

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
SPECIAL/REGULAR MEETING
ST. JOHNS COUNTY, FLORIDA
JANUARY 24, 2006
(8:00 A.M.)**

Proceedings of a special/regular meeting of the Board of County Commissioners of St. Johns County, Florida, held in the auditorium at the County Administration Building, 4020 Lewis Speedway (County Road 16-A) and U.S. 1 North, St. Augustine, Florida.

Present were: James E. Bryant, District 5, Chairman
Cyndi Stevenson, District 1, Vice Chair
Karen R. Stern, District 2
Ben Rich, District 3
Bruce A. Maguire, District 4
Ben W. Adams, Jr., County Administrator
Dan Bosanko, County Attorney
Lenora Newsome, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Courts

(01/24/06 - 1 - 8:00 a.m.)

Bryant called the special meeting to order.

1. PROCEEDINGS OF A SPECIAL, 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 MARILYN MCMULKIN V. ST. JOHNS COUNTY, CASE NO.: CA 03-847, IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, IN AND FOR ST. JOHNS COUNTY, FLORIDA. THE SPECIAL MEETING HAS BEEN ADVERTISED FOR 8:00 A.M. CONFERENCE ROOM "A" HAS BEEN RESERVED FOR THIS MEETING.

Proof of publication of the notice of a special meeting regarding a private attorney/client meeting was received, having been published in *The St. Augustine Record* on January 11, 2006.

(8:02 a.m.) Bosanko informed the County Commission that he needed advice concerning the lawsuit of Marilyn McMulkin vs. St. Johns County, Case No. CA03-847, in the Circuit Court, Seventh Judicial Circuit, in and for St. Johns County, Florida. He stated that Florida Statute 286.011 allowed the Board to hold a private meeting in order to provide him that advice.

(8:03 a.m.) Bryant announced that this attorney/client meeting concerning the lawsuit would commence at 8:00 a.m. in Conference Room "A." The attendees were: James E. Bryant; Cyndi Stevenson; Karen R. Stern; Bruce A. Maguire; Ben Rich; Ben W. Adams, County Administrator; Dan Bosanko, County Attorney; Steven Gallagher, Special Counsel to the Board; and Cathy Upchurch, Court Reporter. Bryant recessed the special meeting.

(8:51 a.m.) Bryant called the special meeting back to order. **Motion by Stern, seconded by Stevenson, carried 4/0 with Maguire absent, to adjourn the special meeting.**

(01/24/06 - 2 - 9:02 a.m.)

Bryant called the regular meeting to order.

(01/24/06 - 2 - 9:02 a.m.)

ROLL CALL

Bryant announced that all five commissioners were present.

(01/24/06 - 2 - 9:02 a.m.)

Maguire gave the invocation and Stevenson led the Pledge of Allegiance.

(01/24/06 - 2 - 9:03 a.m.)

SPECIAL RECOGNITION PRESENTED TO THE 3A STATE CHAMPION ST. AUGUSTINE HIGH FOOTBALL TEAM AND TO THE 4A STATE CHAMPION ALLEN NEASE HIGH SCHOOL FOOTBALL TEAM

Adams introduced the football teams: the 3-A State Champions St. Augustine High School Yellow Jackets; and the 4-A State Champions Allen Nease High School Panthers.

(9:06 a.m.) Nease Head Coach Craig Howard congratulated Coach Wiles and his players and also his own player. He had each player introduce himself and his position. Coach Howard stated that the boys would receive over \$1,000,000 in scholarships.

(9:08 a.m.) St. Augustine High Coach Joey Wiles congratulated Coach Howard and his players. He thanked his principal, Dr. O'Loughlin for providing everything they needed to be successful over the last ten years; Jeff Hoplin, the Athletic Director, for taking care of things they needed; and the captains of the team, Quintin Hancock and Byron Rizzi.

(9:10 a.m.) Adams introduced the Principal of Nease High School, Dr. Thompson who spoke on football. Bryant spoke on going to college on a football scholarship and competing on that level. He presented plaques to Coach Wiles and St. Augustine High School and to Coach Howard and Nease High School.

(01/24/06 - 2 - 9:15 a.m.)

PROCLAMATION RECOGNIZING FLORIDA JEWISH HISTORY MONTH

Stern read the proclamation, and presented it to Mr. Bob Beskind, who thanked the Commission and spoke on being part of the fabric of St. Johns County.

(01/24/06 - 2 - 9:20 a.m.)

PROCLAMATION DESIGNATING FEBRUARY 2006 AS "ST. JOHNS READS" MONTH

Stevenson read the proclamation, and spoke on a book being presented at the library: the *Kite Runner*.

(9:22 a.m.) Mary Jane Little, Library Director, thanked the Commission and introduced Mitzi Thomas, Ponte Vedra Beach Library Branch Manager, who spoke on how the book was selected for presentation at their library.

(01/24/06 - 3 - 9:26 a.m.)

ACCEPTANCE OF PROCLAMATIONS

Motion by Stern, seconded by Maguire, carried 5/0, to approve the proclamations.

(9:25 a.m.) Allen McDonald, Finance Director, entered the meeting.

(01/24/06 - 3 - 9:26 a.m.)

PUBLIC COMMENT

Mike Rubin, Construction Manager, reported on the progress of the Bakersfield Fire Station No. 4 and the Amphitheater projects. He stated that the fire station would open on the 29th of this month. Rubin spoke on the Amphitheater project status and stated that it was impressive.

(9:37 a.m.) Carl Bloesing, 12 La Vista Drive, Ponte Vedra Beach, spoke on the Neighborhood Bill of Rights. He encouraged the Commissioners to endorse the Neighborhood Bill of Rights and to adopt an Ordinance.

(9:40 a.m.) George McClure, 170 Malaga Street, spoke on coming up with a build-out plan for St. Augustine Shores. He requested the hearing scheduled for Feb 8th, regarding St. Augustine Shores, be continued to March 15th. Dan Bosanko, County Attorney, stated that the Board needed to make a motion to continue the item. Stevenson stated that March 15th was St. Johns County Day, so they would have to select another date. Adams suggested March 22nd; McClure concurred. (9:48 a.m.) **Motion by Bryant, seconded by Stern, carried 4/0 with Maguire away from the dais, to reschedule the major modification to the St. Augustine Shores PUD for March 22nd, with the applicant paying the advertising cost.**

(9:49 a.m.) Jean Lijoi, 103 Dolphin Blvd., spoke on being disappointed with St. Johns Service Company. (9:52 a.m.) Michael Hunt, Deputy County Attorney, entered the meeting. Lijoi stated that she was distressed and at a loss on what to do to correct her situation. She pleaded with the Board to help her. Rich asked about delaying the purchase of the utility until her problem was settled. Bosanko spoke on the terms of the contract, and stated that they had taken special steps to protect the people with claims after the purchase, requiring that an escrow be set up to handle the claims. (9:57 a.m.) Hunt spoke on the proposed amended agreement, and on money being in a separate account to cover the claims. Rich mentioned that the problems should have been settled a long time ago and asked about the County rejecting the appropriation amount. Hunt responded. Discussion ensued.

(10:08 a.m.) Greg Barber, 4314 Pablo Oaks Ct., Jacksonville, The Park Group (developer of Nocatee), displayed a PowerPoint presentation on the Nocatee Preserve.

(10:14 a.m.) Michael Miller, 1860-A Isherwood Terrace, representing the foster parents and foster children of St. Johns County, spoke on phasing out the existing foster care/adoption recruitment contracts. (Consent #12) He asked the Board not to phase it out. Bryant stated that he was going to have Consent Item 12 pulled, as it didn't need Board approval.

(01/24/06 - 3 - 10:19 a.m.)

DELETIONS TO CONSENT AGENDA

Bryant requested to pull Item 12.

Motion by Maguire, seconded by Rich, carried 5/0, to approve the consent agenda as amended.

