

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
APRIL 3, 2007
(9:00 A.M.)**

Proceedings of a 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: Ben Rich, District 3, Chairman
Cyndi Stevenson, District 1
Ron Sanchez, District 2
James Bryant, District 5
Waldemar Kropacek, Interim County Administrator
Patrick McCormack, County Attorney
Terry Bulla, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Court

Absent: Thomas G. Manuel, District 4, Vice Chairman

(04/03/07 - 1 - 9:03 a.m.)
CALL TO ORDER

Rich called the meeting to order.

(04/03/07 - 1 - 9:03 a.m.)
ROLL CALL

Rich stated that Stevenson, Sanchez and Bryant were present, and Manuel was absent.

(04/03/07 - 1 - 9:04 a.m.)
Bryant gave the invocation and Rich led the Pledge of Allegiance.

(04/03/07 - 1 - 9:06 a.m.)
PROCLAMATION DESIGNATING APRIL 2007 AS WATER CONSERVATION MONTH

Stevenson presented the proclamation to Allen Klipstine, Chief Operating Officer of the Water Treatment Plant, Dan Noachek, John Castille and David Trantham. She noted the County was in a drought situation and that it was important for everyone to conserve water.

(04/03/07 - 1 - 9:10 a.m.)
PROCLAMATION DESIGNATING APRIL 2007 AS SEXUAL ASSAULT AWARENESS MONTH

Sanchez presented the proclamation to Beth Hughes of the Betty Griffin House, who told of a new associated program, the Rape Crisis Unit at Flagler Hospital. She explained the roles the State Attorney's office, Flagler Hospital and the Betty Griffin House's staff and volunteers played in the new program.

(04/03/07 - 2 - 9:14 a.m.)

PROCLAMATION DESIGNATING APRIL 2007 AS CHILD ABUSE PREVENTION MONTH

Bryant presented the proclamation to Sherry Russell, Caryn Zinc and Debbie Dungan of Community Based Care, and Shawn Early, LeToya Daniels and Katie Jackson, who were foster care children and are now success stories. Russell noted that each of them was working on graduate degrees in college. Bryant stated that St. Johns County was number one in the state for healthcare and mental health services. Russell noted a number of community agency representatives, who worked in the prevention field, were present at that meeting in support of the proclamation.

(04/03/07 - 2 - 9:20 a.m.)

ACCEPTANCE OF PROCLAMATIONS

Motion by Stevenson, seconded by Sanchez, carried 4/0 with Manuel absent, to accept the proclamations.

(04/03/07 - 2 - 9:21 a.m.)

PUBLIC COMMENT

Clara Cowan, 244 Patrick Mill Circle, Ponte Vedra, appeared to thank the Board for implementing the Neighborhood Bill of Rights (NBR) and congratulated the staff for their hard work.

(9:22 a.m.) Rich commented about certain residents who currently did not receive notice and stated that they could register with the NBR to receive notice of any event that might affect them.

(9:23 a.m.) William Bowman, 1570 St. Marks Pond Blvd., spoke regarding NZVAR 06-002, Pacetti/McDonough Single Family Homes. He expressed concerns and spoke in opposition to its approval. Patrick McCormack, County Attorney, commented that passage of the item would not set a precedent and each application would be judged on its own merits.

(9:27 a.m.) Ken Bryant, 126 Oyster Catcher Circle, spoke in support of Charter Government, and said he supported the Commission's adopting an ordinance to support it.

(9:33 a.m.) Bill Leary, 28 East Park Ave., spoke regarding the future of Charter Government, and the recent inaction in Tallahassee, and stated he was in favor of Charter Government. He suggested they hold workshop and town hall meetings, including the people in the process and proceeding in a smart fashion.

(9:37 a.m.) Sanchez said he was in Tallahassee the day the issue came up before the Urban and Local Affairs Committee. He said he had been advised by several different State offices that the item would be thrown out because it was lacking a Local Bill of Certification. He explained why the form was not forwarded, and expressed concerns about the way the issue was handled. He offered his reasoning as to the efforts that had gone into educating the public. He said that Dominic Nicklo was the driving force behind a petition that was not factual, but was now a part of the public record in Tallahassee. He stated the County's request to pass the Charter Government was ignored, despite the efforts of many who worked to educate the public on the issue. He gave his reasons for his support of Charter Government, and asked the County

Attorney and Administrator to get together and put this on the next agenda. He said he would like to request workshops, under County control, to review the issues.

(9:49 a.m.) Rich said he agreed totally with Sanchez, and it was a disgusting display of power in Tallahassee.

(9:50 a.m.) Stevenson said there had been very little awareness and discussion in her district regarding the Charter Government proposal. She noted that she was unaware of the petition drive, and had not seen it or what was included in it. She commented on the amount of public vetting that was allowed to occur prior to the proposal being presented by the Board regarding what would be included in the charter. She acknowledged that there had been more private citizen outreach on this issue this time than there had ever been in the past and the citizens had done a great job. She said the way it was carried forward was the cause for the result that had occurred. She stated the concerns she had heard were regarding the matter of process.

(9:52 a.m.) Rich said he had already requested that this item come before the Board on the April 17th agenda. He said it was an issue for the people of St. Johns County to decide in November of 2008.

(04/03/07 - 3 - 9:53 a.m.)

DELETIONS TO CONSENT AGENDA

Stevenson asked that Item 5 be heard at the end of the meeting. It became Item 13a.

(04/03/07 - 3 - 9:55 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Stevenson, seconded by Sanchez, carried 4/0 with Manuel absent, to approve the Consent Agenda as amended.

1. Approval of the Cash Requirement Report
2. Minutes:
03/06/07 - BCC Regular Meeting
03/13/07 - BCC Special Meeting
3. Sheriff's Office Bonds:
Cancel: Bethany Jordan
4. Motion to declare the attached list of items as surplus, and authorize staff to dispose of same, in accordance with Purchasing Policy 308 and Florida Statute 274
5. Motion to adopt a resolution approving a contract between St. Johns County and Retired Senior and Volunteer Program (RSVP)

This item became Item 13a on the Regular Agenda,

6. Motion to adopt **Resolution No. 2007-94**, authorizing the Clerk of Circuit Courts, under Section 95.361, Florida Statutes, to file the survey map for Woodlawn Road, claiming a vested interest in the road described in the survey map and/or establishing a prescriptive easement in the same rights-of-way, in accordance with the principles set forth in *Downing v. Bird*, 100 So. 2d 57 (Fla. 1958)

