs

RESOLUTION NO. 2005-267

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, TRANSFERRING THE CURRENT BALANCE OF THE JAIL DEBT SERVICE FUND, AND ANY FUTURE EARNINGS, TO THE GENERAL FUND, AND FURTHER TRANSFERRED TO THE SHERIFF'S DETENTION FACILITIES BUDGET IN SUPPORT OF INMATE PROGRAMS

16. Motion to approve the 2005-2006 Non-Ad Valorem Assessment Rolls and Annual Assessment Rates for Solid Waste MSBU
17. Motion to adopt **Resolution No. 2005-268**, granting an extension of the temporary one-time 50% reduction for the Fiscal Year 2005 of the Building Department's Plan Check Fees, Electrical Permits, Mechanical Permits, Plumbing Permits, Mobile Home Permits, and Building Permits

RESOLUTION NO. 2005-268

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, EXTENDING THE TEMPORARY 50% REDUCTION OF THE ST. JOHNS COUNTY BUILDING DEPARTMENT PLAN CHECK FEES, AND THE FEES ASSOCIATED WITH THE GENERATION OF ELECTRICAL PERMITS, MECHANICAL PERMITS, PLUMBING PERMITS, MOBILE HOME PERMITS, AND BUILDING PERMITS

18. Motion to adopt a resolution approving the terms, provisions, conditions, and requirements of a contract renewal for the provision of financial assistance to the St. Johns County Council on Aging, Inc., for the Palm Valley Seniors Program, and authorizing the County Administrator to execute the contract renewal on behalf of the County

*This agenda item was removed from the Consent Agenda and was added to the Regular Agenda as Item 15a.*

19. Motion to adopt a resolution approving the terms, provisions, conditions, and requirements of a contract renewal for the provision of financial assistance to the St. Johns County Council on Aging, Inc., for Senior Services at the Trout Creek Community Center, and authorizing the County Administrator to execute the contract renewal on behalf of the County

*This agenda item was removed from the Consent Agenda and was added to the Regular Agenda as Item 15b.*

20. Motion to authorize the Chairman to execute an Interlocal Agreement with the City of St. Augustine, substantially in the form of Exhibit A attached for purposes of animal control and related activities

*This agenda item was removed from the Consent Agenda and was added to the Regular Agenda as Item 15d.*

21. Motion to authorize the Chairman to execute an Interlocal Agreement with the City of St. Augustine Beach, substantially in the form of Exhibit A attached for purposes of animal control and related activities

*This agenda item was removed from the Consent Agenda and was added to the Regular Agenda as Item 15e.*

22. Motion to adopt **Resolution No. 2005-269**, authorizing the Chairman to execute a Joint Reimbursement Agreement with the Florida Department of Transportation for County Roads 13/204 widening and resurfacing

#### **RESOLUTION NO. 2005-269**

#### **A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, TO CONSIDER ENTERING INTO A JOINT REIMBURSEMENT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR COUNTY ROADS 13/204 WIDENING AND RESURFACING**

(09/20/05 - 6 - 9:11 a.m.)

#### ADDITIONS/DELETIONS TO REGULAR AGENDA

Adams requested to add an item regarding the Humane Society; it was added to the Regular Agenda as Item 15f.

(09/20/05 - 6 - 9:12 a.m.)

#### APPROVAL OF REGULAR AGENDA

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

(9:13 a.m.) Cathy Brown, 180 Marine Street, Council on Aging, commented on Agenda Items 15a and 15b regarding senior citizen services in Palm Valley and at Trout Creek.

(09/20/05 - 6 - 9:15 a.m.)

1. CONSIDER A MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO ENTER INTO A CONTRACT WITH THE LOW BIDDER, R.B. GAY CONSTRUCTION COMPANY, INC., FOR BID #05-111, CONSTRUCTION OF ST. JOHNS COUNTY GROWTH MANAGEMENT CENTER (*See Attachment "A"*)

**Motion by Stern, seconded by Rich, carried 5/0, to authorize the County Administrator, or his designee, to enter into a contract with the low bidder, R.B. Gay Construction Company, Inc., for the Base Bid of \$6,375,800, plus Alternate #1A - 81 Additional Spaces Parking Areas for \$203,000, plus Alternate #1B - 62 Spaces Additional Parking Areas for \$129,000, plus Alternate #2B - Theory Carpet Tile for \$12,500, plus Alternate #4 - Pavilion and Walk Systems for \$80,000, plus Alternate #5 - Generic Metal Roof and Deck System for a deduct of \$10,000 for a Total Contract Amount of \$6,790,300.**

(09/20/05 - 6 - 9:17 a.m.)

2. CONSIDER A MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN APPENDIX 10 (CERTIFICATION OF LOCAL GOVERNMENT APPROVAL FOR NONPROFIT ORGANIZATIONS) OF THE STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES FEDERAL EMERGENCY SHELTER GRANTS REQUEST FOR PROPOSAL

**ST. JOHNS COUNTY  
BID TABULATION**



BID TITLE

CONSTRUCTION OF THE ST.  
JOHNS COUNTY GROWTH  
MANAGEMENT CENTER

OPENED BY

LEIGH DANIELS

BID NUMBER

BID NO. 05-111

TABULATED BY

KAREN WISEMAN

OPENING DATE/TIME

SEPTEMBER 7, 2005 2:00 P.M.

ANY BIDDER AFFECTED ADVERSELY BY AN  
INTENDED DECISION WITH RESPECT TO THE  
AWARD OF ANY BID, SHALL FILE WITH THE  
PURCHASING DEPARTMENT FOR ST. JOHNS  
COUNTY, A WRITTEN NOTICE OF INTENT TO FILE  
A PROTEST NOT LATER THAN SEVENTY-TWO (72)  
HOURS (EXCLUDING SATURDAY, SUNDAY AND  
LEGAL HOLIDAYS) AFTER THE POSTING OF THE  
BID TABULATION. PROTEST PROCEDURES MAY  
BE OBTAINED IN THE PURCHASING  
DEPARTMENT.

POSTING TIME/DATE

9/07/2005 4:00 PM

FROM UNTIL

9/12/2005 4:00 PM

PAGE(S) 1-A

OF

2 PAGE(S)

N/D

N/D

BIDDERS	TOTAL BASE BID LUMP SUM PRICE	ALTERNATE NO. 1A- 81 SPACES ADDITIONAL PARKING AREAS	ALTERNATE NO. 1B-62 SPACES ADDITIONAL PARKING AREAS	ALTERNATE NO. 2A CENTRO CARPET TITLE	ALTERNATE NO. 2B THEORY CARPET TITLE	ALTERNATE NO. 2C BROADLOOM CARPET SHAW
R.B. GAY CONSTRUCTION CO., INC.	\$6,375,800.00	\$203,000.00	\$129,000.00	\$9,500.00	\$12,500.00	\$2,500.00
C.C. BORDEN CONSTRUCTION, INC.	\$7,023,000.00	\$183,000.00	\$108,400.00	\$12,000.00	\$13,000.00	\$0.00
C. YOUNG CONSTRUCTION	\$7,247,000.00	\$196,000.00	\$134,000.00	\$12,000.00	\$14,000.00	(\$35,000.00)
THE TOWER GROUP, INC.	\$6,769,000.00	\$181,000.00	\$124,000.00	\$11,500.00	\$12,700.00	(\$40,000.00)


BID AWARD DATE - \_\_\_\_\_




**ST. JOHNS COUNTY  
BID TABULATION**

**BID TITLE**  
CONSTRUCTION OF THE ST.  
JOHNS COUNTY GROWTH  
MANAGEMENT CENTER

ANY BIDDER AFFECTED ADVERSELY BY AN  
INTENDED DECISION WITH RESPECT TO THE  
AWARD OF ANY BID, SHALL FILE WITH THE  
PURCHASING DEPARTMENT FOR ST. JOHNS  
COUNTY, A WRITTEN NOTICE OF INTENT TO FILE  
A PROTEST NOT LATER THAN SEVENTY-TWO (72)  
HOURS (EXCLUDING SATURDAY, SUNDAY AND  
LEGAL HOLIDAYS) AFTER THE POSTING OF THE  
BID TABULATION. PROTEST PROCEDURES MAY  
BE OBTAINED IN THE PURCHASING  
DEPARTMENT.