1. Approval of the Cash Requirement Report
2. Minutes:
12/27/05 - BCC Regular Meeting
03/03/05 - Value Adjustment Board
04/13/05 - Value Adjustment Board
10/17/05 - Value Adjustment Board
01/11/06 - Value Adjustment Board
3. Sheriff's Office Bonds:
Approve: Amy M. Combs Loretta J. Djalatta Angela Easters
 Kenneth R. Hill Terrie M. Loveday Mark Lumpkins
 Matt J. Modesitt Ronald B. Nelson Mitchell E. McCormack
 Josue M. Rivera Sean M. Smith Damian G. Threet
 Preston R. Bowes

Cancel: Stacey R. Sexton

Name Change: Jennifer Anderson to Jennifer Salgado
4. Motion to authorize the transfer of \$319,116 from the Communications Surcharge Trust Fund Reserve (1503-59920), and to release and distribute the \$319,116 as follows: \$197,204 to the St. Johns County Sheriff's Office, \$50,000 to the City of St. Augustine Police Department, \$40,000 to the City of St. Augustine Beach Police Department, and \$31,912 to the General Fund Communications Department
5. Motion to adopt **Resolution No. 2006-13**, approving the Economic Development Agreement with R & D Development, and to authorize the County Administrator to execute the contract on behalf of the County; and motion to transfer \$23,167 from General Fund Reserves to Economic Development (0059-53120)

RESOLUTION NO. 2006-13

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE ECONOMIC DEVELOPMENT AGENCY CONTRACT WITH R & D DEVELOPMENT ON BEHALF OF ST. JOHNS COUNTY, AND PROVIDING FOR AN EFFECTIVE DATE

6. Motion to adopt **Resolution No. 2006-14**, approving a final plat for Sevilla at World Commerce Phase Two

RESOLUTION NO. 2006-14

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,

**APPROVING A SUBDIVISION PLAT FOR SEVILLA AT
WORLD COMMERCE PHASE TWO**

7. Motion to adopt **Resolution No. 2006-15**, recognizing unanticipated revenue in the amount of \$257,989, increasing 3370-33140 [Transit System Federal Transportation Grant] and increasing 3371-56400 [Transit System Capital Equipment]

RESOLUTION NO. 2006-15

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2006 TRANSIT SYSTEM FUND TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE FOR THE FEDERAL TRANSIT ADMINISTRATION GRANT ASSOCIATED WITH THE TRANSIT SYSTEM DEPARTMENT

8. Motion to adopt **Resolution No. 2006-16**, accepting a Special Warranty Deed and Grant of Easement from Sonoc Company, LLC, and Cabbage Hammock Company, LLC, to St. Johns County, Florida, for the Nocatee Preserve

RESOLUTION NO. 2006-16

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED AND GRANT OF EASEMENT FROM SONOC COMPANY, LLC, AND GRANT OF EASEMENT FROM CABBAGE HAMMOCK COMPANY, LLC, TO ST. JOHNS COUNTY, FLORIDA, FOR THE NOCATEE PRESERVE

9. Motion to approve the transfer of \$13,200 from Transportation Trust Fund Reserves (1131-59927) to Real Estate Land Account (1270-56100) for the acquisition of additional right-of-way along County Road 214
10. Motion to adopt **Resolution No. 2006-17**, approving the terms of, and authorizing the County Administrator to execute a certain Purchase and Sale Agreement from Frances H. Ferber for property needed for the Kenton Morrison/State Road 16 Improvement Project

RESOLUTION NO. 2006-17

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CERTAIN PURCHASE AND SALE AGREEMENT FROM FRANCES H. FERBER FOR PROPERTY NEEDED FOR THE KENTON MORRISON/STATE ROAD 16 IMPROVEMENT PROJECT

11. Motion to approve naming the new branch library, located at 124 Seagrove Main Street, the "Anastasia Island Branch Library"

12. Motion to phase out existing foster care/adoption recruitment contracts and to conduct that part of the business in house, and motion to transfer \$250,000 from 1401-53120 [CBC Contractual Services] and reappropriate \$178,865 to 1401-51200 [CBC Salaries], \$13,683 to 1401-52100 [CBC FICA], \$15,343 to 1401-52200 [CBC Retirement], \$14,432 to 1401-52300 [CBC Health Insurance], \$3,220 to 1401-52400 [CBC Workers Comp], \$6,900 to 1401-54000 [CBC Travel], \$2,300 to 1401-54100 [CBC Communications], \$4,757 to 1401-55200 [CBC Operating Expenditures], and \$10,500 to 1401-56403 (CBC Computer Equipment)

This item was pulled from the consent agenda.

13. Motion to adopt **Resolution No. 2006-18**, setting a public hearing date of February 21, 2006 at 9:00 a.m., to hear a request for the vacation of a portion of North Wilderness Trail

RESOLUTION NO. 2006-18

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SETTING A PUBLIC HEARING DATE OF FEBRUARY 21, 2006 AT 9:00 A.M. TO HEAR A REQUEST FOR THE VACATION OF A PORTION OF NORTH WILDERNESS TRAIL

14. Motion to adopt **Resolution No. 2006-19**, implementing new and/or revised fees for services provided by the St. Johns County Health Department

RESOLUTION NO. 2006-19

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE SCHEDULE OF FEES FOR THE ST. JOHNS COUNTY HEALTH DEPARTMENT

15. Motion to authorize the County Administrator, or his designee, to purchase Three (3) 2006 1 ton diesel service trucks from Tropical Ford, in accordance with Bid No. 06-62 in the amount of \$73,982
16. Motion to authorize the County Administrator, or his designee, to purchase nine (9) 2006 1/2 ton pickup trucks from Tropical Ford, in accordance with Bid No. 06-61 in the amount of \$154,864
17. Motion to authorize the County Administrator, or his designee, to purchase one (1) 2007 medium duty chassis/crew cab, six (6) passenger, four (4) door, single axle, class 7 truck with a dump body from Freightliner of Tampa, LLC, in accordance with Bid No. 06-56 in the amount of \$65,994
18. Motion to authorize the County Administrator, or his designee, to purchase one (1) fourteen cubic yard dump truck from Freightliner of Tampa, LLC, in accordance with Bid No. 06-55 in the amount of \$74,292.00
19. Motion to authorize the County Administrator, or his designee, to enter into a contract with the low bidder, V.J. Usina Contracting, Inc., in the amount of \$586,841.31 for Bid # 06-60, Complex Entrance and Loop Road

20. Proofs:
- a. Proof, Notice to Bidders, Bid No. 06-67
 - b. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Special/Private Meeting, Tuesday, December 27, 2005 at 8:00 a.m.
 - c. Proof, Notice to Bidders, Bid No. 06-70
 - d. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Elder Living Quarters Ordinance, Tuesday, December 27, 2005 at 9:00 a.m.
 - e. Proof, Notice to Bidders, Bid No. 06-71
 - f. Proof, Notice to Bidders, Bid No. 06-72
 - g. Proof, Notice to Bidders, Bid No. 06-69
 - h. Proof, Notice to Bidders, Bid No. 06-66
 - i. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Wake Zone Ordinance, Trout Creek, Tuesday, January 24, 2006 at 9:00 a.m.
 - j. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Wake Zone Ordinance, Portion of the Matanzas River, Tuesday, January 24, 2006 at 9:00 a.m.
 - k. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Elder Living Quarters Ordinance, Tuesday, December 13, 2005 at 9:00 a.m.
 - l. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Ordinance/Regulations affecting the use of land, Tuesday, December 13, 2005 at 9:00 a.m.
 - m. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, vacation of certain streets, alleyways or roads, January 10, 2006 at 9:00 a.m.
 - n. Proof, Notice of Meeting, Value Adjustment Board, Wednesday, January 11, 2006 at 9:00 a.m.
 - o. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Special Meeting, Wednesday, October 26, 2005 at 9:00 a.m.
 - p. Proof, Certificate of Liability Insurance, Concut Southeast, Inc.
 - q. Proof, Certificate of Liability Insurance, Crum Resources II, Inc.
 - r. Proof, Certificate of Liability Insurance, Seaboard Waste Systems, Inc.
 - s. Proof, Certificate of Liability Insurance, Architects Design Group, Inc.
 - t. Proof, Certificate of Liability Insurance, Reynolds, Smith and Hills, Inc.
 - u. Proof, Certificate of Liability Insurance, Sea Tech Marine International, Inc.
 - v. Proof, Certificate of Liability Insurance, Hills Quality Plumbing, Inc.
 - w. Proof, Certificate of Liability Insurance, South East Personnel Leasing, Inc.
 - x. Proof, Certificate of Liability Insurance, Builder Services of North FL
 - y. Proof, Certificate of Liability Insurance, Berman Brothers, Inc.

(01/24/06 - 7 - 10:20 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Stevenson requested to add the proposed Russell Sampson Road closing as item A1. Bryant requested to add a resolution for historic preservation as Item 19a, and add the Flagler Hospital Baker Act facility contract as Item 19b. Adams requested to pull Item 1 because they were going to work on another solution that didn't require any additional funds.

(01/24/06 - 8 - 10:21 a.m.)
APPROVAL OF REGULAR AGENDA

Motion by Maguire, seconded by Stern, carried 5/0, to approve the regular agenda as amended.

(01/24/06 - 8 - 10:21 a.m.)
A1. RUSSELL SAMPSON ROAD CLOSING

Stevenson spoke on the closing of Russell Sampson Road, and asked Joe Stephenson to speak on this item.

(10:23 a.m.) Joe Stephenson, Public Works Director, spoke on Russell Sampson Road construction, stating that there were three phases. Maguire mentioned that he didn't know anything about this item. Stephenson requested that the developers let the Board know the status of this project, and stated that he needed the Board's direction on what to do. Stern also mentioned that she hadn't heard anything about the closing of Russell Sampson Road, and voiced concern about the residents understanding when, for how long and why this was happening.

(10:32 a.m.) Doug Miller, England-Thims and Miller, district engineer for the Durbin Crossing Community Development District, spoke on the road improvements and closing (Exhibit A, maps). He stated that the plans were approved in September for this closure. Stevenson stated that she wanted to make sure all the residents who would be affected were notified. Miller stated that no other closures were anticipated. Maguire stated that he supported this, but was surprised that they didn't have any advance notice. Miller agreed, and stated that they would do better. Stephenson apologized for not notifying each commissioner earlier and stated that he supported closing the road. Stern mentioned that she supported closing the road and voiced concern with the residents being notified. Miller replied that there would be signs posted.