RESOLUTION NO. 2007-94

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CLERK OF THE COURTS, UNDER SECTION 95.361, FLORIDA STATUTES, TO FILE THE SURVEY MAP FOR WOODLAWN ROAD, CLAIMING A VESTED INTEREST IN THE ROAD DESCRIBED IN THE SURVEY MAP, AND/OR ESTABLISHING A PRESCRIPTIVE EASEMENT IN THE SAME RIGHTS-OF-WAY, IN ACCORDANCE WITH THE PRINCIPLES SET FORTH IN DOWNING V. BIRD, 100SO.2D 57 (FLA. 1958)

7. Motion to adopt **Resolution No. 2007-95**, approving the terms of, and authorizing the County Administrator to execute, certain Purchase and Sale Agreements for property needed for the West King Street Improvement Project (Completes acquisition process for Segment I)

RESOLUTION NO. 2007-95

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CERTAIN PURCHASE AND SALE AGREEMENTS FOR PROPERTY NEEDED FOR THE WEST KING STREET IMPROVEMENT PROJECT

8. Motion to adopt **Resolution No. 2007-96**, approving the terms of, and authorizing the County Administrator to execute, a certain Purchase and Sale Agreement for property needed for the Race Track Road four-laning project

RESOLUTION NO. 2007-96

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CERTAIN PURCHASE AND SALE AGREEMENT FOR PROPERTY NEEDED FOR THE RACE TRACK ROAD FOUR-LANING PROJECT

9. Proofs:
 - a. Proof, Certificate of Liability Insurance, Ross & Logan Industries, Inc.
 - b. Proof, Certificate of Liability Insurance, Ross & Logan Industries, Inc.
 - c. Proof, Certificate of Liability Insurance, Adams Tractor and Landscaping Service, Inc.
 - d. Proof, Certificate of Liability Insurance, Florida N-Viro L.P.
 - e. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Tuesday, March 13, 2007 at 9:00 am (*St. Johns Recorder*)
 - f. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Tuesday, March 13, 2007 at 9:00 am (*Ponte Vedra Recorder*)
 - g. Proof, Notice of Meeting, St. Johns County Value Adjustment Board, Monday, March 26, 2007 at 9:00 am

- h. Proof, Notice of Meeting, St. Johns County Finance Committee, Wednesday, April 18, 2007, Wednesday, July 18, 2007 and Wednesday, October 17, 2007
- i. Proof, Notice of Meeting, Joint Town Hall Meeting, County Commission District 1 and District 2, Thursday, March 29, 2007
- j. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Homestead Exemption Ordinance, Tuesday, April 3, 2007
- k. Proof, Notice of Hearings, St. Johns County Board of County Commissioners, Beach Code Ordinance, Tuesday, February 20, 2007 and Tuesday, March 6, 2007 (*Ponte Vedra Recorder*)
- l. Proof, Notice to Bidders, RFQ No. 07-76
- m. Proof, Display Ad, Notice Tax Impact of Value Adjustment Board of St. Johns County
- n. Proof, Notice of Hearings, St. Johns County Board of County Commissioners, Beach Code Ordinance, Tuesday, February 20, 2007 and Tuesday, March 6, 2007 (*St. Augustine Record*)
- o. Proof, Notice of Hearings, St. Johns County Board of County Commissioners, Land Development Code Amendments, Tuesday, February 6, 2007 and Tuesday, February 20, 2007
- p. Proof, Notice to Bidders, Bid No. 07-72
- q. Proof, Notice to Bidders, Bid No. 07-77
- r. Proof, Notice of Intent, Designate Assistant County Administrator in the Senior Management Service Class for retirement purposes
- s. Proof, Notice of Intent, Designate Assistant Supervisor of Elections in the Senior Management Service Class for retirement purposes
- t. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Special/Private Meeting, March 20, 2007
- u. Proof, Notice to Bidders, Bid No. 07-69

(04/03/07 - 5 - 9:55 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Stevenson requested that Item 6 be heard at the end of the meeting; it became Item 13b.

(04/03/07 - 5 - 9:56 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Sanchez, seconded by Stevenson, carried 4/0 with Manuel absent, to approve the Regular Agenda as amended.

(04/03/07 - 5 - 9:56 a.m.)

1. CONSIDER A MOTION TO ADOPT A RESOLUTION AMENDING AND SUPPLEMENTING COUNTY RESOLUTION 2006-443 FOR THE PURPOSE OF AMENDING THE 2006 PROJECT DESCRIPTION CONTAINED THEREIN TO INCLUDE ADDITIONAL TRANSPORTATION PROJECTS

Doug Timms, Management and Budget Director, gave the presentation. He stated that the Board needed to formally adopt a supplemental resolution after bond counsel's opinion to include three additional transportation projects that the Board had added to the project list for the 2006 Transportation Bonds.

(9:57 a.m.) **Motion by Sanchez, seconded by Stevenson, carried 4/0 with Manuel absent, to adopt Resolution No. 2007-97, amending and supplementing County Resolution No. 2006-443, for the purpose of amending the 2006 project description contained therein to include additional transportation projects.**

RESOLUTION NO. 2007-97

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 2006-443 ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ON NOVEMBER 14, 2006, WHICH RESOLUTION AUTHORIZED THE ISSUANCE BY THE COUNTY OF ITS TRANSPORTATION IMPROVEMENT REVENUE BONDS, SERIES 2006; FOR THE PURPOSE OF AMENDING THE 2006 PROJECT DESCRIPTION CONTAINED THEREIN; AND PROVIDING AN EFFECTIVE DATE

(04/03/07 - 6 - 9:58 a.m.)

2. CONSIDER GOOD SAMARITAN HEALTH CENTER'S REQUEST TO WAIVE THE APPLICATION FEE FOR PLANNED UNIT DEVELOPMENT REZONING FOR A PROPOSED ADULT INDIGENT DENTAL CARE FACILITY

Lindsay Haga, Chief Planner, introduced Dr. Foster, who gave the presentation. Bryant stated that dental services was one of the missing links to healthcare services in the County and stated he supported the request. Dr. Foster stated he was Chairman of the Board of Directors of the Good Samaritan Health Centers, and gave a review of the history of Good Samaritan, of the healthcare situation in the area and the unmet needs regarding dental care. He noted that 50 percent of patients who showed up for medical care also needed dental care. He said they were supported by the Buckingham Smith Benevolent Association and focus was concentrated on the West Augustine area. He stated they were in need of space for a facility and a site had been located at 269 Woodlawn Street.

(10:04 a.m.) Stevenson agreed that the effort was one of the missing links in healthcare for indigent adult families, and gave her support of the project. Bryant added that all services and medications were donated and the facility was staffed by volunteers so there was no cost to the County.