**OPENED BY**  
LEIGH DANIELS 

**TABULATED BY**  
KAREN WISEMAN 

**BID NUMBER**  
BID NO. 05-111

**OPENING DATE/TIME**  
SEPTEMBER 7, 2005 2:00 P.M.

**POSTING TIME/DATE**  
9/07/2005 4:30 PM

**UNTIL**  
9/12/2005 4:00 PM

**VERIFIED BY**

**PAGE(S)** 1-B **OF** 2 **PAGE(S)**

N/O

BIDDERS	ALTERNATE NO. 4 PAVILION AND WALK SYSTEM	ALTERNATE NO. 5 GENERIC METAL ROOF AND DECK SYSTEM (DEDUCT)	ALTERNATE NO. 6 AIR-COOLED CHILLERS (DEDUCT)	BID BOND	ADDEN. #1	ADDEN. #2	ADDEN. #3	ADDEN. #4	ADDEN. #5	ADDEN. #6	ADDEN. #7	ADDEN. #8
R.B. GAY CONSTRUCTION CO., INC.	\$80,000.00	(\$10,000.00)	\$0.00	YES	Y	Y	Y	Y	Y	Y	Y	Y
C.C. BORDEN CONSTRUCTION, INC.	\$43,000.00	(\$15,000.00)	(\$10,000.00)	YES	Y	Y	Y	Y	Y	Y	Y	Y
C. YOUNG CONSTRUCTION	\$49,000.00	(\$15,000.00)	NO BID	YES	Y	Y	Y	Y	Y	Y	Y	Y
THE TOWER GROUP, INC.	\$58,000.00	(\$15,000.00)	\$0.00	YES	Y	Y	Y	Y	Y	Y	Y	Y

**BID AWARD DATE** - \_\_\_\_\_

Gloria Benischeck, Community Services Manager for St. Johns County, introduced Tania Yount. (9:17 a.m.) Tania Yount, 2746 Cherokee Avenue, Jacksonville, Director of Development for the Salvation Army, requested support of an application that the Salvation Army would be making to the State of Florida Department of Children and Families Office on Homelessness for an emergency shelter prevention grant award of \$100,000 to support mortgage, rent, and utility payments for qualified applicants. (9:19 a.m.) Bosanko disclosed that he was a volunteer member of an advisory board for the Salvation Army. Maguire disclosed that he was a volunteer member of an advisory board for the Salvation Army. (9:21 a.m.) **Motion by Maguire, seconded by Rich, carried 5/0, to authorize the County Administrator to sign Appendix 10 (Certification of Local Government Approval for Nonprofit Organizations) of the State of Florida Department of Children and Families Federal Emergency Shelter Grants Request for Proposal.**

(09/20/05 - 7 - 9:21 a.m.)

3. PUBLIC HEARING - BALD EAGLE MANAGEMENT PLAN FOR NEST SJ-024 LOCATED AT RIVERTOWN DRI - IN EARLY 2005, THE U.S. FISH AND WILDLIFE SERVICE CONFIRMED A NEW EAGLE NEST WITH AN ACTIVE BREEDING PAIR NEAR THE RIVERTOWN PROPERTY ON POPO POINT. THE NEW NEST OCCURED ON PROPERTY ADJACENT TO THE RIVERTOWN PROJECT. INTERVIEWS WITH ADJACENT LANDOWNERS CONFIRMED THAT THE NEST HAD NOT EXISTED PRIOR TO THE 2005 NESTING SEASON. THE NEST HAS BEEN ASSIGNED THE NUMBER SJ-024. THE ST. JOE COMPANY HAS DEVELOPED AN ALTERNATE BALD EAGLE MANAGEMENT PLAN IN ACCORDANCE WITH SECTION 4.01.10(C)(5)(B) OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE (LDC). THAT SECTION SETS FORTH IF A NEW (NOT PREVIOUSLY OR HISTORICALLY DOCUMENTED) BALD EAGLE NEST IS IDENTIFIED ON UNDEVELOPED LAND OF AN APPROVED DRI, THE DEVELOPMENT OF THE LAND SHALL PROCEED IN ACCORDANCE WITH EITHER (I) THE STANDARDS AND GUIDELINES OF SECTION 4.01.10 OF THE LDC; (II) AN ALTERNATIVE, SITE-SPECIFIC EAGLE MANAGEMENT PLAN APPROVED BY THE COUNTY COMMISSION; OR (III) A VESTING DETERMINATION. THE PLAN WAS CREATED IN CONFORMANCE WITH THE SECOND PROVISION SET FORTH ABOVE. DURING THE CREATION OF THE PLAN, THE PROVISIONS OF SECTION 4.01.10 OF THE LDC WERE REVIEWED AND SPECIFIC ELEMENTS OF THAT SECTION WERE INCORPORATED INTO THIS PLAN TO MAINTAIN AN ELEMENT OF CONSISTENCY WITH THE COUNTY'S BALD EAGLE PROTECTION REQUIREMENTS. ALSO, THE PLAN HAS ADDED ADDITIONAL PROTECTION MEASURES NOT PROVIDED FOR IN SECTION 4.01.10 TO CREATE A PLAN THAT AFFORDS EQUAL PROTECTION FOR THE BALD EAGLES AND THE NEST TREE. THEREFORE, THE APPLICANT SEEKS AN APPROVAL OF AN ALTERNATE BALD EAGLE MANAGEMENT PLAN (BEMP) FOR THE PROTECTION OF NEST SJ-024, LOCATED ON PROPERTY ADJACENT TO THE RIVERTOWN DRI, THEREBY APPROVING A WAIVER TO SECTIONS 4.01.10 B, C AND D OF THE LAND DEVELOPMENT CODE

Proof of publication of the notice of public hearing regarding a Bald Eagle Management Plan for Nest SJ-024 in the RiverTown DRI, was received, having been published in *The St. Augustine Record* on September 2, 2005.

Jan Brewer, Environmental Manager, was present for questions. Stevenson declared ex-parte communication; she spoke to the applicant at a community meeting and just prior

to this meeting regarding the protection afforded by the plan. Rich declared ex-parte communication; he spoke with Ms. Brewer regarding the management plan.

(9:23 a.m.) Amy Davidson, 3492 SR 13, Jacksonville, commented in opposition to the Bald Eagle Management Plan.

(9:27 a.m.) Don Beattie, 808 Mill Pond Court, commented in opposition to the Bald Eagle Management Plan.

Discussion followed regarding the current ordinance regarding eagle nests in the primary and secondary zones; the lifespan of an eagle; and monitoring of the eagle nest. (9:46 a.m.) Doug Mayer, St. Joe Company, 12786 Hunt Club Road, Jacksonville, responded to Rich's questions regarding the monitoring of the bald eagle nest. Discussion followed regarding the monitoring of tree removal. (9:53 a.m.) **Motion by Bryant, seconded by Rich, carried 5/0, to approve the Bald Eagle Management Plan for Bald Eagle Nest SJ-024, dated September 20, 2005, thereby approving a waiver to Sections 4.01.10 B, C and D of the Land Development Code.**

(09/20/05 - 8 - 9:54 a.m.)

4. PUBLIC HEARING - DEERWOOD LANE RIGHT-OF-WAY ASSESSMENT RESOLUTION - THIS ADVERTISED PUBLIC HEARING WAS TO CONSIDER A RESOLUTION TO CREATE THE DEERWOOD LANE RIGHT-OF-WAY MUNICIPAL SERVICE BENEFIT UNIT (ROW MSBU), CREATE THE ASSESSMENT AREA, ESTABLISH THE MAXIMUM AMOUNT OF THE ASSESSMENT FOR EACH ASSESSMENT UNIT, APPROVE THE RELATED ASSESSMENT ROLL FOR THE INITIAL FISCAL YEAR, DETERMINE THE METHOD OF COLLECTION, AND PROVIDE A STATEMENT OF THE COUNTY'S INTENT TO USE THE UNIFORM ASSESSMENT COLLECTION ACT FOR COLLECTION OF THE CORRESPONDING ASSESSMENT. THE RESIDENTS OF DEERWOOD LANE REQUESTED THE CREATION OF A ROW MSBU TO PAVE DEERWOOD LANE AND ACCEPT IT AS A COUNTY ROAD. AFTER A NEIGHBORHOOD MEETING, WITH AN INITIAL PETITION, AND A DESIGN AND COST ESTIMATION PHASE, THE RESIDENTS SIGNIFIED THEIR ACCEPTANCE OF THE PROJECT AND THE ESTIMATED ASSESSMENTS WITH 77% POSITIVE RESPONSE TO A SECOND PETITION. THE ESTIMATED PROJECT COST WAS \$88,200, TO BE PAID FROM THE TRANSPORTATION TRUST FUNDS AND REPAID OVER A PERIOD OF 15 YEARS BY 16 ASSESSMENT UNITS APPORTIONED AMONGST 14 PARCELS AT A RATE OF \$622.30 PER ASSESSMENT UNIT EACH YEAR. THESE ASSESSMENTS WILL BE COLLECTED UNDER THE TERMS OF THE UNIFORM COLLECTION ACT BY THE TAX COLLECTOR AS NON-AD VALOREM ASSESSMENTS AT THE SAME TIME AND MANNER AS AD-VALOREM ASSESSMENTS

Proof of publication of the notice of public hearing regarding the Deerwood Lane Right-of-Way Assessment Resolution was received, having been published in *The St. Augustine Record* on August 9, 16, 23, and 30, 2005.