The meeting recessed at 10:44 a.m. and reconvened at 10:52 a.m., with Bosanko leaving the meeting.

1. CONSIDER A MOTION TO ADOPT A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE OFFICE OF THE STATE ATTORNEY, SEVENTH JUDICIAL CIRCUIT, OF FLORIDA, AUTHORIZING ST. JOHNS COUNTY TO BUDGET THE FUNDS FOR THE LEASE PAYMENTS FOR AN EVIDENCE STORAGE LOCATION

This item was pulled from the agenda.

2. PUBLIC HEARING - ORDINANCE ESTABLISHING A COUNTY PONTE VEDRA WATER AND WASTEWATER SYSTEM - AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING A COUNTY PONTE VEDRA WATER AND WASTEWATER SYSTEM. THIS ORDINANCE ESTABLISHES NUMEROUS DEFINITIONS TO BE CONSISTENT WITH THE COUNTY UTILITY ORDINANCE, LAND DEVELOPMENT CODE AND THE COUNTY UTILITY WATER AND WASTEWATER DESIGN STANDARDS. THIS ORDINANCE ESTABLISHES WATER, WASTEWATER AND IRRIGATION RATES, ESTABLISHES A CAP ON WATER CONSUMPTION USED IN CALCULATING RESIDENTIAL SEWER BILLS, ESTABLISHES SERVICE CHARGES AND FEES, ESTABLISHES WATER AND WASTEWATER UNIT

CONNECTION FEES, ESTABLISHES EQUIVALENT RESIDENTIAL UNIT FACTORS BY METER SIZE, ESTABLISHES PROCEDURES FOR AN INDUSTRIAL PRE-TREATMENT PROGRAM, ESTABLISHES METER DEPOSITS AND PROVIDES A PROCESS TO WAIVE DEPOSITS FOR NEW CUSTOMERS WHO CAN DEMONSTRATE A GOOD PAYMENT HISTORY WITH PRIOR UTILITY PROVIDERS, ESTABLISHES GENERAL OPERATING PROCEDURES FOR THE UTILITY AND SETS AN EFFECTIVE DATE

Proof of publication of the notice of public hearing regarding an ordinance establishing a County Ponte Vedra Water and Wastewater System was received, having been published in *The St. Augustine Record* on January 12, 2006.

Bill Young, Utility Director, reviewed this item, asking the Board to enact this ordinance establishing the County Ponte Vedra Water and Wastewater System. Bryant stated that this was the first-step in a long-range plan to bring control and better service to the residents of Ponte Vedra. (10:55 a.m.) **Motion by Maguire, seconded by Stern, to enact Ordinance No. 2006-4, establishing a County Ponte Vedra Water and Wastewater System.** (10:55 a.m.) Bosanko entered the meeting. Rich spoke on the price of the utility. (10:56 a.m.) **The motion carried 5/0.**

ORDINANCE NO. 2006-4

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING A COUNTY PONTE VEDRA WATER SYSTEM, AND A COUNTY PONTE VEDRA WASTEWATER SYSTEM; THIS ORDINANCE ESTABLISHES NUMEROUS DEFINITIONS TO BE CONSISTENT WITH THE ST. JOHNS COUNTY ORDINANCE ST. JOHNS COUNTY, FLORIDA LAND DEVELOPMENT CODE AND THE ST. JOHNS COUNTY UTILITY DEPARTMENT MANUAL OF WATER AND WASTEWATER DESIGN STANDARDS AND SPECIFICATIONS, MAKES IT UNLAWFUL FOR A CUSTOMER TO REVERT TO USING WELL WATER AFTER HAVING BEEN CONNECTED TO THE COUNTY WATER SYSTEM, ESTABLISHES FEES FOR TAMPERING, STEALING, OR UNAUTHORIZED WATER OR WASTEWATER USE, ESTABLISHES METER DEPOSITS AND PROVIDES PROCESS TO WAIVE DEPOSITS FOR NEW CUSTOMERS WHO CAN DEMONSTRATE A GOOD PAYMENT HISTORY WITH A PRIOR UTILITY PROVIDER, ESTABLISHES PROVISION FOR REFUNDING DEPOSITS OF RESIDENTIAL AND NON-RESIDENTIAL USERS WITH GOOD PAYMENT HISTORIES, IMPLEMENTING A RECONNECTION FEE FOR CUSTOMERS WHOSE SERVICE HAS BEEN SUSPENDED TWICE IN A 12 MONTH PERIOD, ESTABLISHES SERVICE CHARGES AND EXTRA TRIP CHARGES, ALLOWS CUSTOMERS TO DISCONNECT SERVICE VIA A PHONE CALL, ESTABLISHES WATER AND WASTEWATER BILLING RATES, ESTABLISHES A CAP ON WATER CONSUMPTION USED IN CALCULATING RESIDENTIAL SEWER BILLS, ESTABLISHES A PAYMENT SCHEDULE FOR USERS WITH HIGH WATER AND/OR WASTEWATER BILLS, ESTABLISHES RETURNED PAYMENT CHARGES,

ESTABLISHES A MINIMUM LATE FEE, ESTABLISHES METER TEST CHARGES, ESTABLISHES PROCEDURES FOR AN INDUSTRIAL PRETREATMENT PROGRAM, SETS MAXIMUM ALLOWABLE CONCENTRATIONS IN A 24-HOUR PERIOD FOR SELECTED WASTEWATER PARAMETERS, REQUIRES SEPTIC TANK WASTE HAULERS TO OBTAIN A WASTEWATER DISCHARGE PERMIT, ESTABLISHES INDUSTRIAL WASTEWATER DISCHARGE PERMIT FEES, ESTABLISHES LEACHATE RATES, ESTABLISHES FEES FOR OFFENSES ENFORCEABLE BY CITATION AND CIVIL PENALTIES, ESTABLISHES EQUIVALENT RESIDENTIAL UNIT FACTORS BY METER SIZE, ESTABLISHES WATER AND WASTEWATER UNIT CONNECTION FEES, AND SETS AN EFFECTIVE DATE

(01/24/06 - 10 - 10:57 a.m.)

3. CONSIDER A MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS AND CONDITIONS OF AN AMENDMENT TO THE PURCHASE AND SALE AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND ST. JOHNS SERVICE COMPANY, INC.

Bill Young, Utility Director, acknowledged the members of the acquisition team. He mentioned that the purchase price had been reduced, and that money was placed in an escrow account to provide a new emergency generator at the Inlet Beach water plant. Part of the money was put up by St. Johns Service Company for repairs to two wastewater treatment plants. He stated that there was a separate escrow account of St. Johns Service Company funds for potential outstanding claims. He stated that it was Staff's recommendation that the Board adopt a resolution approving the terms and conditions of this amendment to the purchase and sale agreement. Bryant mentioned that this purchase it was the right thing to do to bring the level of service and control up to the citizens of Ponte Vedra. Stevenson spoke on trust, and she asked how to compel the insurance company to come to the table. Bosanko replied that the County was not legally a party to the liability situation, and if the parties couldn't agree, then it would go to a courtroom to be settled. Stevenson asked if any suits had been filed. Bosanko replied that one suit had been filed by the Crawfords, and that he wouldn't be surprised if more suits were filed. Stevenson asked Bosanko if there was any evidence that he was aware of that indicated that the utility company acted in bad faith. Bosanko replied that he didn't have sufficient knowledge to answer that question. Rich asked if anything was done to increase the amount in the escrow account. Young stated that they were comfortable with the numbers.

(11:14 a.m.) Walter Rohrer, 2315 Clubview Court, Ponte Vedra Beach, read a letter on behalf of the Civic Roundtable, asking the Board not to close the deal until all claims were taken care of, and stated that he thought the escrow account was insufficient and needed to be increased.

(11:16 a.m.) Robert Winicki, 4745 Sutton Park Court, Suite 401, Jacksonville, representing the Crawfords, spoke on dealing with the insurance carriers. He requested that the name of the insurance company, American Alternative Insurance Company, and the policy number regarding the Crawfords, be inserted into the escrow account. He also requested a change in the technical language so that no money could be taken out by St. Johns Service Company until all the claimants were paid off. Maguire mentioned that a comment was made that this may go on for a year. Winicki stated that they were going to set the case for trial before the end of this year. Maguire stated that his number one concern was that all three parties were taken care of, and that the

projected amount to be paid by the insurance company only covered Lijoi and Riveria's claims. Hunt commented. Maguire voiced concern about the insurance carrier not paying off, and the County being liable. Bosanko stated that there would be no liability to the County because they were only buying the pipes, pumps and rights to serve customers, not St. Johns Service Company. (11:31 a.m.) Discussion followed on the insurance coverage, covering the claims and what the County's role was.