(10:05 a.m.) **Motion by Stevenson, seconded by Sanchez, to approve fee waiver based on Section 3, Resolution 2006-318, finding the request is in the best interest of the County and serves a public purpose.**

(10:06 a.m.) Dr. Foster gave further information regarding healthcare services that were going to take place in the West Augustine area program. He told of the grand opening on April 14th at Mt. Moriah Christian Ministry.

(10:09 a.m.) **Motion carried 4/0 with Manuel absent.**

(04/03/07 - 6 - 10:09 a.m.)

3. PUBLIC HEARING - HOMESTEAD EXEMPTION ORDINANCE - SECTION (6) OF ARTICLE VII OF THE STATE OF FLORIDA CONSTITUTION AUTHORIZES THE STATE OF FLORIDA LEGISLATURE TO ENACT A GENERAL LAW ALLOWING LOCAL GOVERNMENTS, FOR THE PURPOSE OF THEIR RESPECTIVE TAX LEVIES, TO GRANT AN ADDITIONAL HOMESTEAD EXEMPTION; AND THE REGISTERED VOTERS OF THE STATE OF FLORIDA, ON NOVEMBER 7, 2006, APPROVED AN AMENDMENT TO SECTION 6(F) OF ARTICLE VII OF THE STATE OF FLORIDA CONSTITUTION, WHICH, IN EFFECT, PROVIDES THAT THE ADDITIONAL HOMESTEAD EXEMPTION SHALL NOT EXCEED \$50,000.00 (FIFTY

THOUSAND DOLLARS) TO PERSONS HAVING LEGAL OR EQUITABLE TITLE TO REAL ESTATE, AND WHOSE PERMANENT RESIDENCE IS MAINTAINED THEREON, AND WHO ARE 65 (SIXTY-FIVE) YEARS OR OLDER, AND WHOSE HOUSEHOLD INCOME DOES NOT EXCEED \$20,000.00 (TWENTY THOUSAND DOLLARS); AND THE VOTER-APPROVED CONSTITUTIONAL AMENDMENT TO SECTION 6(F) OF ARTICLE VII OF THE STATE OF FLORIDA CONSTITUTION NOTED AN EFFECTIVE DATE OF JANUARY 1, 2007; AND THE VOTER-APPROVED CONSTITUTIONAL AMENDMENT TO SECTION 6(F) OF ARTICLE VII OF THE STATE OF FLORIDA CONSTITUTION REQUIRED ENABLING LEGISLATION BE APPROVED AND ENACTED BY THE STATE OF FLORIDA LEGISLATURE; AND THE STATE OF FLORIDA LEGISLATURE HAS APPROVED AND ENACTED ENABLING LEGISLATION TO SECTION 6(F) OF ARTICLE VII OF THE STATE OF FLORIDA CONSTITUTION; AND THE ENABLING LEGISLATION REFERENCING THE AMENDMENT TO SECTION 6(F) ARTICLE VII OF THE FLORIDA CONSTITUTION IS CONTAINED IN SECTION 196.075, FLORIDA STATUTES; AND UNDER THE ENABLING LEGISLATION, THE COUNTY MAY PROVIDE FOR AN ADDITIONAL HOMESTEAD EXEMPTION WITH THE PROVISIONS AND LIMITATIONS OF SECTION 6(F) OF ARTICLE VII OF THE FLORIDA CONSTITUTION, AND SECTION 196.075, FLORIDA STATUTES; AND SAID ADDITIONAL HOMESTEAD EXEMPTION SHOULD BE IN THE FORM OF AN ORDINANCE AND SHOULD BE FILED WITH THE ST. JOHNS COUNTY PROPERTY APPRAISER NO LATER THAN JUNE 1, 2007, TO BE EFFECTIVE IN THE 2007 TAX YEAR

Proof of publication of the notice of public hearing on Home Exemption Ordinance was received, having been published in *The St. Augustine Record* on March 15, 2007.

Michael Hunt, Assistant County Attorney, gave the presentation on the Homestead Exemption Ordinance, and reviewed the State statute in that regard. He stated it was now time for the County to take action on that legislation. He reviewed the parcels that could be affected by the homestead exemption. The potential revenue reduction would be \$271,193 for the upcoming fiscal year.

(10:13 a.m.) Rich said they had been anticipating the legislation, and explained that there were over 1,600 homes in St. Johns County with elderly residents who lived below the poverty level who would be directly affected by the ordinance.

(10:14 a.m.) Sharon Outland, St. Johns County Property Appraiser, 622 Jensen Rd. or 4030 Lewis Speedway, stated she was in support of the ordinance and offered her thanks. She said the residents really needed the tax relief.

(10:15 a.m.) **Motion by Stevenson, seconded by Sanchez, carried 4/0 with Manuel absent, to enact Ordinance No. 2007-20, which repeals County Ordinance 99-59, and authorizes a homestead exemption of up to \$50,000 for certain low-income seniors.**

ORDINANCE NO. 2007-20

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA,
PROVIDING FOR THE EXERCISE OF COUNTY
POWERS; AUTHORIZING AN ADDITIONAL
HOMESTEAD EXEMPTION OF UP TO \$50,000;
PROVIDING THAT SAID ADDITIONAL HOMESTEAD
EXEMPTION SHALL BE AVAILABLE TO ANY PERSON

WHO HAS LEGAL OR EQUITABLE TITLE TO REAL ESTATE AND WHOSE PERMANENT RESIDENCE IS MAINTAINED THEREON; PROVIDING THAT SAID PERSON HAS ATTAINED THE AGE OF SIXTY-FIVE (65) YEARS OR OLDER; PROVIDING THAT SAID PERSON'S HOUSEHOLD INCOME DOES NOT EXCEED \$20,000 AS DEFINED; PROVIDING FOR ADJUSTMENTS; PROVIDING FOR DEFINITIONS; SPECIFYING THE TAXES TO WHICH THE ADDITIONAL EXEMPTION APPLIES; ESTABLISHING ANNUAL FILING REQUIREMENTS; PROVIDING FOR REPEAL OF ANY INCONSISTENT AND/OR CONFLICTING ORDINANCE, SPECIFICALLY INCLUDING COUNTY ORDINANCE 99-59; PROVIDING FOR AN EXCEPTION TO THE REPEAL PROVISION; PROVIDING SEVERABILITY; PROVIDING FOR A DELIVERY DATE; AND PROVIDING FOR AN EFFECTIVE DATE

(04/03/07 - 8 - 10:16 a.m.)