Mary Ann Blount, Land Management Director, informed the Board that Staff had worked many months with the property owners on Deerwood Lane who petitioned the County to create the MSBU. (9:56 a.m.) **Motion by Stern, seconded by Rich, carried 5/0, to adopt Resolution No. 2005-270, to authorize the construction of road improvements on Deerwood Lane, create the ROW MSBU and its related assessment area to fund said improvements, and authorize the County Administrator to execute, on behalf of the County, any agreements, documents, or other paperwork necessary to accomplish that purpose.**

RESOLUTION NO. 2005-270

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RELATING TO THE CONSTRUCTION OF RIGHT-OF-WAY IMPROVEMENTS ON THE ROAD KNOWN AS DEERWOOD LANE RIGHT-OF-WAY MUNICIPAL SERVICE BENEFIT UNIT TO FINANCE SAID IMPROVEMENTS; DESCRIBING THE IMPROVEMENTS TO BE PROVIDED AND THE PROPERTY TO BE INCLUDED IN THE ASSESSMENT AREA; ESTIMATING THE ROAD IMPROVEMENT CAPITAL COST; DESCRIBING THE PROPOSED METHOD OF APPORTIONING THE COST AMONG THE PARCELS LOCATED WITHIN THE ASSESSMENT AREA, THE PROVISIONS FOR ACCELERATION AND PREPAYMENT OF ASSESSMENTS, THE PROVISIONS FOR REALLOCATING THE ASSESSMENT UPON FUTURE SUBDIVISION OF ASSESSED PARCELS; MAKING FINDINGS THAT RECOGNIZE THE FAIRNESS PROVIDED BY THE APPORTIONMENT METHODOLOGY, AND THE COUNTY'S INTENT TO USE THE UNIFORM METHOD OF COLLECTION; ESTABLISHING THE MAXIMUM AMOUNT OF THE ASSESSMENT AND THE ASSESSMENT ROLL; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE, ON BEHALF OF THE COUNTY, ANY AGREEMENTS, DOCUMENTS OR OTHER PAPERWORK NECESSARY TO ACOMPLISH THAT PURPOSE

(09/20/05 - 9 - 9:57 a.m.)

5. PUBLIC HEARING - TEEN COURT FEE ORDINANCE - IN 1998, THE VOTERS OF FLORIDA APPROVED CHANGES TO ARTICLE V OF THE FLORIDA CONSTITUTION REGARDING FUNDING OF THE STATE COURT SYSTEM. CHAPTER 2003-402, LAWS OF FLORIDA REPEALED AUTHORIZATION FOR CERTAIN FILING FEES AND COURT COSTS SUPPORTING TEEN COURT PROGRAMS, EFFECTIVE JULY 1, 2004. SECTION 88 OF CS/CS/SB 2962 (2004) CREATED SECTION 939.185, FLORIDA STATUTES, AUTHORIZING A COUNTY, BY ORDINANCE, TO LEVY AN ADDITIONAL COURT COST, NOT TO EXCEED \$65, TO BE IMPOSED BY THE COURT WHEN A PERSON PLEADS GUILTY OR NOLO CONTENDERE TO, OR IS FOUND GUILTY OF, ANY FELONY, MISDEMEANOR, OR CRIMINAL TRAFFIC OFFENSE UNDER THE LAWS OF THE STATE WITH 25% OF THE FUNDS FROM THE COURT COST TO BE USED IN THE COUNTY AND ALLOCATED TO SUPPORT TEEN COURT PROGRAMS, JUVENILE ASSESSMENT CENTERS, AND OTHER JUVENILE ALTERNATIVE PROGRAMS. HOUSE BILL 1935 (2005) CREATED AUTHORITY UNDER SECTION 938.19, FLORIDA STATUTES, FOR EACH COUNTY IN WHICH A TEEN COURT HAS BEEN CREATED, TO ADOPT A MANDATORY COURT COST TO BE ASSESSED IN SPECIFIC CASES AS AN ALTERNATE FUNDING SOURCE IN LIEU OF COURT COSTS COLLECTED UNDER S. 939.185(1)(A)4. THE ST. JOHNS COUNTY CLERK OF COURTS HAS REQUESTED THAT THE COUNTY ADOPT THIS PROVISION

Proof of publication of the notice of public hearing regarding the Teen Court Fee Ordinance was received, having been published in *The St. Augustine Record* on September 3, 2005.

Patrick McCormack, Assistant County Attorney, gave a general overview of the proposed ordinance. (9:58 a.m.) Cheryl Strickland, Clerk of Courts, explained the Teen Court program. Discussion followed regarding the Teen Court program. (10:01 a.m.) **Motion by Stevenson, seconded by Rich, carried 5/0, to enact Ordinance No. 2005-86.**

#### ORDINANCE NO. 2005-86

**AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, PROVIDING DEFINITIONS; MAINTAINING A SUPPLEMENTAL COURT FUNDING ACCOUNT; MAINTAINING A LEGAL AID ACCOUNT; MAINTAINING A LAW LIBRARY ACCOUNT; MAINTAINING A JUVENILE ASSESSMENT CENTER AND JUVENILE ALTERNATIVE PROGRAMS ACCOUNT; ESTABLISHING A SEPARATE TEEN COURT ACCOUNT; IMPOSING COURT COSTS; ACCOUNTING FOR AND ALLOCATING REVENUES; PROVIDING FOR REPORTS; REPEALING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE**

(09/20/05 - 10 - 10:03 a.m.)

6. PUBLIC HEARING - REZ 2005-19, MOULTRIE OFFICE - THIS IS A REQUEST TO REZONE 1.56 ACRES FROM OPEN RURAL (OR) TO OFFICE PROFESSIONAL (OP) FOR A GENERAL OFFICE BUILDING. THE PARCEL IS LOCATED ON THE WEST SIDE OF OLD MOULTRIE RD., AND IS SOUTH OF STATE ROAD 312, AND IS CURRENTLY IN THE MIXED USE LAND USE AREA, AS DEPICTED ON THE 2015 FUTURE LAND USE MAP. THE PROPERTY WILL BE SERVED BY CENTRAL WATER AND SEWER BY ST. JOHNS COUNTY UTILITY DEPARTMENT. ADJACENT ZONINGS ARE OPEN RURAL (OR) AND COMMERCIAL NEIGHBORHOOD (CN). THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST BY A VOTE OF 7 TO 0 AT THEIR AUGUST 4, 2005 MEETING

Proof of publication of the notice of public hearing regarding Moultrie Office rezoning was received, having been published in *The St. Augustine Record* on September 2, 2005.

Bruce Ford, Chief Planner, was present. Karen Taylor, 3070 Harbor Drive, explained the request to rezone 1.56 acres for a general office building. (10:04 a.m.) Dan Ditmore, 82½ Water Street, expressed concerns with the safety on Old Moultrie Road. Discussion followed regarding the traffic situation on Old Moultrie Road. (10:12 a.m.) Karen Taylor, 3070 Harbor Drive, addressed the proposed improvements to the left turn lane and the deceleration lane. (10:14 a.m.) **Motion by Rich, seconded by Bryant, carried 5/0, to enact Ordinance No. 2005-87, known as REZ 2005-19, Moultrie Office Rezoning, and adopting findings of fact 1 - 4 to support the motion.**

#### ORDINANCE NO. 2005-87

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO OFFICE PROFESSIONAL (OP); MAKING FINDINGS OF**

**FACT; REQUIRING RECORDATION; AND PROVIDING  
AN EFFECTIVE DATE**

The meeting recessed at 10:15 a.m. and reconvened at 10:27 a.m.

(09/20/05 - 11 - 10:28 a.m.)

7. PUBLIC HEARING - PRD 2005-08 COLEE COVE LANDING NORTH - COLEE COVE LANDING NORTH PRD WAS ORIGINALLY APPROVED ON JANUARY 14, 2003 FOR UP TO 23 DWELLING UNITS ON 126.04 ACRES. THE APPLICANT ALSO OWNS LAND ADJACENT TO THE EAST SIDE OF THE PRD AND IS PROPOSING A PRD ON THAT PARCEL (MUELLERS LANDING PRD). THE APPLICANT HAS DETERMINED THAT THE LAYOUT OF THE COLEE COVE LANDING NORTH PRD COULD BE IMPROVED SLIGHTLY AND IS REQUESTING THAT TWO PARCELS TOTALING 30.20 ACRES BE REMOVED FROM THE PRD AND AN EQUAL SIZE 30.25 ACRE PARCEL BE ADDED TO THE SOUTH END OF THE COLEE COVE LANDING PRD. THE PARCELS TO BE REMOVED AND THE PARCEL TO BE ADDED ARE ALL RESERVE AREA PARCELS AND NO NET CHANGE IN THE PRD ACREAGE WILL OCCUR. IN ADDITION, NO NET CHANGES IN THE RATIO OF RESERVE AREA TO DEVELOPMENT AREA WILL OCCUR. THE NORTHERN PARCEL TO BE REMOVED WILL BE INCORPORATED INTO THE PROPOSED MUELLERS LANDING PRD AS A COMMUNITY OPEN SPACE PARK AS PART OF THAT PRD'S RESERVE AREA. NO OTHER CHANGES ARE PROPOSED AND NO WAIVERS ARE REQUESTED. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR AUGUST 4, 2005 HEARING BY A VOTE OF 7/0

Proof of publication of the notice of public hearing regarding Colee Cove Landing North PRD was received, having been published in *The St. Augustine Record* on September 2, 2005.