(11:34 a.m.) Winicki explained why it was important, during due diligence, to review the target's insurance policy when there were outstanding claims against the target. Bosanko objected to statements made by Winicki, stating that the County was not in the same position as his client. Discussion followed on including insurance company names and policy numbers in the document, no money going to the seller from the escrow account until all claims were taken care of, increasing the escrow account to \$2,000,000, and it not being the County's job to determine the damages.

(11:52 a.m.) Daniel MacDonald, 24501 Deer Trace Drive, Ponte Vedra Beach, spoke on St. Johns Service Company causing the damage, and the Board having a duty to protect its constituents.

(11:55 a.m.) Ed Cowan, 244 Patrick Mill Circle, Ponte Vedra Beach, voiced concern about the funding and repairs to be done by St. Johns Service Company.

(11:58 a.m.) Clara Cowan, 244 Patrick Mill Circle, Ponte Vedra Beach, stated that she did not see a whole lot of credibility with the St. Johns Service Company. She mentioned that there was a time constraint because the sale was pending and that the escrow account was too low. She asked the Board to protect the public.

(12:03 p.m.) Sid Ansbacher, 780 N. Ponce de Leon Blvd., counsel for St. Johns Service Company, spoke on the claims and how they were being handled. He stated that they had no objection to amending the language regarding the escrow remaining outstanding as long as the three claims were still outstanding. Discussion followed on increasing the escrow account. Bosanko mentioned that they would work on it during the lunch hour to see what they could come up with.

The meeting recessed for lunch at 12:13 p.m. and resumed at 1:36 p.m. Commissioners Bryant, Stevenson, Stern, Rich and Maguire and County Attorney Dan Bosanko were present. Terry Bulla, Deputy Clerk, joined the meeting.

(1:55 p.m.) Dan Bosanko, County Attorney, stated they had acted during the lunch break to ask Mr. Ansbacher to make some concessions. (1:58 p.m.) Sid Ansbacher, Attorney for the utility, said he had spoken with Jean Mangu, Stevenson and Rich during the break, and they were willing to increase the escrow sum to \$1 million, and noted that 4 years was the escrow term under the agreement. He reported that Rich asked if they would commit, in the event of an adverse judgment for any of the three claimants, to present an agreement to any of the three plaintiffs, to effectively provide an interest free loan for out of pocket damages during the appendency of any appeal by their insurance company. He said they had no idea what their carrier would say as to how that would affect their coverage, so they could not commit to that. But, in the event that both carriers found it to be a satisfactory claim, then they would be willing to consider that as a condition to close. (2:01 p.m.) Rich said \$1 million was not enough, and asked them to commit to \$1.5 million. After consulting with his client, Ansbacher said they would be willing to go \$1.2 million. Rich said he would agree to that.

(2:04 p.m.) Motion by Maguire, seconded by Stern, carried 5/0, to adopt Resolution No. 2006-20 approving the terms and conditions as amended by Mr. Hunt and Mr. Ansbacher reflecting \$1.2 million, and the fact that the money will not be released until all claims are paid out in accordance with the terms discussed, and as other minor points that are necessary to effectuate this agreement, including adding the name of the American Alternative Insurance Company of Orlando to the Purchase and Sale Agreement between St. Johns County, Florida and St. Johns Service Company, Inc., and authorizing the Chairman of the Board of County Commissioners of St. Johns County, Florida to execute the Amendment to the Agreement on behalf of the County.

(2:05 p.m.) Maguire stated that Bosanko and Hunt had given a very effective explanation of the legal capabilities of the board, and that the \$1.2 million had been purely voluntarily, done on the part of the seller, because the Board did not have the legal authority to mandate it and he wanted that to be reflected as a part of the record.

RESOLUTION NO. 2006-20

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF AN AMENDMENT TO THE PURCHASE AND SALE AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND ST. JOHNS SERVICE COMPANY, INC.; AUTHORIZING THE CHAIRMAN TO EXECUTE AN AMENDMENT TO AGREEMENT TO PURCHASE WATER AND WASTEWATER ASSETS

(01/24/06 - 12 - 2:06 p.m.)

4. CONSIDER MOTION TO ADOPT A RESOLUTION AUTHORIZING THE ISSUANCE OF THE COUNTY'S PONTE VEDRA UTILITY SYSTEM REVENUE BONDS, SERIES 2006, IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$31,000,000

Bill Young, County Utility Director, gave the presentation and reviewed the background information. (2:08 p.m.) Stevenson clarified that the rates that were published in the preliminary public meeting would be the rates being agreed to. Young said that would be the case. (2:09 p.m.) Maguire gave kudos to the staff, to Young and to the chairman for his insistence that rates not be changed. (2:09 p.m.) Bryant thanked the entire board for their efforts. (2:10 p.m.) Stern expressed confidence in Young and his staff, and said they would now be able to bring the standards in Ponte Vedra up to that of the rest of the county.

(2:12 p.m.) Motion by Stern, seconded by Stevenson, carried 5/0, to adopt Resolution No. 2006-21 authorizing the issuance of the County's Ponte Vedra Utility System Revenue Bonds, Series 2006, in an aggregate principal amount not exceeding \$31,000,000.

RESOLUTION NO. 2006-21

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$31,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF ST. JOHNS COUNTY, FLORIDA, PONTE VEDRA UTILITY SYSTEM REVENUE BONDS, SERIES 2006, TO FINANCE THE ACQUISITION OF A NEW WATER AND SEWER SYSTEM TO BE

KNOWN AS THE PONTE VEDRA UTILITY SYSTEM AND THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF ADDITIONS, EXTENSIONS AND IMPROVEMENTS THERETO AND CERTAIN WORKING CAPITAL FOR SUCH UTILITY SYSTEM; PROVIDING FOR THE ISSUANCE OF ADDITIONAL UTILITY SYSTEM REVENUE BONDS FROM TIME TO TIME FOR THE PRINCIPAL PURPOSES OF ACQUIRING, CONSTRUCTING AND EQUIPPING VARIOUS CAPITAL IMPROVEMENTS TO THE SUCH UTILITY SYSTEM; PLEDGING THE NET REVENUES OF SUCH UTILITY SYSTEM AND THE MONEYS IN CERTAIN FUNDS AND ACCOUNTS CREATED HEREBY TO SECURE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON BONDS ISSUED HEREUNDER; PROVIDING FOR THE RIGHTS OF THE HOLDERS OF BONDS ISSUED HEREUNDER; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE BONDS ISSUED HEREUNDER; AUTHORIZING THE AWARDING OF SAID SERIES 2006 BONDS PURSUANT TO A NEGOTIATED SALE IN ACCORDANCE WITH CERTAIN PARAMETERS; DELEGATING CERTAIN AUTHORITY TO THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY AND THE COUNTY ADMINISTRATOR FOR THE AWARD OF SAID SERIES 2006 BONDS AND THE APPROVAL OF THE TERMS AND DETAILS OF SAID SERIES 2006 BONDS; APPOINTING THE PAYING AGENT AND REGISTRAR FOR SAID SERIES 2006 BONDS; AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT WITH RESPECT TO SAID SERIES 2006 BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE CERTIFICATE FOR SAID SERIES 2006 BONDS; AUTHORIZING MUNICIPAL BOND INSURANCE FOR SAID SERIES 2006 BONDS; AUTHORIZING A RESERVE ACCOUNT SURETY BOND WITH RESPECT TO SAID SERIES 2006 BONDS; AND PROVIDING FOR AN EFFECTIVE DATE FOR THIS RESOLUTION

(01/24/06 - 13 - 2:13 p.m.)

5. CONSIDER THE CR 2209 PRELIMINARY ENGINEERING STUDY - PREFERRED ALIGNMENT

Joe Stephenson, Public Works Director, introduced Dan Kristoff, P. E., Reynolds, Smith and Hills, Inc., who gave the presentation. (2:14 p.m.) Kristoff presented the 2209 Preliminary Engineering Study, and explained that CR 2209 was an arterial roadway, designed to connect Race Track Road and CR 208, and was developed in conjunction with the Northwest Sector Plan. He stated that the study objective was to evaluate various alternative alignments, select a preferred alternative alignment and to prepare right-of-way plans for the County. He said that at the September 13, 2005 BCC meeting they had asked for the adoption of Alternative 4 and stated the reasons. He said they

also requested the adoption of certain criteria for the project and authorization for them to move forward with right-of-way acquisition. He reported that since that time, they had met with all the major stakeholders that had been involved including Johns Creek, SilverLeaf Plantation, Richard Pacetti, World Commerce Center, Palm Lakes (Mirabella) and Star 4, that a consensus alignment had resulted, presented an aerial view of the proposed plan, and noted it was acceptable to all landowners involved. He said they had also reached agreement on the typical section for the project, which included requirements for parts of the road that were four lanes and for parts that were six lanes, including 55 MPH design speed, Access Management Class 3 and a 12-foot Multi-use Pass. He explained that part of the right-of-way was secured by agreement and part by acquisition and that many of the agreements were in place or were pending.