4. PUBLIC HEARING - CODE ENFORCEMENT SPECIAL MAGISTRATE ORDINANCE - AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO DISSOLVE THE CODE ENFORCEMENT BOARD, TO PRESERVE ITS PRIOR ACTIONS, AND TO PROVIDE THAT REFERENCES TO THE CODE ENFORCEMENT BOARD ELSEWHERE IN THE CODE, THE LAND DEVELOPMENT REGULATIONS AND ANY OTHER CODES, ORDINANCES AND RESOLUTIONS OF THE BOARD OF COUNTY COMMISSIONERS ARE DEEMED REFERENCES TO THE SPECIAL MAGISTRATES, TO PROVIDE FOR THE APPOINTMENT OF, AND TERMS AND COMPENSATION OF SPECIAL MAGISTRATES AND FOR THEIR POWERS, TO PROVIDE FOR RANDOM ASSIGNMENT OF CASES TO SPECIAL MAGISTRATES, TO REQUIRE CODE ENFORCEMENT HEARINGS TO BE ELECTRONICALLY RECORDED, TO CONFORM THE FINE PROVISIONS THEREOF TO THE CORRESPONDING PROVISIONS OF SECTION 162.09(2)(D), FLORIDA STATUTES, TO IDENTIFY THE STAFF DESIGNATED TO INVESTIGATE AND PROSECUTE VIOLATIONS, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

Proof of publication of the notice of public hearing on Code Enforcement Board Ordinance was received, having been published in *The St. Augustine Record* on March 22, 2007.

(10:16 a.m.) Michael Griffin, Director of Development Services, gave the presentation and reviewed the requested ordinance.

(10:17 a.m.) Paras Desai, Assistant County Attorney, said that Section 5 required a vote of a majority, plus one. He also reviewed Section 4, Subsection 3, regarding the \$140 per hour Special Magistrate fees, and reviewed the projected budget requirement for 2007.

(10:18 a.m.) McCormack asked the Board to consider that the \$140 figure could be adjusted by resolution of the Board.

(10:19 a.m.) **Motion by Bryant, seconded by Stevenson, carried 4/0 with Manuel absent, to enact Ordinance 2007-21, dissolving the Code Enforcement Board and to provide for a Special Magistrate as its replacement. Additionally, Section 4,**

Subsection 3, specifies payment to be made in the amount of \$140 per hour, and such payment may be changed by resolution of the Board of County Commissioners from the specified amount.

ORDINANCE NO. 2007-21

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, DISSOLVING THE CODE ENFORCEMENT BOARD, PRESERVING ITS PRIOR ACTIONS, PROVIDING FOR REPLACEMENT OF THE CODE ENFORCEMENT BOARD WITH A SPECIAL MAGISTRATE; PROVIDING THAT REFERENCES TO THE CODE ENFORCEMENT BOARD ELSEWHERE IN THE CODE, THE LAND DEVELOPMENT REGULATIONS AND ANY OTHER CODES, ORDINANCE AND RESOLUTIONS OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ARE DEEMED REFERENCES TO THE SPECIAL MAGISTRATE; GRANTING ALL POWERS AND DUTIES AS PRESCRIBED BY FLORIDA LAW TO THE SPECIAL MAGISTRATE; PROVIDING FOR THE APPOINTMENT OF, AND TERMS AND COMPENSATION OF SPECIAL MAGISTRATES; PROVIDING FOR RANDOM ASSIGNMENT OF CASES TO SPECIAL MAGISTRATES; PROVIDING FOR THE REQUIREMENT THAT CODE ENFORCEMENT HEARINGS BE ELECTRONICALLY RECORDED; CONFIRMING ORDINANCE TO BE ENFORCED; CONFORMING THE FINE PROVISIONS THEREOF TO THE STATUTES; INCORPORATING THE PROVISIONS OF FLORIDA STATUTE 162.01-162.13, AS AMENDED, THEREIN; REPEALING ORDINANCE 2000-59; REPEALING COUNTY ORDINANCE 97-40; REPEALING ORDINANCE 2000-64; PROVIDING FOR SEVERALBILITY; AND PROVIDING AN EFFECTIVE DATE

(04/03/07 - 9 - 10:22 a.m.)

5. CONSIDER AN APPOINTMENT TO THE MID-ANASTASIA ISLAND DESIGN REVIEW BOARD

Melissa Lundquist, Administrative Coordinator, gave the presentation. Bryant reviewed the Board and its duties.

(10:22 a.m.) **Motion by Bryant, seconded by Sanchez, carried 4/0 with Manuel absent, to appoint Gerald Marino to the Mid-Anastasia Island Design Review Board for a full four-year term, scheduled to expire April 3, 2011.**

6. CONSIDER APPOINTMENTS TO THE HISTORIC RESOURCE REVIEW BOARD (*This item became Item 13b*)

At 10:23 a.m. the Board recessed and reconvened at 10:35 a.m.

(04/03/07 - 9 - 10:35 a.m.)

7. CONSIDER A PROPOSED POLICY ON ROADWAY AESTHETIC ENHANCEMENTS

Chuck Moore, Landscape and Nursery Manager, gave the presentation. He cited reasons why it was important to enhance our roadways aesthetically, and reviewed the suggested policy for roadway enhancements. He gave a PowerPoint presentation showing the standard designs and themes proposed, and reviewed the priority list for the County. Stevenson expressed concern that developers might not want signature roads to be maintained by the County and cited some of those listed that might be affected. Moore reviewed the planning costs, and said they were based on wholesale costs, and the maintenance schedule and costs. He explained the procedure for processing a request. He also reviewed the funding sources, including the Tree Bank Fund, as addressed in the Land Development Code.

(11:01 a.m.) McCormack, in response to a request by Rich, addressed whether the TDC Tax could possibly be used for that purpose. He said he was not confident that it would be a valid source of funding, but could do further research in that regard.

(11:03 a.m.) Rich stated it would be an increased tax burden on our citizens, if the monies came from the General Fund. He noted the Board was looking at serious funding issues coming up, and he could not support any expenditure from the General Fund for the project.

(11:04 a.m.) Stevenson said the issue was not the initial landscaping but the long term maintenance, and noted there was a great deal of support for improving the look of heavily traveled areas of the County, especially the CR 210/I-95 corridor. She asked the Board to adopt the policy, or to at least look at creating urban development areas.

(11:11 a.m.) Joe Vonasek, Assistant County Administrator, said the long term enhancements needed to be taken into consideration as net increased costs. He said there was already a cost for cyclical mowing and the cost could be transferred: the net increase was what should be considered. Moore reviewed the net costs associated with the policy.

(11:15 a.m.) Bryant suggested that a MSTU could be utilized for additional funding for those areas of the County that desired to upgrade the landscaping. He said if the community wanted it, they could pay for it, and the millage rate would be miniscule.