Agenda Items 7 and 8 were addressed simultaneously.

Bruce Ford, Chief Planner, explained Item 7, which was a request to modify the existing PRD boundaries by removing 30.2 acres of reserve area from the north end and adding 30.2 acres of reserve area to the south end for no net increase in acreage and no change in the ratio of development area to reserve area. (10:32 a.m.) Rich declared ex-parte communication; he spoke with Bruce Ford and Karen Taylor regarding the projects. (10:35 a.m.) Bruce Ford, Chief Planner, explained Item 8, which was a request to rezone approximately 241 acres of property from OR and PRD to PRD for the development of 48 residential units. (10:38 a.m.) Stevenson declared ex-parte communication; she spoke with one of the residents regarding the site. Discussion followed regarding PRD provisions, future zoning changes, common reserve areas, and density. (11:10 a.m.) Stern disclosed ex-parte communication; she met with Karen Taylor and John Bailey to discuss the transfer of the parcels, the continuation of the agriculture use of 90% of the parcel, drainage, transportation, and the number of units. Stern said she also spoke with Mr. Hampshire, an adjoining resident. (11:19 a.m.) Karen Taylor, 3070 Harbor Drive, explained the two zoning requests by reviewing: the ownership of the properties, the location of the properties, the proposed use of the properties, the 200' requirement, the wells on the property, and the wetlands on the property.

(11:42 a.m.) William Rogers, 8315 Kindred Spirit Lane, expressed concern with keeping the area as natural as possible for future generations.

(11:46 a.m.) Andrew Mendolia, 8100 River Pointe Court, commented in opposition to the rezonings.

(11:53 a.m.) Ed Hampshire, 8415 Palmo Fish Camp Road, spoke on behalf of several residents in the area, regarding: incremental development of the land "below the radar;" the development ultimately causing the end of farming on the land; the water well problems for the residences in and around the new development; the incentives to change the PRD to a PUD generated by the loss of farming; maintenance of the large ditch on the north side of the development; the proposed development being incompatible with surrounding land uses; then, requested the Board deny the requested rezonings. (12:06 p.m.) Hampshire responded to questions of Rich regarding the availability of potable water and wells going dry during crop season.

Discussion followed on the current well ordinance.

(12:17 p.m.) Sherry Hampshire, 8415 Palmo Fish Camp Road, urged the Board to consider the comments made by Ed Hampshire.

(12:18 p.m.) Karen Taylor, 8070 Harbor Drive, addressed the impacts to the wetland areas, schools, restrictions for boats and jet skis at the dock, and moving the roadway. (12:23 p.m.) Joe Stephenson, Public Works Director, responded to questions of Maguire regarding the benefits of the ditch. (12:27 p.m.) Xavier Pellicer, Engineer for the Project, addressed the ditch, the wells, and the 35' easement the applicant was offering to the County. Discussion followed on the capacity of the wells, capping of some of the wells, and the drainage ditch. (12:48 p.m.) **Motion by Maguire, seconded by Stern, carried 5/0, to continue the public hearings for Agenda Items 7 & 8 to October 18, 2005.**

(09/20/05 - 12 - 10:28 a.m.)

8. PUBLIC HEARING - PRD 2005-07, MUELLER'S LANDING - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 240.82 ACRES LOCATED IN WEST CENTRAL ST. JOHNS COUNTY BETWEEN PALMO FISH CAMP ROAD AND THE ST. JOHNS RIVER, FROM OPEN RURAL (OR) AND PLANNED RURAL DEVELOPMENT (PRD) TO PLANNED RURAL DEVELOPMENT FOR THE DEVELOPMENT OF FORTY EIGHT (48) RESIDENTIAL UNITS. THE PROJECT WOULD UTILIZE THE 90/10% RULE FOR DENSITY: THE DEVELOPMENT AREA EQUALS 24.08 ACRES AND THE RESERVE AREA EQUALS 216.74 ACRES. LOTS WOULD RANGE IN SIZE FROM 1 TO 2 ACRES AND DEVELOPMENT AREAS WITHIN THE LOTS WILL BE APPROXIMATELY 10,000 TO 15,000 SQUARE FEET IN SIZE. THE TOTAL BUILDING COVERAGE WITHIN THE DEVELOPMENT AREAS SHALL NOT EXCEED THIRTY-FIVE PERCENT. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR AUGUST 4, 2005 HEARING BY A VOTE OF 4/3. THE VOTES AGAINST APPROVAL WERE BASED ON CONCERNS THAT THE OWNER OF THE RESERVE AREA WHERE FARMING WOULD CONTINUE, MAY SEEK ADDITIONAL DEVELOPMENT. STAFF POINTED OUT THAT A COMPREHENSIVE PLAN AMENDMENT WOULD HAVE TO BE APPROVED IN ORDER FOR THAT TO HAPPEN

Proof of publication of the notice of public hearing regarding Mueller's Landing PRD was received, having been published in *The St. Augustine Record* on September 2, 2005.

Agenda Items 7 and 8 were addressed simultaneously. (See Item 7 for the discussion.)

The meeting recessed at 12:48 p.m. and reconvened at 1:30 p.m. with Maguire, Bryant, Rich, Zebrowsky, Lopez and Deputy Clerk Lenora Newsome present.

Stern and Stevenson were not yet present at the meeting.

Maguire announced that Items 7 and 8 were continued to October 18th, and that the meeting would resume with Item 11. Maguire also announced that Regular Agenda Item 4 was approved as Resolution No. 2005-269, but should have been 2005-270, as a resolution number was inadvertently not assigned to one of the Consent Agenda items this morning.

(1:35 p.m.) Ted Zebrowsky announced that \$8,500 was collected for the victims of Hurricane Katrina at this morning's ceremony in the courtyard.

*The meeting moved to Item 11.*

(09/20/05 - 13 - 1:42 p.m.)

9. CONSIDER AN OPTIONAL PUBLIC HEARING FOR THE MADEIRA COMMUNITY DEVELOPMENT DISTRICT

Bruce Ford, Chief Planner, explained that this CDD was located in another municipality, the City of St. Augustine, and as such, holding a hearing was optional. Isabelle Lopez, Senior Assistant County Attorney, reviewed the Board's options regarding holding a hearing on this CDD petition; discussion followed.

(1:47 p.m.) Brian Crombaker, Hopping, Green & Sams, 123 S. Calhoun St., Tallahassee, spoke on boundary amendments for annexed properties, and explained that the district would have authority to exercise eminent domain within its boundaries, pursuant to FS Chapter 190. Discussion ensued on the possibility of the District becoming its own municipality, and supporting the School Board with CDD funds. (1:50 p.m.) Dan Bosanko, County Attorney, and Commissioner Stern entered the meeting.

(1:51 p.m.) Lopez questioned if the City of St. Augustine had amended its Comp Plan to include this property: Crombaker stated that he did not know the answer to that question. Bryant pointed out that the City of St. Augustine collected school impact fees for the County; discussion ensued on the District's eminent domain authority.

(1:55 p.m.) Maguire questioned the intent of the language in paragraph 2 on page 3, regarding environmental remediation and clean up. Crombaker explained that the District could fund the upkeep of wetlands, but that they did not intend to acquire wetlands or other land; discussion continued on environmental clean up. (1:58 p.m.) **Motion by Maguire, seconded by Bryant, carried 5/0, to state that the position of the Board was that they did not support the CDD buying mitigated wetlands, nor paying for any environmental hazardous material clean up, such as arsenic on the golf course.**

(1:59 p.m.) **Motion by Bryant, seconded by Rich, carried 5/0, to not conduct the CDD hearing.**

(09/20/05 - 13 - 2:00 p.m.)

10. CONSIDER A MOTION TO ADOPT A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE ABERDEEN IMPACT FEE CREDIT AGREEMENT IN THE AMOUNT OF \$25,541,000 IN ROAD IMPACT FEE CREDITS AND \$1,000,000 IN PARK IMPACT FEE CREDITS

Teresa Bishop, AICP, Planning Director, mentioned changes in the amount of credit available for the recreation (park) portion; it was now \$1,678,476, from \$1,000,000 (Exhibit A). Maguire asked about the construction costs. Bishop responded. Rich spoke on totals. Bishop spoke on time frame and money. Stevenson asked who pays



for the improvement, gets the credit, and what goes over to the CDD. Bishop stated that whoever made the improvement would get the credits.

(2:06 p.m.) Brian Crombaker, Hopping, Green & Sams, 123 S. Calhoun St., Tallahassee, stated that he did not have anything to add at this time. (2:06 p.m.) **Motion by Stevenson, seconded by Rich, carried 5/0, to adopt Resolution No. 2005-272, authorizing the County Administrator to execute the Aberdeen Impact Fee Credit Agreement in the amount of \$25,541,000 in Road Impact Fee Credits and \$1,678,476 in Park Impact Fee Credits.**

#### RESOLUTION NO. 2005-272

#### A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE CREDIT AGREEMENT WITH ABERDEEN COMMUNITY DEVELOPMENT DISTRICT

*The meeting moved to Item 12.*

(09/20/05 - 14 - 1:36 p.m.)