(2:24 p.m.) **Motion by Maguire, seconded by Stern, to adopt the preferred and typical section as presented.** Stevenson asked for clarification as to why they were making this request. Kristoff responded that the County was required to comply with an agreement that is had with the FDOT, defined as a Variance Agreement, and consummated in 1999 with some slight modifications. He stated that in that agreement, the FDOT lowered the level of service on I-95 so that it would allow the County to recognize the growth that was anticipated. As a result of that agreement, the County committed to construct an arterial roadway west of I-95 that would link Race Track Road to CR 208. He reviewed the completion dates for the various segments, and noted that they were on schedule to meet those commitments. (2:26 p.m.) Stern stated she wanted to be sure that by adopting this, that from Leo Maguire Road north to CR 210 would be an urban section rather than rural. Kristoff said there would be an interim urban section constructed from Leo Maguire Road to CR 210. (2:27 p.m.) Rich asked the date when the county had to begin breaking ground. Kristoff said 2010 for the central section and 2015 for the southern section. Bryant stated that the northern section was already under construction.

(2:28 p.m.) Doug Miller, 14775 Old St. Augustine Road, stated he was there on behalf of the SilverLeaf developer, and that SilverLeaf had proposed to build the six-lane portion of the road, some \$70 million plus. He said everything proposed was acceptable for the SilverLeaf developer. (2:31 p.m.) **Motion carried 5/0.**

(01/24/06 - 14 - 2:32 p.m.)

6. CHAMBER OF COMMERCE QUARTERLY UPDATE

Kari Keating, Chamber of Commerce, 1 Riberia St., gave the economic development update. She reviewed the EDC Advisory Group chairman for this fiscal year, and spoke about marketing efforts and the results; the key performance results for the first quarter and previewed the events for the next quarter. She gave an update on their partnership with Cornerstone. She stated their activity level and showed performance statistics for various areas.

(01/24/06 - 14 - 2:45 p.m.)

7. CONSIDER APPOINTMENTS TO THE HEALTH & HUMAN SERVICES ADVISORY COUNCIL

Melissa Lundquist gave the presentation. Bryant stated that an application by Andrea Mariano had been received and stated there might be a conflict with that applicant. Lundquist said she had not received confirmation on Mariano's interest in serving because her application had been on file since May of 2005. She said there were three applications to consider for five vacancies on the board. Bryant said applying for a PSN (Provider Service Network) status might change the need for a HHS Council. (2:49 p.m.) Stern said since there were five vacancies, only three applications, and one of

them was probably in conflict and could prevent her from being able to participate actively, they should go ahead with the applications they already had.

(2:50 p.m.) **Motion by Stern, seconded by Maguire, carried 5/0, to appoint Teresa Jackson to the Health & Human Services Advisory Council for a 4-year term scheduled to expire January 24, 2010.**

Bryant questioned the number of vacancies on the board. He said it was a 9-member board. Lundquist clarified that there were two additional vacancies for a total of 5 vacancies.

(2:52 p.m.) **Motion by Maguire, seconded by Stevenson, carried 5/0, to appoint Kay Hood to the Health & Human Services Advisory Council for a 4-year term scheduled to expire January 24, 2010.**

(2:53 p.m.) Bryant said HHS Council members had raised the issue about the possible conflict. Lundquist explained the reason for the conflict. (2:54 p.m.) Rich said the person could recuse herself if there was a conflict. (2:54 p.m.) Stern said she had not seen the letter, but if the committee had said there might be a conflict, they might be causing a future problem for her. (2:56 p.m.) Maguire said he was requesting that Stern interview the possible nominee, Andrea Mariano. Stern said she would be happy to do so. (2:57 p.m.) Rich stated he had not seen the letter. Lundquist said it was an e-mail between herself and staff support for HHS, and she said she would provide a copy to each of them.

[\(01/24/06 - 15 - 2:58 p.m.\)](#)

8. CONSIDER APPOINTMENT TO THE ARCHITECTURAL REVIEW COMMITTEE

Maguire said he had interviewed Allison McCallum and was happy to recommend her. (2:58 p.m.) **Motion by Maguire, second by Bryant, to appoint McCallum to the Architectural Review Committee for a partial term scheduled to expire April 13, 2008.**

(2:59 p.m.) Carl Bloesing, 12 La Vista Drive, Ponte Vedra Beach, spoke on behalf on McCallum and encouraged her approval.

(3:01 p.m.) **Motion carried 5/0.**

The meeting adjourned at 3:01 p.m. and reconvened at 3:09 p.m.

[\(01/24/06 - 15 - 1:36 p.m.\)](#)

9. 2006 LEGISLATIVE ACTION PLAN UPDATE

Dr. Paul Wharton & Marty Fiorentino, Lobbyists, gave an update on the Legislative Action Plan. Dr. Wharton reported on Health and Human Services efforts, including Medicaid reform and how it would affect SJC. He said they had been successful in having SJC removed as a test county in Florida, and the message they had been carrying on the county's behalf, was that "it isn't broken, so don't break it." He noted State Legislators were all in the county last week and had stated they wanted to make SJC a State model and a National model for integrated care. He said the next step was for SJC to develop a Provider Service Network (PSN), where all healthcare services would be integrated. He said the public/private partnership was unique in providing care, and SJC wanted to maintain its own autonomy and maintenance of its own funds. (1:43 p.m.) Maguire asked for a meeting with Wharton. (1:43 p.m.) Stern commented that it was exciting that SJC was on the verge of becoming a model on the State and National

level. (1:44 p.m.) Stevenson expressed thanks for his efforts on behalf of developing the outstanding system.

(1:45 p.m.) Fiorentino gave a presentation on the Legislative Priorities List for the 2006 session, with an overview of issues and feedback as a result of the meeting the previous week. The issues included: Legislative support for agriculture, Health & Human Services direct appropriations, non-functional septic tanks, historical resource grants, full funding for State aid to libraries, support legislation to improve workforce housing and support legislation allowing the counties the authority to implement property transfer tax/fee, growth management, and managing the politics and the process.

(1:53 p.m.) Bryant asked that all Commissioners work through Zebrowski regarding legislative issues.

(01/24/06 - 16 - 3:10 p.m.)

10. CONSIDER MOTION TO ADOPT A RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE THE STATE DEP CONTRACT 05SJ1 FOR THE CONTINUED FEASIBILITY STUDY OF THE CRITICALLY ERODED BEACHES AT SUMMERHAVEN AND VILANO

Dan Weimer, Director of Recreation & Parks, gave the presentation on the status of eroded beaches. He said the projects were on critically eroded beaches at Summerhaven, Vilano and St. Augustine Beach, and noted that Summerhaven and Vilano were in the feasibility phase at present. He reported that he had met with St. Augustine Beach representatives to discuss the beach re-nourishment issues and explained the complexities of securing funding. He said the State had borrowed \$1.8 million last year from them but some had been repaid and more money had been found. He said the current contract was for the State to reimburse the County, and this contract had been submitted just under the wire. (3:15 p.m.) Bryant asked if there was surplus money in any account. Weimer said that most funds had been committed and they were not giving up any money to anyone.

(3:15 p.m.) **Motion by Rich, seconded by Maguire, carried 5/0, to adopt Resolution No. 2006-22, authorizing the Chairman to execute the State DEP Contract 05SJ1 for the continued feasibility study of the critically eroded beaches at Summerhaven and Vilano.**

RESOLUTION NO. 2006-22

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING THE TERMS OF AN AGREEMENT FOR THE NEXT PHASE OF THE FEASIBILITY STUDY FOR THE POTENTIAL FUTURE RENOURISHMENT OF THE STATE DESIGNATED CRITICALLY ERODED BEACHES AT SUMMERHAVEN AND VILANO

(3:16 a.m.) Bosanko said that on Feb. 21 they should have a special taxing district proposal to raise money to address issues at Summerhaven. (3:18 a.m.) Stern asked about the fire at Summerhaven. Bosanko said it was on the eroded area, they did get service to that area within 11 minutes, were able to save the house next door, but not the house that was on fire, which was completely engulfed when the fire department arrived. He warned that problems still existed in that area.

(01/24/06 - 17 - 3:20 p.m.)

11. PUBLIC HEARING - ORDINANCE DESIGNATING NO-WAKE ZONE FOR TROUT CREEK - STATE FISH AND WILDLIFE COMMISSION HAS DETERMINED THAT THE EXISTING WATERWAY REGULATORY MARKERS IN TROUT CREEK IDENTIFY AN INCORRECT COUNTY ORDINANCE AND MUST BE REPLACED WITH AN APPROPRIATE ORDINANCE. ONCE APPROVED BY THE COUNTY AND RECEIVED BY THE STATE, THE RECREATION AND PARKS DEPARTMENT WILL REPLACE ALL REGULATORY MARKERS IN TROUT CREEK WITH THE CORRECTED IDENTIFIERS SO THAT ENFORCEMENT CAN CONTINUE

Proof of publication for the notice of public hearing regarding an Ordinance designating a No-Wake Zone for Trout Creek was received, having been published in the *St. Augustine Record* on December 13, 2005.

Weimer gave the presentation, and said the zone had been a no-wake area, but it was without an ordinance and the proposed motion was to correct that. (3:21 p.m.) Patrick McCormack, Assistant County Attorney, said he would like to use the phrase "not in strict conformance to the law." He said this particular request was not in the Intracoastal Waterway and the County did have jurisdiction over it.

(3:25 p.m.) **Motion by Stevenson, second by Maguire, carried 5/0, to enact Ordinance No. 2006-5 for the identification of no-wake zones in Trout Creek.**

ORDINANCE NO. 2006-5

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA ESTABLISHING AN IDLE SPEED, NO WAKE ZONE TO REGULATE THE WAKE CREATED BY BOATS, VESSELS, AND WATERCRAFT PROPELLED OR POWERED BY MACHINERY WITHIN TROUT CREEK; PROVIDING AN OPERATION STANDARD FOR BOATS, VESSELS, AND WATERCRAFT IN THE IDLE SPEED, NO WAKE ZONE; PROVIDING DEFINITIONS; PROVIDING FINDINGS; PROVIDING FOR THE POSTING OF SIGNS; PROVIDING EXEMPTIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE

(01/24/06 - 17 - 3:26 p.m.)

12. PUBLIC HEARING - ORDINANCE DESIGNATING NO-WAKE ZONE FOR A PORTION OF THE MATANZAS RIVER - STATE FISH AND WILDLIFE COMMISSION HAS DETERMINED THAT A PORTION OF THE MATANZAS RIVER NEAR THE DOUG CRANE BOAT RAMP (ST. AUGUSTINE SOUTH) SHOULD BE DESIGNATED AS A NO-WAKE ZONE. THE STATE FWC HAS REQUESTED THAT ST. JOHNS COUNTY EXECUTE AN ORDINANCE FOR THIS PURPOSE AND PLACE WATERWAY REGULATORY MARKERS IN THE APPROPRIATE LOCATIONS

Proof of publication for the notice of public hearing regarding an Ordinance designating a No-Wake Zone for a portion of the Matanzas River was received, having been published in the *St. Augustine Record* on December 13, 2005.

Weimer gave the presentation and said the Florida Fish and Wildlife Commission had requested that a portion of the Matanzas River near the Doug Crane Boat Ramp be

designated as a no-wake zone. He said all the signage would be provided by the State at no cost to the County.

(3:27 p.m.) **Motion by Maguire, seconded by Rich, carried 5/0, to enact Ordinance No. 2006-6, for the identification of no-wake zones in a portion of the Matanzas River.**

ORDINANCE NO. 2006-6

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA ESTABLISHING AN IDLE SPEED, NO WAKE ZONE TO REGULATE THE WAKE CREATED BY BOATS, VESSELS, AND WATERCRAFT PROPELLED OR POWERED BY MACHINERY WITHIN A PORTION OF THE MATANZAS RIVER; PROVIDING AN OPERATION STANDARD FOR BOATS, VESSELS, AND WATERCRAFT IN THE IDLE SPEED, NO WAKE ZONE; PROVIDING DEFINITIONS; PROVIDING FINDINGS; PROVIDING FOR THE POSTING OF SIGNS; PROVIDING EXEMPTIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE

(01/24/06 - 18 - 3:27 p.m.)

13. CONSIDER OPTIONAL HEARING FOR KENDALL CREEK CDD

Bruce Ford gave the presentation. Bryant said that since it was a DRI, the State had the final say-so, and he requested that they take the stand that they don't sell the wetlands to the CDD. Maguire concurred that they not support that part of the motion. Ford said that Jonathan Johnson, attorney for the CDD had stated that it would be presented in writing that they would not purchase any wetlands.

(3:29 p.m.) Jonathan Johnson, Hopping, Green & Sams, 123 S. Calhoun St., Tallahassee, spoke on behalf of the St. Joe Company, the petitioner. He confirmed that correspondence had been provided to Ford that the petition had not addressed and the CDD would not acquire wetlands. He said they would include that in the testimony that was to be presented at the local hearing that the Division of Administrative Hearings was holding in February. He confirmed that Rich had requested additional information showing how the construction fund associated with the district broke down into long term and short term bonds.

(3:30 p.m.) **Motion by Stevenson, seconded by Stern, not to hold an optional hearing for Kendall Creek CDD.** Stern stated she met with St. Joe's, Nick Casalla, who assured her Johnson would be forthcoming with that statement. She said it was one of two CDDs. (3:28 p.m.) Rich asked that in the future they make sure that the Board received that same information that the State had available to them. (3:32 p.m.) **Motion carried 5/0.**

(01/24/06 - 18 - 3:32 p.m.)

14. PUBLIC HEARING - REZ 2005-21 ATLANTIC SELF STORAGE AT RAY ROAD REZONING - THIS IS A REQUEST TO REZONE 7.95 ACRES FROM INDUSTRIAL WAREHOUSE (IW) TO COMMERCIAL INTENSIVE (CI) TO ALLOW FOR THE DEVELOPMENT OF UP TO 100,800 SQUARE FEET OF MINI-WAREHOUSE (PERSONAL PROPERTY STORAGE) AS WELL AS RETAIL AND OFFICE USES. AN EXISTING WAREHOUSE AND ASSOCIATED PARKING IS LOCATED ON A PORTION OF THE PARCEL NEAR U.S. 1. THE PARCEL IS LOCATED ON THE EAST SIDE OF US 1

NORTH, WITH RAY ROAD FORMING THE SOUTHERN BOUNDARY AND OLD DIXIE HIGHWAY FORMING THE EASTERN BOUNDARY. THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL OF THIS REQUEST AT THEIR OCTOBER 6, 2005 MEETING

Proof of publication for the notice of public hearing regarding REZ 2005-21 Atlantic Self Storage at Ray Road Rezoning was received, having been published in the *St. Augustine Record* on January 9, 2006.

Bruce Ford, Chief Planner, gave the presentation, and said that staff recommended approval. He noted that Commissioners Rich and Stevenson, who expressed concern about the safety of the access points, had contacted him and he had relayed those concerns to the applicant. He said construction plans for one building had been presented and reviewed, but the rest of the project plan would have to be submitted by Development Services. (3:37 p.m.) Stevenson said she was concerned about access on Ray Road and US 1, and with the additional development, it would probably fail. She noted there was no mechanism for regulating traffic at Ray Road and US 1. There was discussion regarding the safety of that intersection.

(3:42 p.m.) Randall Whitfield, 13947 Beach Blvd., Jacksonville said they expected changes to their plans based on the recommendation of the staff for the safety and welfare of the community. He said all the changes were in line and compatible with the changes in the area and was in compliance with SJC Development Code.

(3:49 p.m.) Rich said he was concerned about vehicles northbound on US 1 and the possibility of a collision there, and had raised the issue with staff that safety was the number one issue. He stated the entrance should be as far north as possible. (3:52 p.m.) Stevenson asked if it had been submitted to DOT for access off of US 1. Whitfield said it had not, and that whatever was submitted would have to meet the requirement for DOT and for SJC.

(3:56 p.m.) Motion by Maguire, seconded by Rich, carried 4/1 with Rich dissenting, to enact Ordinance 2006-7, known as REZ 2005-21 Atlantic Self Storage at Ray Road Rezoning, adopting findings of fact 1-4 to support the motion.

ORDINANCE NO. 2006-7

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF INDUSTRIAL WAREHOUSE (IW) TO COMMERCIAL INTENSIVE (CI), MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(01/24/06 - 19 - 3:58 p.m.)

15. PUBLIC HEARING - MAJMOD 2005-19 ST. AUGUSTINE INDUSTRIAL PARK PUD, 84 LUMBER COMPANY - THE ST. AUGUSTINE INDUSTRIAL PARK PUD CONSISTS OF 199 ACRES AND IS LOCATED ON THE NORTH SIDE OF SR 207, JUST WEST OF I-95. THE MAJOR MODIFICATION PROPOSES TO ADD AN INTERSTATE POLE SIGN AT THE REAR OF THE PARCEL ADJACENT TO I-95. THE POLE SIGN WILL BE LOCATED ON LOT 10 ADJACENT TO I-95 AND WILL BE NO MORE THAN ONE HUNDRED AND TWENTY (120) FEET HIGH AND NO MORE THAN THREE HUNDRED (300)

SQUARE FEET IN SIZE. IT WILL CONSIST OF A 104-FOOT HIGH METAL POLE WITH A 16-FOOT CIRCLE BALL (202 S.F.) ON TOP WITH THE NUMBER 84 ON A RED BACKGROUND. THE MODIFICATION WILL ALSO ADD A RAIL SPUR FROM THE EXISTING FEC RAIL SPUR ADJACENT TO BUILDINGS #3 AND 5 ALONG THE WEST SIDE OF I-95. THE RAIL SPUR WILL BE USED FOR THE DELIVERY OF BULK LUMBER AND SHEET GOODS. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR NOVEMBER 17, 2005 MEETING WITH A VOTE OF 6/0

Proof of publication for the notice of public hearing regarding MAJMOD 2005-19 St. Augustine Industrial Park, 84 Lumber Company was received, having been published in the *St. Augustine Record* on January 9, 2006.