(11:16 a.m.) Wally Kropacek, County Administrator, said the policy could be enacted now but did not necessarily have to be funded now: The funding sources could be different for differing areas of the County. General discussion ensued and a recommendation was made to continue this item until the next appropriate meeting.

(11:26 a.m.) Motion by Bryant, seconded by Rich, carried 4/0 with Manuel absent, to continue this item until the next appropriate meeting date.

(04/03/07 - 10 - 11:28 a.m.)

8. PUBLIC HEARING - NZVAR 06-002, PACETTI/MCDONOUGH SINGLE FAMILY HOMES - THE APPLICANT IS REQUESTING A VARIANCE TO SECTION 6.04.07.B.2 OF ARTICLE VI OF THE LAND DEVELOPMENT CODE (LDC) FOR THE PURPOSE OF DIVIDING ONE EXISTING LOT INTO TWO LOTS. THIS SECTION OUTLINES EASEMENT REQUIREMENTS, NAMELY A STABILIZED SURFACE WITH RELATED CRITERIA, IN ADDITION TO A MAINTENANCE AGREEMENT IN A FORM ACCEPTABLE TO THE COUNTY

Proof of publication of the notice of public hearing on NZVAR 2006-02, Pacetti/McDonough, was received, having been published in *The St. Augustine Record* on March 17, 2007.

John Burnham, Development Review Chief Engineer, gave the presentation, reviewed the application details and noted the applicant was present.

(11:30 a.m.) In response to a question by Stevenson, Burnham said the costs would be equally shared by the applicants and their share of the burden should drop.

(11:32 a.m.) Beth McDonough, 234 Cervantes Ave., explained that the property had been in her family for over 60 years, and they now had an opportunity to divide and live on it. She said as heirs they were equal owners of the property and believed that as heirs they were already part of a road maintenance agreement.

(11:33 a.m.) Brad Burchfield, 1480 St. Marks Pond Blvd., stated he was a County employee on leave, and that he was there to support McDonough, who was a relative. He gave the background on the division of the property, and said they simply wanted to develop the property and live where they could raise their children in a nice community.

(11:36 a.m.) Motion by Stevenson, seconded by Sanchez, carried 4/0 with Manuel absent, to approve NZVAR 06-002, based upon the evidence provided for all of the five findings of fact.

(04/03/07 - 11 - 11:37 a.m.)

9. PUBLIC HEARING - NZVAR 06-010, OAK RIDGE LOT DIVISION - THE APPLICANT IS REQUESTING A NON-ZONING VARIANCE TO SECTION 5.01.00C (REPLATTING REQUIREMENTS), AND SECTION 6.04.07M (PAVING OF ROADWAYS NOT MEETING COUNTY STANDARDS). THE APPLICANT IS SEEKING TO DIVIDE THE ONE LOT INTO THREE LOTS. THE SUBJECT PROPERTY IS LOCATED IN ST. AUGUSTINE HEIGHTS UNIT 3

Proof of publication of the notice of public hearing on NZVAR 2006-10, Oak Ridge, was received, having been published in *The St. Augustine Record* on March 17, 2007.

John Burnham, Development Review Chief Engineer, gave the presentation and the background and details of the request. He noted that the Road and Bridge Department had objected to the application due to heavier traffic on the County maintained roadway. He said Fire Services had asked that sprinkler service be added as a condition if they decide to approve the application, and said staff did not support approval. General discussion ensued regarding lot division and maintenance of the roadway.

(11:42 a.m.) Karen Taylor, 3070 Harbor Dr., stated she was there on behalf of the applicant, attempted to clarify the issues and said some of the documents had not been included in their packets. She said division was a fairly common practice in that subdivision, and noted adjacent lots had been subdivided. She said there were two sisters and a brother who wanted to build on the proposed three lots. She said the big issue was the roadway along Oakridge Rd., to fast track 1,960 feet of it from its terminus. She said another 2,000 feet was unpaved roadway and another 600 feet was authorized to be opened to driveway standards. She said the County maintained the paved portion of it and the residents maintained the roadway along with the County. She said they were approximately five acre lots, and that the two sisters would have to bring almost 2,000 feet up to County standards, while 18 residents used the road currently. She said it would be costly and difficult for the applicant to have to bear the burden of the entire improvement. She said they could do a subdivision plat and it would have to be a re-plat. She noted it was Residential B, Open Rural zoning, and

under those guidelines, they could have up to four units on the parcel owned by one individual.

(11:48 a.m.) Bryant clarified that it was family division, and said he was going to support the application because it was family.

(11:48 a.m.) Frank McElroy, St. Johns County Fire Marshall, said their concern was the lack of supply of water for firefighting. He said the applicant had agreed to supply fire sprinkler systems for each of the residential structures and Fire Services had no objection to the application moving forward.

(11:49 a.m.) Burnham responded to Rich's concern, and said the roadway improvement was the only issue.

(11:50 a.m.) Sanchez disclosed having ex-parte communication with Karen Taylor regarding the item. He said he would support it, and asked if all the roads in the area were in the same condition. Joe Stephenson, Public Works Director, reviewed the condition of other roads in the immediate area.

(11:51 a.m.) Sanchez asked if a Municipal Service Tax (MST) would be an effective use for upgrading the road. Stephenson said it was an option, but the opposition came from the Road and Bridge Department. Stephenson cited their reasons as to why this was a problem for maintaining the road; it was a judgment call.

(11:54 a.m.) Stevenson asked that if the road had to be improved in the future whether they would have to get permission from the citizens to improve the roads. Stephenson said MSBUs and MSTUs could be established by the Board without referendum. Taylor said they understood that there might be some future requirement to participate in road improvements: the applicant would agree to the conditions as noted, including installation of sprinkler systems.

(12:02 p.m.) Motion by Sanchez, seconded by Stevenson, carried 4/0 with Manuel absent, to approve NZVAR 06-010, based upon the evidence provided for all of the five findings of fact, and with the conditions that MSBU or MSTU participation may be required in the future and a sprinkler system will be installed in each affected residence.

(04/03/07 - 12 - 12:04 p.m.)