11. PUBLIC HEARING - RESOLUTION AUTHORIZING THE EXECUTION OF A STIPULATED COMPLIANCE AGREEMENT WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS IN DOAH CASE NO.: 03-4764GM (DCA VS. ST. JOHNS COUNTY AND NINE MILE GANG PARTNERSHIP) - THE DEPARTMENT OF COMMUNITY AFFAIRS ISSUED ITS NOTICE AND STATEMENT OF INTENT TO FIND COMPREHENSIVE PLAN AMENDMENT 03-2, ADOPTED ON OCTOBER 14, 2003 AS ST. JOHNS COUNTY ORDINANCE 2003-88, NOT IN COMPLIANCE, AND FILED A PETITION WITH THE DIVISION OF ADMINISTRATIVE HEARINGS (DCA VS. ST. JOHNS COUNTY AND NINE MILE GANG PARTNERSHIP, CASE NO. 03-4764 GM). IT IS THE INTENT OF THIS STIPULATED COMPLIANCE AGREEMENT TO RESOLVE FULLY ALL ISSUES BETWEEN DCA AND THE COUNTY. THIS RESOLUTION AUTHORIZES THE CHAIRMAN TO EXECUTE A STIPULATED SETTLEMENT AGREEMENT WITH THE DEPARTMENT OF COMMUNITY AFFAIRS. BY EXECUTION OF THIS STIPULATED COMPLIANCE AGREEMENT, THE COUNTY AGREES TO CONSIDER FOR ADOPTION, BY FORMAL ACTION, THE REMEDIAL ACTION DESCRIBED IN EXHIBIT B OF THE STIPULATED COMPLIANCE AGREEMENT (TO RESCIND ORDINANCE NO. 2003-88)

Proof of publication of the notice of public hearing regarding a Stipulated Compliance Agreement with the FDCA was received, having been published in *The St. Augustine Record* on September 10, 2005.

Isabelle Lopez, Senior Assistant County Attorney, stated that this was the end of the line for this Comp Plan Amendment. She stated that it was adopted and found not in compliance by the Department of Community Affairs. She mentioned that they started the litigation process. Lopez mentioned that the only amendment that she suggested for the Stipulated Settlement Agreement was the change in the language on page 3, the third whereas clause, from the parties to the department and the County.

(1:40 p.m.) Stevenson entered the meeting. Rich asked Lopez if she wanted to wait until she had time to talk to George McClure; Lopez responded that she would like to proceed.

(1:41 p.m.) **Motion by Maguire, seconded by Rich, carried 4/0 with Stern absent, to adopt Resolution No. 2005-271, authorizing the Chairman to execute a Stipulated**

Compliance Agreement with the Florida Department of Community Affairs in Case No. 03-4764GM, including the change in language that the attorney so stipulated.

RESOLUTION NO. 2005-271

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE ENTERING INTO OF A STIPULATED COMPLIANCE AGREEMENT WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, AS A COMPLETE AND FINAL SETTLEMENT OF ALL CLAIMS RAISED IN THE DIVISION OF ADMINISTRATIVE HEARINGS PROCEEDINGS, DEPARTMENT OF COMMUNITY AFFAIRS VS. ST. JOHNS COUNTY AND NINE-MILE GANG PARTNERSHIP, DOAH CASE NO. 03-4764 GM

*The meeting returned to Item 9.*

(09/20/05 - 15 - 2:07 p.m.)

12. PUBLIC HEARING - ORDINANCE DISSOLVING THE JULINGTON CREEK MUNICIPAL SERVICE TAXING DISTRICT - THE JULINGTON CREEK MUNICIPAL SERVICE TAXING DISTRICT (TAXING DISTRICT) WAS ESTABLISHED BY ORDINANCE 82-17. THE TAXING DISTRICT HAS NOT ASSESSED, NOR COLLECTED, TAXES SINCE 1993 BECAUSE ITS FUNCTIONS HAVE BEEN ASSUMED BY OTHER GOVERNMENT AGENCIES. THE TAXING DISTRICT HAS APPROXIMATELY \$1,584 IN ITS CURRENT ACCOUNT. THIS ORDINANCE DISSOLVES THE JULINGTON CREEK MUNICIPAL TAXING DISTRICT, EFFECTIVE SEPTEMBER 30, 2005, AND AUTHORIZES THE TRANSFER OF ANY AND ALL FUNDS HELD IN THE ACCOUNT OF THE TAXING DISTRICT THAT HAVE NOT PREVIOUSLY BEEN COMMITTED TO OTHER PURPOSES TO BE TRANSFERRED TO THE GENERAL REVENUE FUND OF ST. JOHNS COUNTY, FROM WHICH SUCH FUNDS SHALL ONLY BE EXPENDED FOR MUNICIPAL PURPOSES AS WOULD HAVE BEEN AUTHORIZED FOR SUCH FUNDS HAD THEY REMAINED IN THE ACCOUNTS OF THE TAXING DISTRICT

Proof of publication of the notice of public hearing regarding an ordinance dissolving the Julington Creek Municipal Service Taxing District was received, having been published in *The St. Augustine Record* on September 6, 2005.

Dan Bosanko, County Attorney, stated that this was an ordinance that was requested by the County Administrator through his Finance Office. He mentioned that if the Board wanted to send the money to the CDD, there would need to be another motion made separate from the motion adopting this ordinance. Bosanko recommended first adopting the ordinance, and then making another motion that the County grant \$1,584 to the CDD, again with the same restriction that they were to use it only for the things that the old taxing district could have used it for. Stevenson asked about the boundaries of the property owners association. Bosanko responded that the Board could go ahead and adopt this ordinance, and hold off on the transfer of the funds until they could see which other organization had the most similar boundaries.

(2:12 p.m.) **Motion by Stevenson, seconded by Rich, carried 5/0, to enact Ordinance No. 2005-88.** Lopez left the meeting.

ORDINANCE NO. 2005-88

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, DISSOLVING THE JULINGTON CREEK MUNICIPAL SERVICE TAXING DISTRICT (MSTD) PREVIOUSLY ESTABLISHED BY ST. JOHNS COUNTY ORDINANCE NO. 82-17; PROVIDING FOR DISBURSEMENT OF ANY AND ALL FUNDS HELD BY THE COUNTY IN THE ACCOUNTS OF SAID "MSTD" TO BE TRANSFERRED TO THE GENERAL FUND OF ST. JOHNS COUNTY FOR USE OF CERTAIN LIMITED PURPOSES; AND PROVIDING AN EFFECTIVE DATE

(09/20/05 - 16 - 2:13 p.m.)

13. CONSIDER A MOTION TO ADOPT A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN NOTE AND OTHER RELATED DOCUMENTS ASSOCIATED WITH THE COUNTY'S PARTICIPATION IN THE POOLED COMMERCIAL PAPER LOAN PROGRAM OF THE FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION AND THE BORROWING OF \$2,270,000 TO COMPLETE THE PURCHASE OF THE A1A BEACH BOULEVARD PARCEL

Jean Mangu, Finance Specialist, Edward & Cohen, spoke on acquiring a parcel at 953 A1A Beach Blvd., with funds borrowed through the Florida Commercial Paper Loan Program for a park area. She stated that if the resolution was approved at today's meeting, the Commercial Paper Loan closing was estimated to be about October 12<sup>th</sup>, which would give the County sufficient time to get the funds in for the acquisition.

(2:15 p.m.) Bryant asked if it would be an active park. Dan Weimer, Director of Parks and Recreation, responded that it would not be an active park. Bryant asked if the County was going to apply for a grant to get their money back. Weimer replied absolutely. Discussion followed on the type of partnership between the entities, the County coming up with some of the funds, developing and designing the property.

(2:18 p.m.) Ted Zebrowsky, Assistant County Administrator, stated that they were trying to get all the money up front, than apply for a grant. If by chance they did not get the grant, the City of St. Augustine Beach had agreed to partner 50/50 on the money. But they were anticipating getting the grant and if there were any match requirements, they would also participate 50/50. Weimer spoke on acquiring properties and Zebrowsky spoke on the financial agreement.