Ford gave the presentation, and reviewed the site plan and the requests in the plan for changes. He stated that staff supported the request. (4:01 p.m.) Maguire questioned the height of the sign relative to other signs in the area. Ford said it met the criteria for interstate signs.

(4:02 p.m.) Karen Taylor, 3070 Harbor Drive, spoke on behalf of 84 Lumber. She said the request was for the sign and the rail spur and everything else was unchanged. She said there was a County utility easement involved with extending the rail spur and they were working on that to get out of the easement as soon as possible.

(4:05 p.m.) **Motion by Stern, seconded by Maguire, carried 5/0, to enact Ordinance 2006-8, known as MAJMOD 2005-19 St. Augustine Industrial Park PUD adopting findings of fact 1 - 6 to support the motion.**

ORDINANCE NO. 2006-8

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ST. AUGUSTINE INDUSTRIAL PARK PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 02-67, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(01/24/06 - 20 - 4:06 p.m.)

16. PUBLIC HEARING - PUD 2005-25, TIMBERWOOD PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 39.78 ACRES FROM RESIDENTIAL SINGLE-FAMILY (RS-2) TO PLANNED UNIT DEVELOPMENT IN ORDER TO DEVELOP A SINGLE-FAMILY PLANNED UNIT DEVELOPMENT (PUD) CONSISTING OF UP TO 91 UNITS. THE SITE IS LOCATED ON THE NORTH SIDE OF LIGHTSEY RD., WEST OF STATE ROAD 207. THE PLAN PROPOSES A SINGLE VEHICULAR ACCESS POINT ONTO LIGHTSEY RD. THE MASTER DEVELOPMENT PLAN INCLUDES THE PROVISION FOR A SIDEWALK ALONG LIGHTSEY RD., AND A SIDEWALK ALONG ONE SIDE OF EACH INTERNAL LOCAL ROAD. THE MASTER DEVELOPMENT PLAN ALSO INCLUDES 16.49 ACRES OF OPEN SPACE, OR 41% OF THE PROJECT SITE. THE OPEN SPACE TOTALS INCLUDE RECREATION, WETLANDS AND PERIMETER BUFFERS. A TOTAL OF 1.12 ACRES OF ACTIVE RECREATION IS BEING PROVIDED; AMENITIES SHALL INCLUDE A SWIMMING POOL, TENNIS COURT AND A TOT LOT.

CENTRAL WATER AND SEWER WILL BE PROVIDED BY ST. JOHNS COUNTY UTILITIES. THE PROJECT SITE IS SURROUNDED BY THE FOLLOWING EXISTING ZONING CATEGORIES: RESIDENTIAL SINGLE-FAMILY (RS-3), RESIDENTIAL MOBILE HOME (RMHS), RESIDENTIAL MOBILE HOME (RMH) AND OPEN RURAL (OR). THE SURROUNDING FUTURE LAND USE IS RESIDENTIAL - C AND RESIDENTIAL - B. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR NOVEMBER 17, 2005 HEARING BY A VOTE OF 5/1

Proof of publication of the notice of public hearing regarding PUD 2005-25, Timberwood Planned Unit Development, was received, having been published in *The St. Augustine Record* on January 9, 2006.

Bruce Ford, Chief Planner, presented the details of this item, and displayed the MDP map to illustrate the proposed development. Discussion ensued on the PZA's vote and traffic capacity on Lightsey Road. (4:11 p.m.) Joe Stephenson, Public Works Director, explained the current status of Lightsey Road. Maguire expressed concern that the traffic generated by this project would overload Lightsey Road. Rich said he was concerned about the children who traveled on Lightsey Road, as it was a very narrow road.

(4:15 p.m.) Deputy Clerk Robin Platt entered the meeting; and Deputy Clerk Terry Bulla left the meeting.

(4:17 p.m.) Stern addressed having only one ingress/egress point onto Lightsey Road and the drainage in the area. Stephenson explained that Lightsey Road was a 20 foot wide local road, with two 10 foot travel lanes, no paved shoulders or sidewalks, and a 60 foot right-of-way; discussion ensued.

(4:25 p.m.) Maguire commented that he felt that Lightsey Road should have a sidewalk, but that there was not enough frontage to require the developer to put one in. He suggested continuing this item to see if a solution to the safety issues on Lightsey Road could be found.

(4:26 p.m.) John Wood, 1 Avista Cr., stated that Staff had requested that they put in a turn-lane, which they agreed to do; he explained that their development would not affect drainage on Lightsey Road, as it would have collector ponds; and that they were bringing the water and sewer down from SR 207.

(4:29 p.m.) Bill Tredik, 24 Ocean Pines Dr., engineer for the project, explained the drainage plan; that they were adding a 350 foot 12 foot wide right turn-lane, with a 50 foot transition; and that they were bringing the force main down Lightsey Road approximately a half mile. Discussion followed on the existing developments in the area, buffers, safety, the amenities, the number of units allowable under the current zoning, and sidewalks and their costs. Maguire, Stern and Stevenson encouraged the applicant to make a donation to the sidewalk fund.

(4:51 p.m.) Patrick McCormack, Assistant County Attorney, outlined the evidence presented; Bosanko recommended a continuance to allow time for a sidewalk study. Maguire suggested that the applicant pay \$75,000 into the sidewalk fund; Wood agreed to pay the \$75,000. Discussion ensued on construction of the sidewalk.

(5:06 p.m.) Motion by Stern, seconded by Maguire, to enact Ordinance No. 2006-9, known as PUD 2005-25, Timberwood PUD, adopting findings of fact 1 through 7 to support the motion; and with the understanding that the applicant will agree to make a donation of \$75,000 to the sidewalk fund. McCormack suggested adding the following language to the MDP text in Paragraph G, Sidewalks: **Additionally, the applicant agrees to donate \$75,000 to the St. Johns County Sidewalk Fund, prior to vertical construction, and such funds shall be used by the County to place or extend a sidewalk along Lightsey Road in the vicinity of the Timberwood PUD.** Stern accepted the additional language. (5:09 p.m.) *It was the consensus of the Board to coordinate sidewalk construction for this project with this year's CIP budget and construction of the project. The motion carried 5/0.*

ORDINANCE NO. 2006-9

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM RESIDENTIAL SINGLE-FAMILY (RS-2) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

The meeting recessed at 5:10 p.m., and resumed at 5:18 p.m.

(01/24/06 - 22 - 5:18 p.m.)

17. IFA 2005-01, BAYARD RACEWAYS IMPACT FEE CREDIT AGREEMENT-BAYARD TIMBERLANDS COMPANY AND BAYARD RACEWAYS HAVE REQUESTED ROAD IMPACT FEE CREDITS FOR THE DONATION OF APPROXIMATELY 6.79 ACRES OF LAND THAT ACCOMMODATED THE FOUR-LANING OF RACETRACK ROAD BY BARTRAM PARK FROM THE ENTRANCE OF BARTRAM SPRINGS TO US 1. THE FOUR-LANING IS COMPLETE AND IN OPERATION. THE TOTAL ROAD IMPACT FEE CREDIT IS \$1,050,000.00. THIS IS DETERMINED TO BE THE FAIR MARKET VALUE OF THE LAND. THE SUBJECT PROPERTY DONATED FOR THE RIGHT-OF-WAY IS DESIGNATED AS INTENSIVE COMMERCIAL (IC) ON THE FUTURE LAND USE MAP AND IS ZONED COMMERCIAL INTENSIVE (CI)

Teresa Bishop, Planning Director, explained that this item was not a public hearing, as stated on the agenda and staff report; that all outstanding issues had been resolved; and that the amount of credits was \$1,050,000.

(5:22 p.m.) Motion by Stevenson, seconded by Stern, carried 5/0, to enact Resolution No. 2006-23, adopting the Impact Fee Credit Agreement, IFA 2005-01, providing for \$1,050,000 in road impact fee credits.

RESOLUTION NO. 2006-23

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE CREDIT AGREEMENT WITH BAYARD TIMBERLAND COMPANY AND BAYARD RACEWAYS, INC., FLORIDA CORPORATIONS

(01/24/06 - 23 - 5:23 p.m.)

18. PUBLIC HEARING - MDP 2005-12, TOWN CENTER SOUTH RESIDENTIAL NOCATEE DRI/PLANNED UNIT DEVELOPMENT - THE NOCATEE PUD PROVIDES THAT A MASTER DEVELOPMENT PLAN (MDP) FOR EACH VILLAGE, OR PORTION THEREOF, SHALL BE SUBMITTED, REVIEWED AND PROVIDED TO THE PLANNING AND ZONING AGENCY FOR A RECOMMENDATION, AND THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION AND APPROVAL. THIS REQUEST SEEKS APPROVAL OF A MASTER DEVELOPMENT PLAN FOR THE TOWN CENTER SOUTH RESIDENTIAL, WHICH CONTAINS 539 RESIDENTIAL UNITS, DIVIDED BETWEEN 379 SINGLE-FAMILY UNITS AND 160 MULTI-FAMILY UNITS. THE TOTAL ACREAGE WITHIN THE TOWN CENTER IS 1,110 ACRES. THIS PORTION, TOWN CENTER SOUTH, IS 334.24 ACRES. THE TOWN CENTER, AS A WHOLE, WILL BE REQUIRED TO COMPLY WITH ALL VILLAGE REQUIREMENTS OF THE PUD

Proof of publication of the notice of public hearing regarding MDP 2005-12, Town Center South Residential Nocatee DRI/Planned Unit Development, was received, having been published in *The St. Augustine Record* on January 9, 2006.