10. PUBLIC HEARING - SSCPA 2006-12, WESTMINSTER WOODS - APPLICATION NO. SSCPA-2006-12, WESTMINSTER WOODS IS A PROPOSED SMALL SCALE (SS) COMPREHENSIVE PLAN AMENDMENT (CPA) TO CHANGE THE 2015 COMPREHENSIVE PLAN FROM RESIDENTIAL A TO RESIDENTIAL C ON A TOTAL OF 3.14 ACRES OF LAND LOCATED ADJACENT TO WESTMINSTER WOODS (AKA WESLEY WOODS PUD), AN EXISTING DEVELOPMENT. LOT 10 IS LOCATED NORTH OF BISHOP ESTATES ROAD ON JULINGTON CREEK AND THE NORTH 1/2 OF LOT 16 IS LOCATED WEST OF ORANGE AVE. SINCE SS CPA IS A SMALL SCALE AMENDMENT, IT IS EXEMPT FROM THE TWICE A YEAR AMENDMENT CYCLE

Proof of publication of the notice of public hearing on SSCPA 2006-12, Westminster Woods, was received, having been published in *The St. Augustine Record* on March 19, 2007.

Vicki Renna, Principal Planner, gave the presentation, and said staff recommended approval.

(12:06 p.m.) Karen Taylor, 3070 Harbor Dr., representing the applicant, stated the request was due to a technicality from DCA, there was no increase in the number of units and it would be easier to implement in that fashion. General discussion ensued.

(12:08 p.m.) **Motion by Stevenson, seconded by Sanchez, carried 4/0 with Manuel absent, to enact Ordinance 2007-22, to rescind Ordinance 2007-2, and amending the Future Land Use Map from Residential A to Residential C for Application No. SSCPA-2006-12, for land located adjacent to Westminster Woods (aka Wesley Woods PUD), an existing development. Lot 10 is located north of Bishop Estates Road on Julington Creek and the northern ½ of Lot 16 is located west of Orange Ave.**

ORDINANCE NO. 2007-22

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, RESCINDING ORDINANCE NO. 2007-2, ADOPTED ON JANUARY 9, 2007; AND AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE 2015 FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL-A TO RESIDENTIAL-C, FOR LOT 10 LOCATED ON THE NORTH SIDE OF BISHOP ESTATES ROAD ON JULINGTON CREEK AND THE NORTH HALF OF LOT 16 LOCATED WEST OF ORANGE AVE.; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

The meeting recessed at 12:09 p.m. and reconvened at 1:34 p.m. with Rich, Bryant, Stevenson, Sanchez, Kropacek, McCormack, Whitehouse, and Deputy Clerk Lenora Newsome present. Manuel was absent.

(04/03/07 - 13 - 1:34 p.m.)

11. PUBLIC HEARING - PUD 2006-19, VILLAGES OF ST. AUGUSTINE PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 12.45 ACRES FROM RMH, CI AND RS-3 TO PLANNED UNIT DEVELOPMENT (PUD), IN ORDER TO CONSTRUCT UP TO 52 MULTI-FAMILY UNITS; 6,000 SQUARE FEET OF BANK WITH DRIVE THROUGH; AND 20,625 SQUARE FEET OF COMMERCIAL. ALLOWED COMMERCIAL USES INCLUDE BANK AND RETAIL USES, CONSISTENT WITH COMMUNITY COMMERCIAL USES. THE SITE IS LOCATED OFF OF SR 16, JUST EAST OF WOODLAWN RD. THE MASTER DEVELOPMENT PLAN PROPOSES ONE ACCESS POINT OFF OF SR 16. THERE WILL BE A FOUR FOOT SIDEWALK ALONG INTERNAL ROADS. A 10 FOOT PERIMETER BUFFER IS PROVIDED AROUND THE PERIMETER OF BOTH THE RESIDENTIAL AND COMMERCIAL PORTIONS OF THE PROJECT. THERE IS 5.96 ACRES OF OPEN SPACE PROVIDED, OR 48% OF THE SITE. 1.29 ACRES OF DEVELOPMENT AREA HAS BEEN SET ASIDE FOR ACTIVE RECREATION. AMENITIES PROVIDED INCLUDE A TOT LOT, GRASSED FIELD, AND MAY INCLUDE A SWIMMING POOL. CENTRAL WATER AND SEWER WILL BE PROVIDED FROM THE CITY OF ST. AUGUSTINE. THE PROJECT WILL BE DEVELOPED IN ONE FIVE YEAR PHASE. THE PROJECT SITE IS SURROUNDED BY THE FOLLOWING EXISTING ZONING

CATEGORIES: PUD, RMH(S), RMH, AND RS-3. THE SURROUNDING FUTURE LAND USE IS MIXED USE DISTRICT (MD) AND RESIDENTIAL-C

Proof of publication of the notice of public hearing on PUD 2006-19, Villages of St. Augustine, was received having been published in *The St. Augustine Record* on March 19, 2007.

Lindsay Haga, Chief Planner, reviewed this item. Bryant asked what the level of service was on SR 16 from I-95 to US 1, and also west of 95 and SR 16. Haga responded.

(1:37 p.m.) Doug Burnett, 170 Malaga Street, reviewed the site and surrounding area. He spoke on drainage and the height of the townhouses. Stevenson asked about the open space provision. Burnett responded. Rich asked about meeting with the surrounding homeowners. Burnett responded they did not meet with the people in the area. Rich spoke on the surrounding land uses. Burnett responded. Stevenson asked about the east side of the surrounding area; Burnett explained that it was commercial PUD.

(1:53 p.m.) Raymond Russell, 840 SR 16, read a letter of opposition to this item into the record from Mr. and Mrs. Dunton, Exhibit A.

(1:56 p.m.) Franco Secades, 825 West King Street, spoke in favor of this item.

(1:58 p.m.) Bob Guckiean, 1700 Woodlawn Road #13, spoke in opposition of this item.

(2:00 p.m.) James Sowards, Lot 1, 1700 Woodlawn Road, spoke in opposition of this item. Rich disclosed ex-parte communication with James Sowards in reference to this issue. Sanchez disclosed having ex-parte communication with James Sowards a few minutes before the meeting reconvened.

(2:04 p.m.) Dick Adadow, 1599 Santa Maria Court, owner and manager of the mobile home park for the last twenty-two years, spoke in opposition of this item. McCormack stated that property would be developed and it would be useful, for the record, if the property manager would give the Board some more factual indications, like the sizes of the lots in the mobile home park. Adadow stated the name of the park was Oak Haven Retirement Village and they had 24 units on 9 acres, with each unit being a quarter of an acre. Rich spoke on the mobile home park, discussion followed. Stevenson asked if the applicant had talked to the neighbors to let them know what going on. Burnett replied that they would like to continue this item to allow time to talk to the people in the neighborhood. Sanchez asked if the 10-foot buffer complied with regulations and stated that he would like to change the regulation. Stevenson spoke on buffer rules. Rich moved this item to the end of the meeting today.

The meeting recessed at 2:14 p.m. and reconvened at 2:19 p.m.