(2:21 p.m.) Tony Cubbedge, St. Johns County Real Estate Department, Land Management Coordinator, stated that they had entered into a memorandum of understanding with the City of St. Augustine Beach. Cubbedge spoke on the scoring criteria. (2:29 p.m.) **Motion by Bryant, seconded by Stern, carried 5/0, to adopt Resolution No. 2005-273, authorizing the execution and delivery of the loan note and other related documents associated with the County's participation in the Pooled Commercial Paper Loan Program of the Florida Local Government Finance Commission, and the borrowing of \$2,270,000 to complete the purchase of the A1A Beach Boulevard parcel as designated.**

RESOLUTION NO. 2005-273

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THAT SUPPLEMENTS ST. JOHNS COUNTY RESOLUTION NOS. 99-138 AND 2001-78; MAKES

FINDINGS; PROVIDES DEFINITIONS; AUTHORIZES THE COUNTY TO BORROW \$2,270,000 (THE "SEVENTH LOAN") FROM THE POOLED COMMERCIAL PAPER LOAN PROGRAM OF SAID COMMISSION; PLEDGES CERTAIN NON-AD VALOREM FUNDS TO THE PAYMENT OF THE SEVENTH LOAN; APPROVES THE TERMS AND CONDITIONS OF THE NOTE THAT WILL EVIDENCE THE SEVENTH LOAN; AUTHORIZES A NEGOTIATED SALE OF THE SEVENTH LOAN NOTE; AUTHORIZES THE EXECUTION AND DELIVERY OF THE SEVENTH LOAN NOTE; DIRECTS THE COUNTY ADMINISTRATOR TO ENSURE THAT CERTAIN TASKS ARE PERFORMED; AUTHORIZES THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS; AND PROVIDES AN EFFECTIVE DATE

(09/20/05 - 17 - 2:30 p.m.)

14. CONSIDER APPOINTMENTS TO THE LIBRARY ADVISORY BOARD

Melissa Lundquist, Administrative Coordinator, reviewed this item, stating that there were two applications for review and consideration for the Library Advisory Board. (2:30 p.m.) **Motion by Maguire, seconded by Stern, carried 5/0, to submit Gary Reichow for the At Large position and Carolee Bertisch for the District 4 position.**

(09/20/05 - 17 - 2:33 p.m.)

15. UPDATE ON HOUSING & COMMUNITY SERVICES ACTIVITIES

Tom Crawford, Director of Housing and Community Services, gave an update on various programs with a PowerPoint presentation. He spoke on Whispering Woods, Maxwell Manor, the habitat elderly transitional house, Maxwell Manor II, and Summerset Village.

(2:40 p.m.) Benjamin Coney, Community Development Manager for Housing and Community Services, continuing with the PowerPoint presentation, spoke on West Augustine, the in-fill housing project, the West Augustine sewer expansion, the West Augustine Calvin Peete Community Center, the West Augustine Weed and Seed Program, and Flagler Estates.

(2:48 p.m.) Dana Leth, Homeownership Programs Administrator for St. Johns County Housing and Community Service Division, continued the PowerPoint presentation, spoke on homeownership, having a 71% increase in housing costs locally between 2000 and 2004, the purchase assistance programs, Hancock Place, the future Northridge Lakes, Ravenswood Forrest coming on line, rural development, the S.H.I.P. Program, program strategies, the S.H.I.P. allocation budget, and the rehabilitation program.

(2:57 p.m.) Coney spoke on countywide initiatives, community development block grants, and the Fast Track Demolition Program. Tom Crawford spoke on DRI's, and the impact fee offset in the upcoming budget. (3:03 p.m.) Coney spoke on the habitat of St. Johns County, the family and elderly program, and on always exploring new opportunities. Discussion followed on affordable housing rentals.

The meeting recessed at 3:17 p.m., and reconvened at 3:30 p.m.

*The meeting moved to Item 15c.*

(09/20/05 - 18 - 3:37 p.m.)

15a. MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONTRACT RENEWAL FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE ST. JOHNS COUNTY COUNCIL ON AGING, INC., FOR THE PALM VALLEY SENIORS PROGRAM, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE CONTRACT RENEWAL ON BEHALF OF THE COUNTY

Rich reviewed why he pulled this item. (3:37 p.m.) **Motion by Rich, seconded by Stevenson, carried 5/0, to adopt Resolution No. 2005-274, approving the terms, provisions, conditions, and requirements of a contract renewal for the provision of financial assistance to the St. Johns County Council on Aging, Inc., for the Palm Valley Seniors Program, and authorizing the County Administrator to execute the contract renewal on behalf of the County.**

**RESOLUTION NO. 2005-274**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONTRACT RENEWAL FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE ST. JOHNS COUNTY COUNCIL ON AGING, INC., AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE CONTRACT RENEWAL ON BEHALF OF THE COUNTY**

(09/20/05 - 18 - 3:38 p.m.)

15b. MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONTRACT RENEWAL FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE ST. JOHNS COUNTY COUNCIL ON AGING, INC., FOR SENIOR SERVICES AT THE TROUT CREEK COMMUNITY CENTER, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE CONTRACT RENEWAL ON BEHALF OF THE COUNTY

Rich reviewed why he pulled this item. **Motion by Rich, seconded by Stern, carried 5/0, to adopt Resolution No. 2005-275, approving the terms, provisions, conditions, and requirements of a contract renewal for the provision of financial assistance to the St. Johns County Council on Aging, Inc., for Senior Services at the Trout Creek Community Center, and authorizing the County Administrator to execute the contract renewal on behalf of the County.**

**RESOLUTION NO. 2005-275**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONTRACT RENEWAL FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE ST. JOHNS COUNTY COUNCIL ON AGING, INC., AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE CONTRACT RENEWAL ON BEHALF OF THE COUNTY**

(3:32 p.m.) Maguire recessed the Commission meeting, and convened the CRA meeting.

(09/20/05 - 19 - 3:31 p.m.)

15c. MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS OF AND AUTHORIZING THE CHAIR TO EXECUTE A SPECIAL WARRANTY DEED FOR PROPERTY NEEDED FOR THE WEST KING STREET IMPROVEMENT PROJECT CONVEYING A 203 SQUARE FOOT STRIP OF LAND OWNED BY THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY TO ST. JOHNS COUNTY, PURSUANT TO SECTION 125.38, FLORIDA STATUTES

Tony Cubbedge, St. Johns County Land Management, reviewed this item, stating that they needed a 203 square foot corner clip for roadway improvement. Bosanko clarified that the CRA owned the property that was being transferred to the County. Cubbedge mentioned that they would reflect the change to the resolution on the title page from "Board of County Commissioners" to "St. Johns County Community Redevelopment Agency." (3:35 p.m.) **Motion by Stern, seconded by Rich, carried 5/0, to adopt Resolution No. 2005-3, approving the terms and authorizing the Chair of the St. Johns County Community Redevelopment Agency to execute a Special Warranty Deed for property needed for the West King Street Improvement Project conveying a 203 square foot strip of land owned by St. Johns County Community Redevelopment Agency to St. Johns County, pursuant to Section 125.38, Florida Statutes noting changes to be made to the text.**

#### RESOLUTION NO. 2005-3

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE CHAIR TO EXECUTE A SPECIAL WARRANTY DEED FOR PROPERTY NEEDED FOR THE WEST KING STREET IMPROVEMENT PROJECT CONVEYING A 203 SQUARE FOOT STRIP OF LAND OWNED BY ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY TO ST. JOHNS COUNTY, PURSUANT TO SECTION 125.38, FLORIDA STATUTES

(3:36 p.m.) Maguire closed out the CRA meeting and went back into the County Commission meeting. Bosanko mentioned that they needed to consider a motion to accept the conveyance from the CRA that was just made. (3:37 p.m.) **Motion by Stern, seconded by Rich, carried 5/0, for the Board of County Commissioners to accept the conveyance from the St. Johns County Redevelopment Agency on West King Street.**

*The meeting returned to Item 15a.*

(09/20/05 - 19 - 3:39 p.m.)

15d. MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF ST. AUGUSTINE (SUBSTANTIALLY IN THE FORM OF EXHIBIT A ATTACHED) FOR PURPOSES OF ANIMAL CONTROL AND RELATED ACTIVITIES

Doug Timms, Director of the Office of Management and Budget, stated that this item involved animal control and the new interlocal agreements with the City of St. Augustine and the City of St. Augustine Beach for animal control services. It also involved the Humane Society, who would receive the animals. (3:42 p.m.) **Motion by Stevenson, seconded by Rich, carried 5/0, to adopt Resolution No. 2005-276, and to authorize the chairman to execute an interlocal agreement with the City of St.**

Augustine, substantially in the form of Exhibit "A" attached, for purposes of animal control and related activities.

**RESOLUTION NO. 2005-276**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN INTERLOCAL AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE CITY OF ST. AUGUSTINE, FLORIDA, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

(09/20/05 - 20 - 3:43 p.m.)

15e. MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITY OF ST. AUGUSTINE BEACH (SUBSTANTIALLY IN THE FORM OF EXHIBIT A ATTACHED) FOR PURPOSES OF ANIMAL CONTROL AND RELATED ACTIVITIES

**Motion by Stevenson, seconded by Rich, carried 5/0, to adopt Resolution No. 2005-277, to authorize the chairman to execute an interlocal agreement with the City of St. Augustine Beach, substantially in the form of Exhibit A attached, for purposes of animal control and related activities.**

**RESOLUTION NO. 2005-277**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN INTERLOCAL AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

(09/20/05 - 20 - 3:44 p.m.)