Lindsay Haga, Planner III, explained that she distributed a revised MDP map and text to represent the removal of a stormwater pond in the single-family portion of Town Center South to allow for the interconnectivity of a local street network. The total number of units had also been corrected to: 542 units; 382 single-family units and 160 multi-family units.

(5:27 p.m.) Rachael Bennett, England-Thims & Miller, 14775 St. Augustine Rd., Jacksonville, appeared for the applicant.

(5:27 p.m.) **Motion by Bryant, seconded by Stern, carried 5/0, to enact Resolution No. 2006-24, known as MDP 2005-15, Town Center South, adopting findings of fact 1 through 4 to support the motion.**

RESOLUTION NO. 2006-24

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MASTER DEVELOPMENT PLAN (MDP) TO THE NOCATEE PLANNED UNIT DEVELOPMENT NAMED TOWN CENTER SOUTH RESIDENTIAL MDP; ORDINANCE NO. 2002-46, AS AMENDED

(01/24/06 - 23 - 5:28 p.m.)

19. PUBLIC HEARING - MDP 2005-37, PHASE 2 ROADWAY IMPROVEMENTS NOCATEE DRI/ PLANNED UNIT DEVELOPMENT - THE NOCATEE PUD PROVIDES THAT A MASTER DEVELOPMENT PLAN (MDP) FOR EACH VILLAGE, OR PORTION THEREOF, SHALL BE SUBMITTED, REVIEWED AND PROVIDED TO THE PLANNING AND ZONING AGENCY FOR A RECOMMENDATION, AND THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION AND APPROVAL. THIS REQUEST SEEKS APPROVAL OF A MASTER DEVELOPMENT PLAN FOR THE PHASE 2 ROADWAY IMPROVEMENTS, WHICH REPRESENTS THE RACETRACK ROAD EXTENSION, REQUIRED BY SPECIAL CONDITION 25(A)(II) OF THE

ADOPTED NOCATEE DRI DEVELOPMENT ORDER. THE TOTAL ACREAGE WITHIN THE PHASE 2 ROADWAY RIGHT-OF-WAY IS 193.37 ACRES

Proof of publication of the notice of public hearing regarding MDP 2005-37, Phase 2 Roadway Improvements Nocatee DRI/Planned Unit Development, was received, having been published in *The St. Augustine Record* on January 9, 2006.

Lindsay Haga, Planner III, presented this item. (5:30 p.m.) **Motion by Bryant, seconded by Stevenson, carried 5/0, to enact Resolution No. 2006-25, known as MDP 2005-37, Phase II Roadways, adopting findings of fact 1 through 4 to support the motion.**

RESOLUTION NO. 2006-25

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MASTER DEVELOPMENT PLAN (MDP) TO THE NOCATEE PLANNED UNIT DEVELOPMENT NAMED PHASE 2 ROADWAY IMPROVEMENTS MDP; ORDINANCE NO 2002-46, AS AMENDED

(01/24/06 - 24 - 5:30 p.m.)

19A. CONSIDER A REQUEST BY THE CITY OF ST. AUGUSTINE TO ADOPT A RESOLUTION SUPPORTING AN ANNUAL STATE LEGISLATIVE APPROPRIATION FOR THE PRESERVATION, PROTECTION AND PROMOTION OF 33 STATE-OWNED HISTORIC PROPERTIES IN THE CITY

Commissioner Bryant explained that Mayor Gardner from the City of St. Augustine requested that the Board adopt a resolution to support dedicated funding for historic preservation. (5:32 p.m.) **Motion by Maguire, seconded by Bryant, carried 5/0, to approve the resolution, and authorize the chair and attorney to modify it as appropriate.**

RESOLUTION NO. 2005-26

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ENDORSING AND SUPPORTING THE CITY OF ST. AUGUSTINE'S REQUEST TO THE LEGISLATURE OF THE STATE OF FLORIDA PERTAINING TO AN ANNUAL APPROPRIATION IN SUPPORT OF THE CITY'S HISTORIC RESOURCES

(01/24/06 - 24 - 5:32 p.m.)

19B. CONTRACT FOR FLAGLER HOSPITAL BAKER ACT FACILITY

Commissioner Bryant explained that the Sheriff had requested that Flagler Hospital become a receiving facility for Baker Act patients during the last budget cycle. The funding would be a lump sum grant of \$95,360. Discussion ensued on reimbursement for treating patients from other counties.

(5:40 p.m.) **Motion by Rich, seconded by Bryant, carried 5/0, to authorize the County Administrator, or his designee, to sign the contract for provision of financial assistance between the County and Flagler Hospital, for community based substance abuse and mental health services provided to adults and children within St. Johns County, in the amount of \$95,360.**

(01/24/06 – 25 – 5:40 p.m.)
COMMISSIONERS' REPORTS

Commissioner Rich:

Rich reported that Suzanne Jenkins from Duval County gave a presentation to the Civic Roundtable regarding the Neighborhood Bill of Rights; then, St. Johns Vision requested to see the presentation. He stated that there was a 20 minute PowerPoint presentation available that the Board could view. He asked that he be allowed to work with the county attorney to prepare a rough-draft ordinance in the event the Board wanted to adopt the bill. The consensus was to follow the proper procedures for presenting items before the Board; discussion ensued on some of the concepts in the bill and work shopping the item.

(5:53 p.m.)

Commissioner Stevenson:

Stevenson addressed St. Johns Vision's contributions to the community; the Nocatee Preserve road construction and access; and school transportation safety issues.

(5:57 p.m.)

Commissioner Maguire:

Maguire asked for an update on the TPC permits and the five-year financial plan. He reported that the American Cancer Society would hold their Second Annual Cattle Baron's Ball on February 4th.

(6:00 p.m.)

Commissioner Stern:

Stern addressed the Neighborhood Bill of Rights; student accomplishments in various local, state and regional competitions; driver's education funding and affordable/workforce housing.

(6:06 p.m.)

Commissioner Bryant:

Bryant addressed a letter that was received from Project SOS requesting funding. He said that he would respond, on behalf of the Board, explaining the proper procedure for requesting funding.

Bryant commented that although he had sympathy for the three parties injured through the actions of St. Johns Service Company, the County did not have legal standing to tie that situation into the County's purchase of the utility.

(01/24/06 – 25 – 6:10 p.m.)
COUNTY ADMINISTRATOR'S REPORT

Adams reported that the next meeting of the BCC was scheduled for February 7th and he reviewed some of the Board directed projects currently under construction.

(01/24/06 – 25 – 6:12 p.m.)
CLERK OF COURTS' REPORT

No report.

(01/24/06 – 25 – 6:12 p.m.)
COUNTY ATTORNEY'S REPORT

Dan Bosanko, County Attorney, explained how growth in the county was affecting his office's workload, and that he would be requesting additional funding mid-year to fund payments for outside attorneys helping with the overflow.

Bryant questioned when Bosanko planned to retire. Bosanko explained that he did not plan to renew his contract, which would expire at the end of September. Bryant stated that he would like the Board to consider a replacement sometime in March. Discussion followed as to whether the County Attorney's position would be filled from within or from an outside source. Bryant asked for a consensus: Rich and Stevenson stated that they would prefer to look outside of the current staff; Bryant, Maguire and Stern stated that they would prefer to promote from within: Further discussion on the issue was scheduled for February 8th.

(6:22 p.m.) Motion by Bryant, seconded by Stern, carried 5/0, to adjourn. With there being no further business to come before the Board, the meeting adjourned at 6:22 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners' Check Register, Check Nos. 377929 through 378318, totaling \$1,520,298.90 (01/03/06)
2. St. Johns County Board of County Commissioners' Check Register, Check Nos. 378057 through 378084, totaling \$184,878.39 (01/05/06)
3. St. Johns County Board of County Commissioners' Check Register, Check Nos. 378319 through 378321, totaling \$532.41 (01/05/06)

CORRESPONDENCE:

1. Letter to Laura Cooper, Clerk, St. Johns County School Board, regarding the Interlocal Agreement between St. Johns County and the School Board pertaining to the Dori Slosberg Act Drivers Education Funds (01/12/06)
2. Letter to Liz Cloud, Program Administrator, Bureau of Administrative Code, filing Ordinance Number 2006-1 through 2006-3 (01/18/06)

Approved February 21, 2006

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

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

ATTEST: CHERYL STRICKLAND, CLERK

By: Robert L. Platt
Deputy Clerk