(3:07 p.m.) Subsequently, Doug Burnett spoke on the people who lived in the mobile home park. He asked to continue this item to the next BCC date to give them time to talk to the people at the mobile home park and visit the area they lived in. He stated that he hoped this would resolve some of the issues. He had not received any word of opposition at the Planning and Zoning Agency, so he wasn't anticipating this being an issue today. Rich agreed with Burnett and gave his personal opinion, voicing his concerns. He asked Burnett to submit a list of all the people he had contacted. Sanchez spoke on increasing the buffer and going by to see the elderly in the mobile home park who may not be able to go to a meeting. Kropacek stated that this item would be continued to May 15th at 1:30 p.m. (3:15 p.m.) **Motion by Rich, seconded by Bryant,**

carried 4/0 with Manuel absent, to continue this item to May 15th, time certain for 1:30 p.m.

The meeting moved to Commissioners' Comments.

(04/03/07 - 15 - 2:19 p.m.)

12. PUBLIC HEARING - MAJMOD 2006-23, CNL BANK (ZAXBY'S ST. AUGUSTINE PUD) - THE MAJOR MODIFICATION REQUEST PROPOSES TO CONVERT THE APPROVED COMMERCIAL USES FROM RESTAURANT (ORD 2004-09) TO A BANK WITH DRIVE THROUGH FACILITIES AND APPROXIMATELY 10,150 SQUARE FEET RETAIL SITE. THE REQUEST INCLUDES ADDING 1.53 ACRES TO THE ORIGINAL 1.10 ACRES ADOPTED UNDER THE ZAXBY'S ST. AUGUSTINE PUD. THE SITE WAS ZONED AS THE ZAXBY'S ST. AUGUSTINE PLANNED UNIT DEVELOPMENT IN 2004. THE ORIGINAL ORDINANCE WAS APPROVED FOR A 3,000 SQUARE FOOT RESTAURANT ON 1.10 ACRES OF PROPERTY LOCATED AT THE INTERSECTION OF OLD MOULTRIE ROAD AND SR 312

Proof of publication of the notice of public hearing on MAJ 2006-23, CNL Bank, was received having been published in *The St. Augustine Record* on March 19, 2007.

Lindsay Haga, Chief Planner, reviewed this item, stating that the applicant provided, after the Board packet was completed, a strike-through underlined format to reduce the height from 50 feet to 35 feet, as well as, add in and clarify the 10,000 square feet of retail to specialty retail. Stevenson asked about granting concurrency by use. Haga responded.

(2:22 p.m.) Anna Shea, 170 Malaga Street, stated that they had made three revisions: on page 2 of the text, specified that the specialty retail uses would consist of the specialty retail uses in the ITE Transportation Manual; on page 3, limited height to 35 feet; and on page 4, removed the access to the east of the site that would have provided interconnectivity. Rich stated that a motion to approve this would also include the waiver of terminal island to 9-foot width, as well as those changes which were outlined by Shea. Stevenson asked why the interconnectivity between the parcels on the east side was removed. Shea responded that per the comments from the Planning and Zoning Agency meeting, and the neighbors to the east, they did not want to provide interconnectivity.

(2:24 p.m.) Robert Brown, 13901 Sutton Park Drive, Jacksonville, stated that the code required them to apply for interconnectivity. Stevenson asked why the interconnectivity was not provided. Brown stated that it was not practical because the exiting owners would not allow it. Rich mentioned a letter from Raymond Coltrane. Shea replied that the letter had been taken care of.

(2:28 p.m.) Jeff Bell, 120 SR 312 West, President of the Bank of St. Augustine, addressed the question regarding interconnectivity, and mentioned being concerned with traffic hazards. Discussion followed.

(2:31 p.m.) **Motion by Rich, seconded by Sanchez, carried 4/0 with Manuel absent, to enact Ordinance No. 2007-23, known as MAJMOD 2006-23 CNL Bank PUD, adopting findings of fact 1 through 6 to support the motion, to include the waiver for the terminal island width of nine feet, as well as comments made by attorney Anna Shea on behalf of the applicant: *page 2 of the text, specified that the specialty retail uses will consist of the specialty retail uses in the ITE Transportation Manual; page 3,***

limited height to 35 feet; and page 4, removed the access to the east of the site that would have provided interconnectivity.

ORDINANCE NO. 2007-23

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ZAXBY'S ST. AUGUSTINE PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 2004-07, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(04/03/07 - 16 -2:32 p.m.)

13. PUBLIC HEARING - PLNAPL 2007-01, WHETSTONE PARK PUD - THIS IS AN APPEAL FILED PURSUANT TO SECTION 9.07.02 OF THE LAND DEVELOPMENT CODE REGARDING DECISIONS OF THE COUNTY ADMINISTRATOR, OR DESIGNEE, IN ENFORCING THE CODE. THE APPLICANT SEEKS AN APPEAL OF A VESTING DETERMINATION ISSUED FOR THE SUBJECT PROPERTY IN DECEMBER 2006, ATTACHED HERETO. THE SUBJECT PROPERTY IS KNOWN AS THE WHETSTONE PUD, AN EXPIRED COMMERCIAL, OFFICE, AND INDUSTRIAL PUD, LOCATED IN THE NW SECTOR. THE APPLICANT APPLIED FOR A VESTING AGAINST THE POLICIES OF THE NW SECTOR, SPECIFICALLY THE MIXED USE COMMERCE CENTER DISTRICT LAND USE PERCENTAGES WHICH WOULD REQUIRE RESIDENTIAL DEVELOPMENT AS A COMPONENT OF THE DEVELOPMENT. THE VESTING REQUEST WAS DENIED DUE TO LACK OF EVIDENCE SUPPORTING THE TECHNICAL REQUIREMENTS OF COMMON LAW VESTING

Proof of publication of the notice of public hearing on PLNAPPL 2007-01, Whetstone, was received having been published in *The St. Augustine Record* on March 19, 2007.

Lindsay Haga, Chief Planner, reviewed this item.

(2:36 p.m.) Bruce Maguire, 11 Surf Side Avenue, stated the issue was an approval for vesting, which would allow the development to go to the next step. He stated that applications were submitted for new concurrency and a major modification to change the dates. However, they were stuck because neither one of those requirements could go forward until this technicality was resolved. Rich asked if the staff was supporting this appeal. Haga replied that their position on the technical requirements was stated in the vesting letter. Stevenson mentioned that this site was visible from I-95. Haga spoke on the transportation challenges and on the appeal.