15f. ST. AUGUSTINE HUMANE SOCIETY, INC., AGREEMENT AMENDMENT

**Motion by Stevenson, seconded by Rich, carried 5/0, to adopt Resolution No. 2005-278, approving the terms, provisions, conditions, and requirements of an amended agreement between St. Johns County, Florida, and the St. Augustine Humane Society, Inc., and authorizing the County Administrator to execute the amendment, on behalf of St. Johns County.**

**RESOLUTION NO. 2005-278**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AMENDED AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE ST. AUGUSTINE HUMANE SOCIETY, INC., AND AUTHORIZING THE**

**COUNTY ADMINISTRATOR TO EXECUTE THE  
AMENDMENT, ON BEHALF OF ST. JOHNS COUNTY**

(3:45 p.m.) Joe Stephenson, Public Works Director, spoke on the Summerhaven and Hurricane Ophelia situation. He stated that the best advice would be to file a change order to the existing project worksheet, which would keep them under the existing matching ratio. He mentioned that they were looking for the Board's direction on pursuing the change order. Rich stated that he didn't want to put out any more money and would like to complete what had already been started. Maguire spoke on lawsuits. Bosanko gave his opinion on how the County's vote, either way, may impact the lawsuit. Discussion followed on if there was a window of time to make a decision on this issue. Maguire asked if the sand that was washed away would affect the construction of the road with the balance of the FEMA money. Stephenson replied that one could rebuild the roadbed itself, without rebuilding the dune, however in some places the ocean was very close to the edge of the road. Maguire voiced his concern: he suggested postponing this item until the next meeting, or earlier if necessary.

(09/20/05 - 21 - 4:07 p.m.)

**COMMISSIONERS' REPORTS**

Commissioner Bryant:

No report.

(4:07 p.m.)

Commissioner Stevenson:

Stevenson spoke on doing FCT grant applications. Stevenson left the meeting.

(4:10 p.m.)

Commissioner Maguire:

Maguire spoke on the Florida Department of State approving the Dixie Highway in St. Johns County and placing it on the National Register of Historic Places.

Maguire mentioned two letters of kudos, one from the Boggy Creek Elementary School in Kissimmee, Florida, regarding tours in St. Johns County; and another letter from Dolphin Cove, thanking Troy Blevins and staff for working so close with the Dolphin Cove Community regarding the many upgrades at the De Leon Shores Park.

Maguire mentioned that Lou Nester sent a request for each Commissioner to send a letter to three Eagle Scouts who were coming up.

Maguire announced that the First Coast Friends of the Arts was holding a Katrina Relief Concert this Sunday from 1:00 p.m. to 11:00 p.m. in the Flagler College Auditorium.

Maguire announced that there was a Greater St. Augustine/St. Johns County Benefit Concert on October 1st, with monies going to the Red Cross and the Salvation Army.

Maguire mentioned an announcement from Wendy Manucy that they have the first household hazardous waste community collection day scheduled for October 8th.

Maguire mentioned that Stevenson was working on the Tourist Development Agreement.

(4:15 p.m.)

Commissioner Stern:



Stern spoke on Hurricane Katrina, stating that St. Johns County was housing 30 families, with 100 children, from the catastrophe.

Stern spoke on visiting the Buckingham Smith Assisted Living Facility.

(4:17 p.m.)

Commissioner Rich:

Rich spoke on dealing with Patrick McCormack on a problem regarding having so many people living in the same home who were unrelated. He asked the Board for a consensus to continue working with the County Attorney's Office to see if there was a way of modifying the present ordinance to have it still apply to men and women who were in an educational situation within the County, but could be exempted from that restriction, to keep this problem from coming more aggravated. Bosanko replied that his office would work with anyone on any issue like this, if requested by the Board. *It was the consensus of the Board, with Stevenson absent, to have Rich continue working on this situation.*

(4:21 p.m.) Deputy Clerk Yvonne King entered the meeting; Deputy Clerk Lenora Newsome left the meeting.

(09/20/05 - 22 - 4:26 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Ted Zebrowski, Assistant County Administrator, informed the Board that they had been asked to begin the lobbying efforts earlier this year in support of the legislative action plan that the Board had approved; then, requested that Staff begin developing appointments with the appropriate House and Senate Staff members prior to the beginning of the session. Zebrowski explained that the objective was to have each commissioner represent a couple of issues that were on the legislative action plan and have a Staff member accompany them to act as their subject matter expert.

Zebrowski shared that because of the budget restraints in Tallahassee due to Hurricane Katrina, there would be an offset bill that may be introduced this week in Congress.

Zebrowski announced the Health Fair on Wednesday, September 28, 2005 in the auditorium at the County Administration Building.

(09/20/05 - 22 - 4:31 p.m.)

COUNTY ATTORNEY'S REPORT

Dan Bosanko, County Attorney, reported that the issue regarding the Calvin Peete Park lease extension for the construction of a recreation center was still unresolved.

Bosanko informed the Board that Mr. Russ Cassellberry, the attorney for Flagler Estates, questioned him regarding the County enforcing intrusions into the right-of-way on Flagler Estates district roads. Maguire directed the County Attorney's Office to work on this issue.

(4:36 p.m.) Maguire asked if there was a time limit for the emergency status regarding the Summer Haven issue, and whether the dirt was still needed to complete the road. Maguire requested that any issues regarding Summer Haven be forwarded to Ted Zebrowski, Joe Stephenson, or Dan Bosanko.

(09/20/05 - 22 - 4:38 p.m.)

CLERK OF COURT'S REPORT

No report.

The meeting recessed at 4:38 p.m., and reconvened at 5:33 p.m., with Maguire, Stevenson, Stern, Rich, Bryant, Adams, Bosanko, and Deputy Clerk Yvonne King present.

(09/20/05 - 23 - 5:34 p.m.)

16. PUBLIC HEARING - ADOPTION OF FINAL MILLAGE RATES & BUDGET FOR FY 2006 - FLORIDA STATUTES 129.03 AND 200.065 REQUIRE THE BOARD OF COUNTY COMMISSIONERS (BCC) TO ADOPT ITS MILLAGE RATES AND BUDGET FOR THE NEXT FISCAL YEAR (FY) AT A PUBLIC HEARING. THAT HEARING MUST BE HELD AFTER 5:00 PM IF SCHEDULED ON A DAY OTHER THAN SATURDAY. THE SEPTEMBER 20, 5:30PM HEARING DATE HAS BEEN NOTICED, AS REQUIRED, AND CONSTITUTES THE FINAL HEARING ON COUNTY MILLAGE RATES AND BUDGET FOR FY 2006. FLORIDA STATUTES PRESCRIBE A SPECIFIC ORDER FOR THE CONSIDERATION OF ITEMS AT THE PUBLIC HEARING. THE FIRST SUBSTANTIVE ISSUE OF DISCUSSION MUST BE THE PERCENTAGE INCREASE IN THE COUNTY'S AGGREGATE MILLAGE RATE OVER THE ROLLED-BACK RATE. THE ROLLED-BACK RATE WAS DEFINED AS THE AGGREGATE MILLAGE RATE THAT WOULD GENERATE THE SAME LEVEL OF PRIOR YEAR TAX REVENUES, LESS CERTAIN DEFINED ALLOWANCES (SUCH AS NEW CONSTRUCTION). THE PERCENTAGE INCREASE FOR FY 2006 IN THE COUNTY'S AGGREGATE MILLAGE RATE OVER THE ROLLED-BACK RATE WAS 14.75%. INCLUDED IN THE DISCUSSION MUST BE THE SPECIFIC PURPOSES FOR WHICH THE AD VALOREM TAX REVENUES ARE BEING INCREASED OVER THE ROLLED-BACK RATE. THE GENERAL PUBLIC SHALL BE ALLOWED TO SPEAK AND TO ASK QUESTIONS PRIOR TO ADOPTION OF ANY MEASURES BY THE BCC. THE BCC SHALL ADOPT BY RESOLUTION ITS FINAL MILLAGE RATES PRIOR TO ADOPTING ITS FINAL BUDGET FOR FY 2006

Proof of publication of the notice of public hearing regarding the adoption of the final millage rates and budget for FY 2006 was received, having been published in *The St. Augustine Record* on September 16, 2005.

Doug Timms, Director of the Office of Management and Budget, explained the percentage increase and the millage rate over the rolled-back rate; then, explained the reasons for the increase.

(5:39 p.m.) Sherry Badger, 2772 South Collins Avenue, commented on taxes.

(5:40 p.m.) Annabelle Solano, 6500 Solano Farm Road, commented in opposition to the increase in her property taxes.

(5:42 p.m.) Ruth Vansky, 519 Gerona Road South, commented in opposition to the increase in her property taxes.

(5:43 p.m.) Kathy Heller, 4075 Quail Drive, commented in opposition to the increase in her property taxes.

(5:44 p.m.) Mike McQuiston, 216 Rivers Edge Road South, Picolata, commented in opposition to the proposed millage rate; then, requested the Board approve the rolled-back millage rate.

(5:47 p.m.) Sharon Badger, 2725 S. Collins Avenue, commented in opposition to the increase in her property taxes.

(5:49 p.m.) Christine Clymer, 9860 Nikolich Avenue, questioned the Airport's employees being added to the County's insurance and why the St. Johns County teachers were not. Stevenson responded.

(5:51 p.m.) Timms presented the proposed final millage rate resolution. Discussion followed regarding Workers Comp insurance and the overall budget. (6:02 p.m.) **Motion by Bryant, seconded by Stevenson, carried 5/0, to adopt Resolution No. 2005-279, establishing the final millage rates for FY 2006.**

**RESOLUTION NO. 2005-279**

**RESOLVED, THAT THE FOLLOWING FINAL MILLAGE RATE IS HEREBY SET BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, FOR ALL PROPERTY IN ST. JOHNS COUNTY, AS OF JANUARY 1, 2005.**

<b>General Fund</b>	<b>4.930</b>
<b>County Transportation Trust Fund</b>	<b>.900</b>
<b>County Health Unit Trust Fund</b>	<b>.020</b>
<b>Fire District, County-wide (Except City of St. Augustine)</b>	<b>1.200</b>
<b>Vilano Street Lighting District</b>	<b>.069</b>
<b>St. Augustine South Street Lighting District</b>	<b>.143</b>
<b>Julington Creek Municipal Service District</b>	<b>.000</b>
<b>AGGREGATE MILLAGE RATE</b>	<b>6.9600</b>
<b>Rolled-back Rate</b>	<b>6.0653</b>
<b>Percentage increase in Property Taxes over rolled-back rate:</b>	<b>14.75%</b>

(6:04 p.m.) Timms reviewed the budget process; the millage highlights; a millage comparison to FY 1998; personnel/workforce increase; percentage of total BCC employee increase; total expenditure increase; total revenue increase; total increase by funds; and general fund increase. Timms then reviewed the proposed final budget resolution. (6:14 p.m.) **Motion by Rich, seconded by Bryant, carried 5/0, to adopt Resolution No. 2005-280, establishing the final budget for FY 2006.**

**RESOLUTION NO. 2005-280**

**RESOLVED, THAT THE FOLLOWING FISCAL YEAR 2006 FINAL BUDGET OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DEVELOPED USING THE CERTIFIED TAXABLE VALUE OF \$17,376,750,194, GENERATING AN ESTIMATED \$120,942,429 IN TAXES, FOR A TOTAL BUDGET OF \$533,308,834**

<u>General Fund</u>	\$151,563,951
<u>Special Revenue Funds</u>	
County Health Unit Trust Fund	\$369,573
Court Facilities Trust Fund	\$728,320
Building Services Fund	\$14,326,237
Law Enforcement Trust Fund	\$18,027
State Housing Init. Partnership (SHIP) Fund	\$4,035,536
Mental Health Fund	\$4,650,682
Community Based Care Fund	\$4,167,744
Utility Authority Fund	\$171,972
County Transportation Trust Fund	\$49,635,371
Beach Services Fund	\$2,188,595
County Pier Fund	\$220,479
Tourist Development Tax Fund	\$5,939,878
Tree Bank Fund	\$374,586
Galimore Memorial Center Fund	\$55,618
Alcohol & Drug Abuse Trust Fund	\$129,042
Communication Surcharge Fund	\$670,097
Choose Life License Fund	\$14,223
Driver's Safety Education Fund	\$207,939
West Augustine CRA Fund	\$500,292
Flagler Estates CRA Fund	\$286,450
Vilano Beach CRA Fund	\$5,564,166
Florida Boating Improvement Fund	\$1,355,929
Housing Abatement Fund	\$82,331
Impact Fee Funds	\$32,194,041
Florida Arts License Plate Fund	\$15,541
Davis Park Fund	\$50,889
E-911 Communications Fund	\$1,361,034
Fire District Fund	\$29,425,802
Sidewalk Mitigation Fund	\$64,339
World Commerce Center DRI Fund	\$79,450
Vilano Street Lighting District Fund	\$61,674
Elkton Drainage District Fund	\$28,710
St. Augustine South Lighting District Fund	\$39,469
Julington Creek M.S.D. Fund	\$0
Treasure Beach M.S.B.U. Fund	\$4,143
Thompson Bailey Road M.S.B.U. Fund	\$19,204
Private Roads M.S.B.U. Fund	\$22,309
C. H. Arnold Road M.S.B.U. Fund	\$13,432
Rusty Anchor/Wendover Rd. M.S.B.U. Fund	\$1,787
Northwest Tower Fund	\$60,809
Crimes Prevention Trust Fund	\$118,925
Court Innovation Fund	\$94,266
Court Technology Fund	\$1,904,389
Legal Aid Fund	\$285,150
Law Library Fund	\$109,077
Debt Service Funds	
Transportation Debt Service Fund	\$1,111,988
03 Transportation Improvement Debt Service	\$3,542,153
Refunded Jail Debt Service Fund	\$0
Refunded Courthouse Debt Service Fund	\$1,528,081

Ponte Vedra MSD Sewer Debt Service Fund	\$1,194,664
Commercial Paper Debt Service Fund	\$1,753,502
04 Sales Tax Bonds Debt Service Fund	\$2,102,586
GE Capital Debt Service Fund	\$155,771
04 Flagler Estates CRA Debt Service Fund	\$49,427
05 Revenue Sharing Debt Service Fund	\$1,052,606
<b>Capital Project Funds</b>	
Northwest Road Project Fund	\$1,245,351
Library Expansion Fund	\$27,250
Park Projects Fund	\$5,314,772
Recreation Projects Fund	\$1,475,320
N. Holmes Blvd. Fund	\$1,159,454
03 Bond Transportation Projects Fund	\$8,660,210
Sewer Construction Fund	\$64,555
Detention Facility Lighting Fund	\$0
04 Sales Tax Bond Projects Fund	\$27,549,971
Southeast Annex Construction Fund	\$2,335,000
Transit System Capital Project Fund	\$2,640,201
05 Revenue Sharing Projects Fund	\$19,343,010
<b>Enterprise Funds</b>	
Solid Waste Fund	\$25,729,215
St. Johns County Utility Services Fund	\$88,152,038
Convention Center Fund	\$2,549,711
St. Johns County Golf Course Fund	\$2,466,765
Amphitheater Fund	\$1,000,617
<b>Internal Service Funds</b>	
Worker Compensation Fund	\$4,795,282
Group Health Insurance Fund	\$13,097,856

(6:15 p.m.) Bryant informed the Board that Flagler Hospital had encouraged local physicians to join together to take care of all the OB/GYN patients through the Health Department for the community.

(6:16 p.m.) **Motion by Bryant, seconded by Rich, carried 5/0, to adjourn.** With there being no further business to come before the Board, the meeting adjourned at 6:16 p.m.

**REPORTS:**

1. William Bartram Scenic & Historic Highway Corridor Management Council Memorandum of Understanding (06/28/05)
2. St. Johns County Board of County Commissioners Check Register, Check Number 372245, totaling \$5,371.98 (08/31/05)
3. St. Johns County Board of County Commissioners Check Register, Checks Number 372246 through 372269, totaling \$35,665.89 (09/01/05)
4. St. Johns County Board of County Commissioners Check Register, Checks Number 372271 through 372275, totaling \$143,228.61 (09/02/05)
5. St. Johns County Board of County Commissioners Check Register, Checks Number 372276 through 372731, totaling \$4,031,524.33 (09/06/05)
6. St. Johns County Board of County Commissioners Check Register, Checks Number 372732 through 372866, totaling \$1,711.60 (09/07/05)
7. St. Johns County Board of County Commissioners Check Register, Checks Number 372867 through 372868, totaling \$550.00 (09/08/05)

CORRESPONDENCE:

1. Letter from Heritage Park Community Development District regarding a certified copy of Resolution No. 2005-06, identifying the Fiscal Year 2005/2006 meeting schedule for the Heritage Park Community Development District (08/24/05)
2. Letter from Heritage Landing Community Development District regarding a certified copy of Resolution No. 2005-19, identifying the Fiscal Year 2005/2006 meeting schedule for the Heritage Landing Community Development District (08/25/05)
3. Letter to citizens and businesses of St. Johns County, Florida, regarding the sale of essential commodities during a declared state of emergency prohibition against unconscionable prices (09/02/05)
4. Letter to the St. Johns River Water Management District, regarding a request to transfer SJRWMD Permit No.4-109-21573-2 to St. Marks Development Authority, Inc. (09/12/05)
5. Letter to the Town of Hastings, regarding a fully executed Interlocal Agreement between St. Johns County and the Town of Hastings regarding the Hastings Branch Library (09/12/05)
6. Letter to Liz Cloud, Program Administrator of the Bureau of Administrative Code, regarding filing St. Johns County Ordinances Number 2005-78 through 2005-84 (09/12/05)

Approved: November 29, 2005

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant  
James E. Bryant, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland  
Deputy Clerk