(2:43 p.m.) Henry Whetstone, 282 St. George Street, stated that they were only interested in industrial. (2:45 p.m.) **Motion by Stevenson, seconded by Bryant, carried 4/0 with Manuel absent, to approve Planning Appeal 2007-01, with findings of fact 1 through 4 to support the appeal.**

(04/03/07 - 16 -2:47 p.m.)

- 13a. MOTION TO ADOPT A RESOLUTION APPROVING A CONTRACT BETWEEN ST. JOHNS COUNTY AND THE RETIRED SENIOR AND VOLUNTEER PROGRAM (RSVP) (AS RECOMMENDED BY THE ST. JOHNS COUNTY HEALTH AND HUMAN SERVICES ADVISORY COUNCIL) AND

AUTHORIZING THE BCC CHAIR TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY (*Formerly Consent Item 5*)

Stevenson mentioned an error on page 6 in the RSVP contract. The 2nd paragraph stated "*St. Johns County, a political subdivision and Charter County of the State of Florida,*" and stated that it should not include the "Charter" language. McCormack stated that Staff provided him with a copy of page 6 with the "Charter" language deleted. (2:49 p.m.) **Motion by Stevenson, seconded by Bryant, carried 4/0 with Manuel absent, to adopt Resolution No. 2007-98, approving a contract between St. Johns County and the Retired Senior and Volunteer Program (RSVP), with the correction noted to page 6 regarding deleting the "Charter" language (as recommended by the St. Johns County Health and Human Services Advisory Council); and authorizing the BCC Chair to execute the contract on behalf of St. Johns County.**

RESOLUTION NO. 2007-98

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE RETIRED SENIOR AND VOLUNTEER PROGRAM OF ST. JOHNS COUNTY AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

(04/03/07 - 17 -2:50 p.m.)

13b. **CONSIDER APPOINTMENTS TO THE HISTORIC RESOURCE REVIEW BOARD** (*Formerly Regular Item 6*)

Melissa Lundquist, Administrative Coordinator, reviewed this item.

(2:51 p.m.) **Motion by Stevenson, seconded by Bryant, carried 4/0 with Manuel absent, to reappoint Nancy Sikes-Kline to the Historic Resource Review Board, for a full four-year term, scheduled to expire January 7, 2011.**

(2:53 p.m.) **Motion by Stevenson, seconded by Rich, carried 4/0 with Manuel absent, to appoint Christine Newman to the Historic Resource Review Board, for a full four-year term, scheduled to expire April 3, 2011.**

(2:54 p.m.) **Motion by Rich, seconded by Bryant, carried 4/0 with Manuel absent, to appoint David W. Howie to the Historic Resource Review Board, for a full four-year term, scheduled to expire April 3, 2011.**

(2:54 p.m.) **Motion by Rich, seconded by Stevenson, carried 4/0 with Manuel absent, to appoint Chuck T. Meide to the Historic Resource Review Board, for a partial term, scheduled to expire October 26, 2007.**

The meeting recessed at 2:55 p.m. and reconvened at 3:07 p.m.

The meeting returned to Item 11.

(04/03/07 - 18 - 3:17 p.m.)
COMMISSIONERS' REPORTS

Commissioner Sanchez:

Sanchez mentioned that he was still interested in hearing something on the fast tracking for business applications. Kropacek replied that they had a fast track available and explained.

Sanchez stated that Bob Abbot, Commissioner in Flagler County, was interested in having a joint meeting between both boards to discuss some of the problems developing in and around their counties.

(04/03/07 - 18 - 3:20 p.m.)

Commissioner Bryant:

Bryant commented on expedited permitting for businesses.

(04/03/07 - 18 - 3:20 p.m.)

Commissioner Rich:

No report.

(04/03/07 - 18 - 3:21 p.m.)

Commissioner Stevenson:

Stevenson spoke on the West Augustine Community CRA hosting a town hall meeting.

Stevenson stated that the World Golf Village Town Hall meeting was well attended and she thanked staff for their efforts and support. She stated that there was a lot of concern about smoke in the area, and a real need for postal service in the northern part of the county.

The meeting moved to the Clerk of Court's Comments.

(04/03/07 - 18 - 3:35 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Kropacek mentioned that there was a joint meeting scheduled with the School Board on Thursday, May 17th at 9:00 a.m. with the School Board hosting it.

Kropacek mentioned that he would like to try moving the consent agenda items before public comment.

Kropacek mentioned that the Neighborhood Bill of Rights kick-off was yesterday.

Kropacek mentioned that this meeting was the first meeting that had been on the County website, allowing everyone to watch the meeting from their own computer.

Kropacek spoke about the system on the County's website allowing anyone to register questions and complaints.

(04/03/07 - 18 - 3:38 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack introduced their new Assistant County Attorney, Regina Ross, Esquire.

The meeting adjourned.

(04/03/07 - 19 - 3:30 p.m.)
CLERK OF COURT'S REPORT

Cheryl Strickland, Clerk of Courts, stated that the County passed an Ordinance in 2003 that authorized a \$3.00 collection out of all the traffic fines for driver education programs in the county. She stated that last year they increased the amount that they could pull from the tickets from \$3.00 to \$5.00. She stated that they needed to amend the ordinance, and asked that it be scheduled for the next meeting. The item was scheduled for May 1st at 9:00 a.m. (3:31 p.m.) *It was the consensus of the Board to schedule an agenda item to set a public hearing to amend the ordinance.*

(3:32 p.m.) Stevenson spoke on the Neighborhood Bill of Rights.

The meeting moved to the County Administrator's Report.

Motion by Sanchez, seconded by Bryant, carried 4/0 with Manuel absent, to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 3:40 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners' Check Register, Check No. 398797 through 399057, totaling \$1,764,765.08 (03/13/07)
2. St. Johns County Board of County Commissioners' Check Register, Check No. 399058 through 399089, totaling \$61,975.43 (03/15/07)
3. St. Johns County Board of County Commissioners' Check Register, Check No. 399090 through 399416, totaling \$3,186,891.01 (03/20/07)
4. St. Johns County Board of County Commissioners' Check Register, Check No. 399417 through 399421, totaling \$36,301.70 (03/21/07)

CORRESPONDENCE:

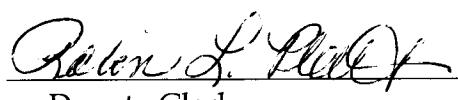
1. Letter dated March 22, 2007 to Liz Cloud, Program Administrator of the Bureau of Administrative Code and Weekly, filing St. Johns County Ordinance Numbers 2007-13 and 2007-18
2. Letter dated March 9, 2007 from Sharon Widdifield regarding notification of annexation, City of St. Augustine Beach Ordinance 07-01

Approved _____ May 1 _____, 2007

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Ben Rich, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk