

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JUNE 26, 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
Thomas G. Manuel, District 4, Vice Chair
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

(06/26/07 - 1 - 9:05 a.m.)
CALL TO ORDER

Rich called the meeting to order.

(06/26/07 - 1 - 9:05 a.m.)
ROLL CALL

Rich stated that all five commissioners were present.

(06/26/07 - 1 - 9:06 a.m.)
Manuel gave the invocation and Rich led the Pledge of Allegiance.

(9:07 a.m.) Rich read a letter on behalf of the Board of County Commissioners to Mayor Joseph Riley, Jr., expressing sympathy to the families of the firefighters who lost their lives in a fire rescue mission and to the community of Charleston, S.C.

(9:08 a.m.) **Motion by Manuel, seconded by Sanchez, carried 5/0, to approve the letter and sending it to Mayor Riley.**

A moment of silence was held for the lost firefighters and their families.

(06/26/07 - 1 - 9:08 a.m.)
PROCLAMATION DESIGNATING JULY 2007 AS POLL WORKER RECRUITMENT MONTH

Sanchez presented the proclamation to Cheryl Manucy, from the St. Johns County Elections Office, on behalf of the poll workers. Ms. Manucy accepted the proclamation and introduced those poll workers who were in attendance and thanked them for the work and the service that they provided.

(06/26/07 - 1 - 9:13 a.m.)
ACCEPTANCE OF PROCLAMATION

Motion by Sanchez, seconded by Manuel, carried 5/0 to approve the Proclamation.

(06/26/07 - 2 - 9:15a.m.)

PUBLIC COMMENT

B. J. Kalaidi, 8 Newcomb St., thanked Paul Studivant and all employees in the Department of Animal Control for their efforts to provide services within the City of St. Augustine, referred to an interlocal agreement dated September 20, 2005, which turned the responsibility over to the County for a one time payment of \$50,000 which was never paid to the County General Fund, and the need for more traps to trap unattended animals within the City.

(9:18 a.m.) Thomas Hornsby, 91 San Juan Dr., Ponte Vedra Beach, spoke on behalf of the Betty Griffin House and domestic violence victims. He asked the Board to continue their support to those entities.

(9:24 a.m.) Lisa Lloyd, 132 Surfside Ave., thanked the Board for their support, as the Betty Griffin House had saved her life from an abusive husband. She shared her story and asked the Board for their continued support. She said the little bit of money they gave saved lives and was crucial.

(9:29 a.m.) Beth Hughes, Betty Griffin House Executive Director, asked the Board for their continued support. She also announced an endowment fund given by Wayne and Delores Weaver.

(9:31 a.m.) Michael Kilroy, 4420 Helena St., Hastings, Chairman of Flagler Estates Redevelopment Committee, spoke on behalf of the residents of Flagler Estates. He spoke of a desire to work closer with the Board on achieving a greater level of safety and fire protection for the residents and property of their community. He said the nearest fire protection was 15 to 20 minutes away, and said they also needed more deputies patrolling the area. He said they had no physical building within their community to host a community center and suggested they might use a portable classroom that was no longer in use. General discussion ensued.

(9:40 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. South, St. Johns, asked for help on the JEA electric rate increase. She suggested the County develop its own electric utility authority. She also asked for help regarding respecting trees, as they were being cut down with the flimsiest of excuses. She said the tree canopy was important and asked for stronger tree protection, enforcement and penalties be given to companies that took the trees.

(9:45 a.m.) Renee Morris, 825 Alhambra Ave., Executive Director St. Francis House, stated she was the new director. She said they sheltered, fed and provided services at the shelter that could not be obtained anywhere else. She said they had victims of domestic violence, the elderly, young people and needy homeless individuals. She stated that the homeless did not always fit a stereotype and many were in transitional phases and were trying to get re-established with jobs and permanent homes. She asked for the Board's continued support.

(9:51 a.m.) Judy Traugh, 10170 Allison Ave., Flagler Estates, Hastings, expressed concern about the Board trying to place another prison in their area. She said they were asking for an apology from all of the commissioners, in writing. She presented a petition to the Board. She said they wanted to be recognized just like the northern part of the county. She expressed thanks to Sheriff Shoar for his support. Stevenson said

she wanted it to be clear that it was not a Board decision and had originated from the Sheriff's department.

(9:58 a.m.) Dwight Hines, 150 Nesmith, spoke regarding public records violations. He suggested three corrective methods. General discussion ensued.

(06/26/07 - 3 - 9:14 a.m.)

DELETIONS TO CONSENT AGENDA

There were none.

(06/26/07 - 3 - 9:15 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Stevenson, seconded by Rich, carried 5/0, to approve the Consent Agenda as presented.

1. Approval of the Cash Requirement Report
2. Minutes:
May 15, 2007 - BCC Regular Meeting
May 18, 2007 - BCC Special Meeting
May 29, 2007 - BCC Regular Meeting
3. Sheriff Office Bonds:
Approve: Regina Ammons Joseph Anderson Kelvin Douglas
 Robert Ellison Bryan Kessler Howard Schwartz

Cancel: Tonia Menard
4. Motion to approve the use of funds in the amount of \$15,000 from Affordable Housing Impact Fee Credits (0094-58120) to be used for the collateral and related fees required by the Fannie Mae Community Express Revolving loan program
5. Motion to approve transfer of \$240,000.00 from department 1127-55218, Fleet Fuel (Cost of Fuel) to Department 1123-55219, Fleet Maintenance (Cost of Parts)
6. Motion to adopt **Resolution No. 2007-178**, approving the terms, provisions and conditions of a revised Interlocal Agreement between the Marshall Creek Community Development District and St. Johns County for the construction of improvements to the FEC Railroad grade crossing at International Golf Parkway and authorizing the County Administrator to enter into the agreement on behalf of the County

RESOLUTION NO. 2007-178

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS AND REQUIREMENTS OF A REVISED INTERLOCAL AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA AND THE MARSHALL CREEK COMMUNITY DEVELOPMENT DISTRICT REGARDING THE CONSTRUCTION OF CERTAIN ROADWAY IMPROVEMENTS WITHIN THE FLORIDA

**EAST COAST RAILWAY RIGHT-OF-WAY AT
INTERNATIONAL GOLF PARKWAY, AND
AUTHORIZING THE COUNTY ADMINISTRATOR TO
EXECUTE THE AGREEMENT ON BEHALF OF THE
COUNTY**

7. Motion to adopt **Resolution No. 2007-179**, approving Final Plat for Sebastian Cove Phase 1, Unit 1

RESOLUTION NO. 2007-179

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR SEBASTIAN
COVE PHASE 1 UNIT 1**

8. Motion to adopt **Resolution No. 2007-180**, approving Final Plat for Las Calinas Phase 1

RESOLUTION NO. 2007-180

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR LAS
CALINAS PHASE I**

9. Motion to adopt **Resolution No. 2007-181**, approving the Final Plat for Heartwood Subdivision

RESOLUTION NO. 2007-181

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

10. Motion to authorize the Interim County Administrator, or his designee, to execute a contract with TB Landmark Construction, Inc. and MasTec North America, Inc. for work described in the bid proposals for Bid # 07-90, Directional Boring Contractors for the St. Johns County Utility Department
11. Motion to authorize the County Administrator, or his designee, to purchase Four (4) CAT 125KW Trailer Mounted Generators from JEA Contract # JXF-093-99 from Ring Power Corporation in the amount of \$171,072.00
12. Motion to adopt **Resolution No. 2007-182**, accepting a Grant of Easement from St. Augustine Cemetery Association to St. Johns County for the maintenance of a major outfall ditch and authorizing the Chairman of the Board to join in the execution of the easement

RESOLUTION NO. 2007-182

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
ACCEPTING A GRANT OF EASEMENT FROM ST.
AUGUSTINE CEMETERY ASSOCIATION TO ST.**

JOHNS COUNTY FOR THE MAINTENANCE OF A MAJOR OUTFALL DITCH AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO JOIN IN THE EXECUTION OF THE EASEMENT

13. Motion to adopt **Resolution No. 2007-183**, accepting an Easement for Utilities for water service to Rulon Manufacturing Company off of Ring Way

RESOLUTION NO. 2007-183

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER SERVICE FOR THE RULON MANUFACTURING COMPANY OFF OF RING WAY

14. Motion to adopt **Resolution No. 2007-184**, declaring certain County owned property as surplus and approving a private sale to an adjoining property owner pursuant to the provisions set forth in Section 125.35(2), Florida Statutes. Because of the size, shape, location and value the parcel is of use only to the adjoining property owner

RESOLUTION NO. 2007-184

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING CERTAIN COUNTY OWNED PROPERTY ON NORTH WHITNEY STREET AS SURPLUS AND APPROVING A PRIVATE SALE TO AN ADJOINING PROPERTY OWNER PURSUANT TO THE PROVISIONS SET FORTH IN SECTION 125.35(2), FLORIDA STATUTES. BECAUSE OF THE SIZE, SHAPE, LOCATION AND VALUE THE PARCEL IS OF USE ONLY TO THE ADJOINING PROPERTY OWNER

15. Motion to adopt **Resolution No. 2007-185**, accepting two Drainage Easements in The Pines Subdivision to improve the drainage in the subdivision

RESOLUTION NO. 2007-185

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TWO DRAINAGE EASEMENTS IN THE PINES SUBDIVISION TO IMPROVE THE DRAINAGE IN THIS SUBDIVISION

16. Motion to establish July 10, 2007 at 5:30 p.m. and July 24, 2007 at 9:00 a.m. as public hearing dates to consider amendments to the Land Development Code

(06/26/07 - 5 - 10:03 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Manuel requested that Item 6 be moved to the position of Item 4 and, Item 4 be moved to the position of Item 6.

Kropacek requested that Item 13 A be added, Resolution to approve the terms to execute the termination of the purchase and sale agreement for the property known as the Sheriff's Work Farm.

(06/26/07 - 6 - 10:05 a.m.)

APPROVAL OF REGULAR AGENDA

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

(06/26/07 - 6 - 10:05 a.m.)

BRIEFING BY THE OFFICE OF MANAGEMENT & BUDGET ON THE 2008 COUNTY BUDGET AND PROPERTY TAX REFORM

Doug Timms, Director Office of Management and Budget, gave an overview of the recent State Legislative Session on property tax reform and impact on the County. He reviewed the budget impacts for FY 2008 and the potential impact for FY 2009. He also reviewed what property taxes paid for and what the average homeowner savings for 2008 and 2009 would be. He explained the 2008 Rolled-Back Option and said that by a two thirds vote of the Board (4 of 5 Commissioners) the County could increase its maximum millage rate that may be levied for FY 2008 to the Rolled-Back Rate (a potential increase of \$4,680,643 or 3.2% at the 95% Budgeting Statutory Reduction level). He said the FY 2008 Reform Fiscal Impacts on the County had been met. He noted the County was positioning for FY 2009 with additional reform fiscal impacts if they occur by carrying a higher FY 2008 budgeted reserve particularly for the General Fund. He noted that without such positioning, budget increases for FY 2009-FY2011 with FY 2009 additional reform impacts could be in the range of 1 to 2 percent. He reviewed the effects of the hiring freeze implemented during December of 2006 and said it resulted in over 39 net position deleted for FY 2008 or almost 3% (20 in the General Fund) and approximately \$2 million in FY 2008 total budget savings (\$1 million in the General Fund). He said the recommended County Budget was due to the Board on July 10, a Board Budget Workshop had been recommended for the County budget to be held tentatively on July 18 and the Board was to set a Tentative County Millage Rate for FY 2008 on July 24.

(06/26/07 - 6 - 10:28 a.m.)

1. FY 2006 COMPREHENSIVE ANNUAL FINANCIAL REPORT ANNUAL AUDIT CONCLUSION

Timms reported that for the last 16 years the St. Johns County Finance Department had received the DFOA Distinguished Certificate of Achievement for Excellence in Financial Reporting. He introduced Allen MacDonald, County Director of Finance, who made comments on the 2006 Comprehensive Annual Financial Annual Report. He introduced Tina Robinson, lead auditor for the County, and said the County had a clean opinion issued by the County's auditor, Davis Monk & Company. He said the main purpose of the action that day was for the Board to accept the audit. There was discussion on how the audit firm was selected. McDonald said the firm was selected by the Board of County Commissioners and it was required to have an audit committee which was disbanded after the selection was made. Stevenson said she would like to see them move towards a more permanent audit committee. Manuel concurred. Robinson reported that they had conducted exit interviews with the constitutional officers.

(10:36 a.m.) **Motion by Manuel, seconded by Sanchez, carried 5/0, to accept the financial statement audit for County fiscal year 2006 as presented by independent auditors, Davis, Monk & Company.**

The meeting was recessed at 10:36 a.m. and reconvened at 10:48 a.m.

(10:48 a.m.) Cheryl Strickland, Clerk of Court, introduced, Brooke Kerper, the new Fraud Auditor.

(06/26/07 - 7 - 10:49 a.m.)

2. **CONSTITUTIONAL OFFICERS' BUDGET PRESENTATIONS**

Doug Timms opened the presentation and stated that Sheriff Shoar was going to present his budget.

(10:50 a.m.) Sheriff David B. Shoar gave an overview of the 2008 budget for the St. Johns County Sheriff's Department. He said they were aware of the tax cut legislation recently passed in Tallahassee, and noted he felt compelled to share comments about the recent legislation. He said the Board of County Commissioners had managed to keep the property tax rate at below 6 mils, which was extremely conservative by any measure. He said another referendum would be placed on the ballot in 2008 as the second tier of their tax cutting effort and if that passed, it would change the rules and would have a deleterious effect on all facets of government. He said unfunded state and federal mandates had been left out of the entire conversation and they had broken the back of local government. He said the biggest part of that was public safety and it had a multi million dollar impact on local government.

Shoar said they had begun with a true zero based balanced budget, and the reform would require all of them to initiate better business practices, so possibly some good would come from it. He talked about his office's strategic plan and a ten year building plan. He said based on recent surveys, the public wanted faster response time, more police presence in their neighborhoods and more traffic enforcement. He said his budget was bare bones and they could justify all they had requested. He reviewed the cost cutting measures being implemented for the 2008 budget and then presented his requests for the same period. He said they had to scan the horizon for additional revenue streams. He said alarms were eating up 11% of their work time and it was costing them money, and asked them to look at an ordinance in that regard. He said they would cooperate with the Board in every way possible and it was important for him to have a seat at the table in determining the quality of life for the citizens of St. Johns County. He expressed concern about the planning process, and asked that he be included in long range building plans. He said the 800 megahertz system had to be funded. He also talked about the prison farm and said they had worked with the County real estate division on making the purchase. He reviewed the plans for the prison farm, and reported that he had appointed an ad hoc committee to find a possible location and to get the community to buy in. He said they had to add to the jail without question or the Federal Government would make the decision for them. General discussion ensued regarding the lack of funding and possible funding sources.

(06/26/07 - 7 - 12:02 p.m.)

3. **CONSIDER REQUEST FROM FOX HOSPITALITY LLC CONCERNING THE CONVENTION CENTER SHORTFALL ASSESSMENT**

Joe Vonasek, Assistant County Administrator, gave the background on the item. He stated that Fox Hospitality LLC operated a hotel that was part of the benefit group assessed for payment of the shortfall in debt service revenues pledged to the St. Johns

County Convention Center. He said Fox Hospitality LLC was requesting the Board to allow the payment of the shortfall assessment of \$20,187.00 in three equal installments of \$6,729 each, with additional payments to be made in September and December of 2007. He noted that staff did not recommend approval of the request and cited the reasoning.

(12:06 p.m.) Stevenson asked if they were aware that they were accumulating a deficit. Vonasek said they had been sent a letter asking for the amount of the assessment. He noted at closing, for the purchase of that property, there was notice that an assessment had been established on it. He said advanced warning that it was due was a letter from the County Finance Director requesting payment.

(12:07 p.m.) Mallik Jerripothula of Fox Hospitality, 8324 Warlin Drive North, Jacksonville, made his request to pay in three installments and would pay interest and any administrative costs involved.

(12:09 p.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to deny the request to pay the shortfall assessment in installments.**

The meeting recessed at 12:23 p.m. and reconvened at 1:30 p.m. with all five commissioners, Kropacek, McCormack, Hunt, and Deputy Clerk Lenora Newsome present.

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

(06/26/07 - 8 - 3:41 p.m.)

4. CONSIDER MOTION TO AUTHORIZE THE INTERIM COUNTY ADMINISTRATOR OR HIS DESIGNEE, TO ENTER INTO A CONTRACT WITH K. P. MEIRING FOR A BASE BID OF \$1,119,000 PLUS ALTERNATE #3 FOR \$3,600 FOR A TOTAL LUMP SUM CONTRACT AMOUNT OF \$1,122,600 FOR CONSTRUCTION OF THE NEW PURCHASING DEPARTMENT BUILDING

Michael Rubin, Director of Construction Services, provided a review of the item. (3:44 p.m.) Rich read a letter from David Lee regarding the waste of taxpayer's dollars. Rubin responded on the bids.

(3:51 p.m.) Joe Burch, Director of Purchasing, spoke on having auctions and a place to have them. Discussion followed. Rich asked about pulling this item and putting the money towards EOC. Vonasek gave the alternative hardship. (3:55 p.m.) **Motion by Rich, seconded by Sanchez, carried 3/1 with Stevenson opposed and Manuel absent, to authorize the Interim County Administrator or his designee, to enter into a contract with K.P. Meiring for a base bid of \$1,119,000 plus Alternate #3 for \$3,600 for a total lump sum contract amount of \$1,122,600 for construction of the new Purchasing Department Building.**

(06/26/07 - 8 - 1:34 p.m.)

5. CONSIDER PROPOSAL FOR ST. JOHNS COUNTY HEALTH CARE

Sanchez reviewed this item regarding the clinic and how it was managed. Sanchez introduced Mr. Reuben Carter. Manuel reiterated Sanchez's remarks.

(1:45 p.m.) Reuben Carter, Hastings, spoke on West Augustine needing urgent health care.

(1:48 p.m.) Thomas Cave III, 115 Chase Street, Hastings, spoke on Hastings being neglected and needing the Hastings clinic.

(1:53 p.m.) Dr. Sam Marathe gave a presentation on the responsibility for healthcare to Medicaid patients and the uninsured/indigent. (2:00 p.m.) Manuel left the meeting.

(2:15 p.m.) David Rice, 148 Bartram Park Drive, spoke on the infant mortality rate.

(2:16 p.m.) Major Highman, Pastor of the Greater Faith Baptist Church, spoke on finding money for needy people in West Augustine.

(2:20 p.m.) Nathaniel Jackson, 135 North Rodriguez, Pastor of New St. James, spoke on wanting the same clinic for West Augustine as was in Hastings. Marathe spoke on opening times of the clinic in Hastings.

(2:24 p.m.) James Tucker, 711 North Main Street, Hastings, spoke on providing service and dollars. Discussion followed.

(2:34 p.m.) Gloria Benischeck, 28 Sea Park Drive, asked what was being paid for today. She said the original intent was working for the poor, and pay per visit was too high.

(2:38 p.m.) Linda Oakley, 701 Pinehurst Place, proposed to form an ad hoc committee.

(2:42 p.m.) Walter Rohrer, 2315 Clubview Court, urged the continuing support of the Hastings clinic operation and the thorough study of the development of a new clinic for West Augustine. He spoke on primary care costs.

(2:46 p.m.) Robert Donahue, 247 Shamrock Road, spoke on how well everything was done at the Hastings Clinic. He suggested to the Board to look into the possibility of a clinic in West Augustine.

(2:50 p.m.) Joyce Dupont, P.O. Box 847, spoke on working hard for the Hastings clinic and would for the one in St. Augustine.

(2:52 p.m.) Reuben Carter, Hastings, spoke in favor of having a clinic in West Augustine, stating that they needed adequate health care.

(2:54 p.m.) Thomas Cave, 115 Chase Street, spoke on needing a clinic in West Augustine.

(2:58 p.m.) Mary Kohnke, 29 South Roscoe Blvd., stated that when she reported to the Board on May 29th, she used county figures, and clarified her figures and statements. Bryant spoke on St. Johns County having the best primary care. Stevenson voiced concern about the accountability and enforceability under a contract. She stated that they needed to have a workshop and have a citizen group be involved in it. Sanchez asked administration to workout whatever it takes, if they do a direct deal with Hastings, and place it on the agenda. He also asked administration to research and come back to the Board, if they recommend an RFP on an additional clinic or if the Board decided to go with what had been presented today, do they have to do an RFP because they are already doing business with Dr. Marathe. He stated he was opposed to putting a group of people together from all over the county, that the primary bulk of a committee should be the people that live in that area. He stated that he was not rushing into anything. Bryant said that health care was a very complex issue. McCormack stated that the County Administrator and his staff understood the issues, what the Board wanted and would bring back some recommendations. Bryant stated

that the State of Florida wanted St. Johns County to apply for the PSN because they were the best. Sanchez closed the subject.

The meeting recessed at 3:21 p.m. and reconvened at 3:31 p.m.

(3:32 p.m.) Subsequently, Vonasek commented on the grant funding for the EOC. He mentioned three projects that had not begun: 1) Cornerstone community center, 2) landfill Soccer fields, and 3) HELO property. Discussion followed. Bryant commented in opposition to cutting funds from the soccer fields to help fund the EOC. Sanchez stated that he was not in favor of going into any of the three projects or the reserves for the money and had no problem with talking about it later on today. Rich mentioned moving this item to the public comment portion and have the County Administrator bring it up then. Strickland left the meeting.

(06/26/07 - 10 - 12:09 p.m.)

6. CONSIDER STATE GRANT FOR NEW EMERGENCY OPERATIONS CENTER

Manuel said no further presentation was required of Ashton. He said he supported the building of the EOC and the grant money being accepted. He said there were multiple ways of getting funds, and there were ample resources to fund the center. He cited the funds earmarked for the Purchasing Building, estimated earnings of approximately \$2 million on the bond proceeds that were sitting in expectation of being used, the Usina boat ramp excess funds, approximately \$300,000 which cost less than was allocated, the \$800,000 for the prison farm which appeared to be on hold at that time and combined there were ample resources to cover the costs of building the center.

(12:12 p.m.) **Motion by Manuel, seconded by Stevenson, to adopt Resolution 2007-186, authorizing the County Administrator to sign the contract with the State of Florida in the amount of \$1,160,400.00 for the State share of the new St. Johns County Emergency Operation Center.** Rich said he could not support the motion. Stevenson said it was a mandated public safety issue, it would be a greater hardship to fund it in the future and she would support it. Sanchez said he could not support it until he knew where the funding would come from.

(12:16 a.m.) Guy Bennett, 1320 Turtle Dunes Court, Ponte Vedra, said they should look at multiple options. He suggested they expand EOC and the Sheriff's administrative offices could be a part of the EOC. He asked them to think about it before they voted no.

Sanchez questioned the time limit. Ashton said the State was waiting on an answer as to whether or not they would accept the grant. They would then be allowed 360 days from the date the State signed the contract for the completion of the grant. Manuel called the vote. (12:12 p.m.) **Motion carried 3/2 with Rich and Sanchez opposing.**

RESOLUTION NO. 2007-186

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH THE STATE OF FLORIDA IN THE AMOUNT OF \$1,160,400 FOR THE CONSTRUCTION OF A NEW ST. JOHNS COUNTY EMERGENCY OPERATIONS CENTER

(06/26/07 - 11 - 3:58 p.m.)

7. PUBLIC HEARING - USP 2007-01 AUSTIN PARK COMPREHENSIVE SIGNAGE PLAN (NOCATEE PUD/DRI) - THE NOCATEE PLANNED UNIT DEVELOPMENT TEXT AND SUBSEQUENT INCREMENTAL MASTER DEVELOPMENT PLANS FOR INDIVIDUAL VILLAGES PROVIDES FOR UNIFIED SIGNAGE PLANS (USP). THE PROPOSED AUSTIN PARK USP IDENTIFIES PROJECT SIGNAGE FOR THE AUSTIN PARK (FKA SANDY RIDGE) NEIGHBORHOOD OF THE NOCATEE DRI/PUD. THE USP CONSISTS OF PROJECT IDENTIFICATION SIGNAGE, PARK AND TRAFFIC SIGNAGE (REFER TO ATTACHED USP TEXT AND GRAPHICS). THE SIGNAGE PLAN ADDRESSES THE FOLLOWING ASPECTS OF SIGN DESIGN: GENERAL LOCATION OF VARIOUS SIGNS; TYPES AND PURPOSE OF SIGNAGE; GENERAL SIGNAGE HEIGHT, DIMENSIONS AND MATERIALS. REFER TO ATTACHED RESIDENTIAL SIGNAGE PROGRAM SUMMARY AND EXHIBITS FOR FULL DESCRIPTION OF LIGHTING DETAILS, ARCHITECTURAL THEMES, HEIGHT AND DIMENSIONS AND MATERIALS

Proof of publication of the notice of public hearing on USP 2007-01, Austin Park, was received, having been published in *The St. Augustine Record* on June 13, 2007.

Jason Cleghorn, Planner III, DRI Coordinator, reviewed this item.

(4:00 p.m.) Motion by Bryant, seconded by Sanchez, carried 4/0 with Manuel absent, to adopt Resolution 2007-187, known as USP 2007-01 Austin Park Comprehensive Signage Plan adopting findings of fact 1 through 4 to support the motion.

RESOLUTION NO. 2007-187

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A UNIFIED SIGNAGE PLAN (USP) TO THE NOCATEE PLANNED UNIT DEVELOPMENT; ORDINANCE NO. 2002-65, AS AMENDED

(06/26/07 - 11 - 4:01 p.m.)

8. PUBLIC HEARING - MAJMOD 2007-02 PARKER CADILLAC AT ST. AUGUSTINE CENTRE PUD/DRI - THIS APPLICATION IS A MAJOR MODIFICATION TO THE ST. AUGUSTINE CENTRE PUD (ORDINANCE 97-23 AS AMENDED). THE REQUEST IS A DESIRE TO ALLOW THE PK REAL ESTATE HOLDINGS/PARKER CADILLAC PARCEL TO BE AFFORDED THE CAPABILITY TO HAVE AN INTERSTATE SIGN TO BE CONSISTENT WITH SECTION 7.02.02. (B)(2) OF THE LAND DEVELOPMENT CODE THAT GOVERNS INTERSTATE SIGNS. AS WITH PREVIOUS APPLICATIONS, THIS APPLICATION SEEKS TO ALLOW THE APPLICANT THE CAPABILITY OF HAVING AN INTERSTATE PYLON SIGN NO MORE THAN 85 FEET IN HEIGHT AND 250 SQUARE FEET IN SIZE. THIS APPLICATION WILL ALLOW THIS BUSINESS TO BE CONSISTENT WITH OTHER NON-PUD INTERSTATE HIGHWAY COMMERCIAL TYPE BUSINESSES THAT ALREADY HAVE PYLON SIGNAGE IN THE IMMEDIATE AREA AND ADDITIONALLY, OTHER BUSINESSES ALREADY LOCATED INSIDE THE ST. AUGUSTINE CENTER PUD ITSELF THAT HAVE BEEN GRANTED INTERSTATE SIGNAGE. THE SECOND PORTION OF THE APPLICATION IS A REQUEST TO MODIFY THE LANDSCAPING PORTION OF SECTION 7 OF THE ST. AUGUSTINE CENTRE PUD TO ALLOW FOR AN UNBROKEN ROW OR PARKING (WITHOUT A TREE ISLAND) MORE THAN 100 FEET IN

LENGTH BUT LESS THAN 120 FEET IN LENGTH FOR THE PARKING ROW IMMEDIATELY FRONTING THE PRIMARY ENTRANCE TO THE PARKER CADILLAC SALES BUILDING. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR MAY 3, 2007 MEETING BY A 4-0 VOTE WITH MRS. GRAYSON MAKING THE MOTION AND CHAIRMAN GREEN SECONDING. HOWEVER THE AGENCY ONLY RECOMMENDED APPROVAL OF THE PORTION OF THE MAJMOD PERTAINING TO THE INTERSTATE PYLON SIGNAGE. THERE WAS DISCUSSION OF THE UNBROKEN PARKING ROW AND A MOTION TO APPROVE BOTH PORTIONS OF THE REQUEST FAILED. A SUBSEQUENT MOTION WAS OFFERED TO ALLOW THE SIGNAGE, BUT TO EXCLUDE THE WAIVER FOR THE UNBROKEN PARKING ROW AND WAS APPROVED

Proof of publication of the notice of public hearing on Major Modification 2007-02, Parker Cadillac, was received, having been published in *The St. Augustine Record* on June 13, 2007.

Jason Cleghorn, Planner III, DRI Coordinator, reviewed this item mentioning the waivers. Stevenson asked if they agreed to comply with the tree issue.

(4:03 p.m.) Doug Burnett, 170 Malaga Street, stated that they were still asking to eliminate the landscape island and stated that they would be willing to add an additional tree.

(4:05 p.m.) BC Parker, 120 Stadium Court, Ponte Vedra Beach, Parker Cadillac, spoke on the reason for eliminating the landscape island.

(4:06 p.m.) Motion by Bryant, seconded by Sanchez, carried 4/0 with Manuel absent, to enact Ordinance 2007-51, known as MAJMOD 2007-02, Parker Cadillac at St. Augustine Centre PUD adopting findings of fact 1 through 6 with the addition of one extra tree being placed, including the waiver.

ORDINANCE NO. 2007-51

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ST. AUGUSTINE CENTRE PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 97-23, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(06/26/07 - 12 - 4:08 p.m.)

9. PUBLIC HEARING - SMALL SCALE COMPREHENSIVE PLAN AMENDMENT CPA (SS) 2006-15 WILLIAM C. KING - THIS IS A REQUEST TO CONSIDER APPLICATION NO. CPA(SS) 2006-15, A PROPOSED SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE FUTURE LAND USE MAP (FLUM) FROM RURAL/SILVICULTURE (R/S) TO RESIDENTIAL - A FOR PROPERTY LOCATED AT 495 ST. MARKS POND BOULEVARD. MR. KING PURCHASED APPROXIMATELY 61 ACRES OF LAND AT VARIOUS TIMES OFF OF ST. MARKS POND BOULEVARD, DESIGNATED AS R/S ON THE FUTURE LAND USE MAP. THE COMPREHENSIVE PLAN PROVIDES FOR A MINIMUM SIZE REQUIREMENT OF 100 ACRES UNLESS THE PROPERTY IS DETERMINED TO BE AN EXEMPT PARCEL (APPROVED EXISTING LOT OF RECORD PRIOR TO SEPTEMBER 14, 1990).

APPROXIMATELY 11 ACRES OF THE 61 ACRES IS AN EXEMPT PARCEL OF LAND. MR. KING HAS SITED HIS FUTURE RESIDENCE OFF OF THE EXEMPT PARCEL. IT IS MY UNDERSTANDING THAT MR. KING'S INTENT IS TO CONSTRUCT ONE SINGLE FAMILY RESIDENCE ON THE ENTIRE 61 ACRES; ALTHOUGH THE PROPOSED AMENDMENT AND OR ZONING WOULD ALLOW FOR THREE UNITS CONSIDERING ONE UNIT MAY BE CONSTRUCTED ON THE EXEMPT PARCEL AND THE RESIDENTIAL - A DESIGNATION WOULD ALLOW FOR ONE UNIT PER ACRE. MR. KING HAS JOINED INTO THE MAINTENANCE AGREEMENT FOR ST. MARKS BOULEVARD TO PROVIDE HIS SHARE OF MAINTENANCE TO THE ROADWAY. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST AT ITS MAY 3 MEETING WITH A 4-0 VOTE (MOTION BY GRAYSON/SECONDED BY LAIDLAW)

Proof of publication of the notice of public hearing on CPA (SS) 2006-15, William King, was received, having been published in *The St. Augustine Record* on June 13, 2007.

Teresa Bishop, AICP, Director Growth Management, reviewed this item speaking on the exempt property.

(4:10 p.m.) Karen Taylor, 3070 Harbor Drive, pointed out that the applicant didn't realize that he had to have 100 acres to be able to build on it and explained what he wanted to do.

(4:14 p.m.) **Motion by Stevenson, seconded by Sanchez, carried 4/0 with Manuel absent, to enact Ordinance 2007-52, known as CPA (SS) 2006-15 William C. King to amend the Future Land Use Map from R/S to Residential - A, adopting findings of fact 1 through 3 to support the motion.**

ORDINANCE NO. 2007-52

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL/SILVICULTURE TO RESIDENTIAL - A, FOR PROPERTY LOCATED AT 495 ST. MARKS, POND BOULEVARD CONTAINING 2.62 ACRES, PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND EFFECTIVE DATE

(4:16 p.m.) Deputy Clerk Lenora Newsome left the meeting and Deputy Clerk Terry Bulla entered the meeting.

(06/26/07 - 13 - 4:16 p.m.)

10. PUBLIC HEARING - REZ 2006-45 SR 16 @ RACETRACK RD. REZONING - THIS IS A REQUEST TO REZONE APPROXIMATELY 2.73 ACRES OF LAND FROM OPEN RURAL(OR) TO COMMERCIAL GENERAL (CG) FOR THE CONSTRUCTION OF 19,250 SQUARE FEET OF GENERAL OFFICE SPACE. THE PROPERTY IS LOCATED ON THE SOUTH SIDE OF SR 16, JUST WEST OF RACE TRACK RD. THE PROPERTY IS CURRENTLY VACANT. THE PARCEL IS LOCATED WITHIN MIXED USE DISTRICT (MD) LAND USE AS DEPICTED ON 2015 FUTURE LAND USE MAP. THE SURROUNDING PROPERTIES ARE ZONED OPEN RURAL (OR), INDUSTRIAL WAREHOUSE (IW) AND COMMERCIAL HIGHWAY AND TOURIST (CHT). THE PLANNING AND

ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR MAY 3 MEETING BY A VOTE OF 4/0 (THREE MEMBERS ABSENT). GRAYSON MOTION/LAIDLAW TO SECOND. DISCUSSION DURING THE HEARING QUESTIONED THE ZONING CATEGORY, SPECIFICALLY THE LIST OF ALLOWABLE USES WITHIN THE CG ZONING CATEGORY.

Proof of publication of the notice of public hearing on REZ 2006-45, SR 16 at Racetrack Road, was received, having been published in The St. Augustine Record on June 13, 2007.

Lindsay Haga, Chief Planner, gave the presentation and reviewed the details of the item.

(4:18 p.m.) Randall Whitfield, 7880 Gate Parkway, Jacksonville, stated he represented the property owner and was available for questions.

(4:18 p.m.) Motion by Stevenson, seconded by Sanchez, carried 4/0 with Manuel absent, to enact Ordinance 2007-53, known as REZ 2006-45 SR 16 @ Racetrack Rd., adopting findings of fact one through four to support the motion.

ORDINANCE NO. 2007- 53

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO COMMERCIAL GENERAL (CG); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(06/26/07 - 14 - 4:19 p.m.)

11. PUBLIC HEARING - MAJMOD 2007-07 PLANTATION AT PONTE VEDRA - THE PROPERTY IS LOCATED WITHIN THE PLANTATION AT PONTE VEDRA PUD, ORIGINALLY APPROVED IN 1984 AND SUBSEQUENTLY AMENDED. THE PUD CONSISTS OF 822 ACRES AND INCLUDES 720 RESIDENTIAL UNITS. THE SITE IS LOCATED IN PONTE VEDRA, EAST OF PALM VALLEY ROAD. THE PROPERTY IS DESIGNATED RESIDENTIAL B - COASTAL WHICH PROVIDES FOR A MAXIMUM DENSITY OF 2 DU/NET ACRE. THE MAJOR MODIFICATION REQUEST SEEKS TO INCREASE THE TOTAL NUMBER OF UNITS FROM 720 TO 729 IN ORDER TO DEVELOP THE UNIT 13 SUB PARCEL. THE PROPOSAL INCLUDES A MASTER DEVELOPMENT PLAN MAP DEPICTING NINE (9) SINGLE FAMILY LOTS APPROXIMATELY ½ ACRE IN SIZE IN ADDITION TO A GOLF AMENITY CENTER LOCATED BEHIND THE PROPOSED SINGLE FAMILY LOTS. THE MODIFICATION INCLUDES INCORPORATION OF CHANGES PREVIOUSLY APPROVED (REDUCTION OF ONE SWIMMING POOL, TRANSFER CONSTRUCTION OF THREE TENNIS COURTS UNTIL 2007 AND ELIMINATE PROVISION FOR BOATING). IN ADDITION, THE MAJOR MODIFICATION REQUEST INCLUDES AN EXTENSION OF THE COMMENCEMENT DATE FOR THE EXPIRED PUD TO YEAR 2008. A FINAL CERTIFICATE OF CONCURRENCY HAS BEEN ISSUED FOR THE NINE SINGLE FAMILY UNITS. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR MAY 3, 2007 MEETING BY A VOTE OF 4/0 (THREE MEMBERS ABSENT). DISCUSSION DURING THE MEETING

QUESTIONED THE INVOLVEMENT OF THE SAWGRASS HOA AND
DISCUSSION OF THE HISTORY OF UNIT CONVERSION

Proof of publication of the notice of public hearing on Major Modification 2007-07, Plantations, was received, having been published in *The St. Augustine Record* on June 13, 2007.

Lindsay Haga gave the presentation and reviewed the application. She said staff found it to meet their Comprehensive Plan and met the applicable sections of the Land Development Code and the Planning and Zoning Agency recommended approval by a vote of 4/0 during their May 3 hearing.

(4:21 p.m.) Karen Taylor, 3070 Harbor Drive, said the Plantation Home Owners Association owned the property. She noted they were all behind it, gave a history of the property and the reason for the request.

(4:23 p.m.) Motion by Stevenson, seconded by Sanchez, carried 4/0 with Manuel absent, to enact Ordinance 2007-54, known as MAJMOD 2007-07 Plantation at Ponte Vedra PUD, adopting findings of fact one through six to support the motion.

ORDINANCE NO. 2007-54

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, APPROVING A MAJOR
MODIFICATION TO THE PLANTATION AT PONTE
VEDRA PLANNED UNIT DEVELOPMENT (PUD)
ORDINANCE NUMBER 84-35, AS AMENDED, MAKING
FINDINGS OF FACT; REQUIRING RECORDATION;
AND PROVIDING FOR AN EFFECTIVE DATE**

(06/26/07 - 15 - 4:24 p.m.)

12. PUBLIC HEARING - PLNAPL 2007-02 TURTLE SHORES - THIS IS AN APPEAL FILED PURSUANT TO SECTION 9.07.03 OF THE LAND DEVELOPMENT CODE REGARDING DECISIONS OF THE PLANNING AND ZONING AGENCY, IN ENFORCING THE CODE. THE APPLICANT SEEKS AN APPEAL OF THE FINAL ORDER OF DENIAL OF MINMOD 2006-16 ISSUED BY THE PZA DURING THE MARCH 1, 2007 PUBLIC HEARING. THE SUBJECT PROPERTY IS LOCATED WITHIN THE TURTLE SHORES PUD, SPECIFICALLY LOT 272. THE MINOR MODIFICATION REQUEST SOUGHT RELAXATION OF THE PUD SETBACK STANDARDS IN ORDER TO REMEDY THE PLACEMENT OF AN EXISTING HVAC UNIT

Proof of publication of the notice of public hearing on PLNAPL 2007-02, Turtle Shores, was received, having been published in *The St. Augustine Record* on June 13, 2007.

Lindsay Haga gave the presentation and reviewed the request. She said staff had no objections for approval of the request or for the appeal. She said the request would not be contrary to the public interest, denial would be contrary to the spirit and purpose of the Land Development Code and that was a general staff recommendation.

(4:29 p.m.) Stevenson asked how many homes were in the section of the PUD that was affected and how many homes were already constructed. Haga said there were 84 homes and all were constructed. She said all of them had the same condition and were held to the same requirement.

(4:30 p.m.) Thomas Ingram, 245 Riverside Ave., Jacksonville, spoke representing Ken and Susan Muller, the applicants. He reviewed the unique circumstances of the application and why moving the system would cause further complications.

(4:34 p.m.) Guy Bennett, 1320 Turtle Dunes Court, Ponte Vedra Beach, gave a PowerPoint presentation (Exhibit A). He spoke in opposition to the appeal and asked that the Planning Appeal be denied.

(4:41 p.m.) William Doyle, 1312 Turtle Dunes Court, Ponte Vedra Beach, spoke in opposition to the appeal (Exhibit C).

The meeting recessed at 4:45 p.m. and resumed at 4:53 p.m.

(4:53 p.m.) Gerald Doyle, 1308 Turtle Dunes Court, Ponte Vedra Beach, said the notice of the meeting, sent to homeowners within 300 feet, was worded incorrectly. He showed pictures of the violation, and spoke in opposition to the appeal.

(4:56 p.m.) Randall Terry, 1340 Turtle Dunes Court, Ponte Vedra Beach, spoke in support of the appeal for the sake of the Mullers and for all the families who lived in Turtle Shores.

(4:59 p.m.) Susan Muller, 1316 Turtle Dunes Court, Ponte Vedra Beach, explained that it was a mistake made by ICI Builders. She said the paperwork accidentally was not filed, but it was intended for their neighborhood. She asked them to grant the appeal. She said it fit well within the spirit of the code.

(5:07 p.m.) Bryant asked Mr. Bennett to return to complete his presentation but to be as brief as possible. Bennett continued his presentation, and asked them to deny the appeal as they were in violation and it needed to be fixed. He said ICI should fix all the problems.

(5:12 p.m.) Stevenson asked Whitehouse whether it had been properly noticed and whether they should be hearing it. Whitehouse responded that he believed that adequate notice had been given.

(5:14 p.m.) Stevenson disclosed ex-parte with Whitehouse regarding this appeal as it was similar to another community where there had been a lot of hostility back and forth. She said ICI could apply to add it to the PUD and asked for clarification. Whitehouse said PZA's ruling, as stated in the order, reflected that the main discussion was that PZA found that it did not meet the requirements for a variance. He said that under their code the applicant had to meet the requirements for a legal variance, and they found that it did not meet those requirements. Stevenson asked if ICI had notice that they were not in compliance and proceeded anyway. Haga said the site plan showed the air conditioning unit to the rear of the home. She said it wasn't until the complaint was issued that ICI was noticed. She said the burden was on the engineer.

(5:21 p.m.) Tom Ingram, said the appeal was for Lot 272 only. He asked them to consider the circumstances for that particular lot. He said the Mullers were trying to do the right thing.

(5:25 p.m.) Motion by Bryant, seconded by Rich, carried 4/0 with Manuel absent, to deny Planning Appeal 2007-02, findings of fact one through three to deny the appeal.

(06/26/07 - 17 - 5:27 p.m.)

13. PUBLIC HEARING - VACROA 06-003 REQUEST TO VACATE A PORTION OF OLD DIXIE HIGHWAY LYING WITHIN PARCEL 22 - APPLICANT REQUESTS TO ABANDON REFERENCED PORTION OF OLD DIXIE HIGHWAY LOCATED WITHIN PARCEL # 074510-0000. AS OPPOSED TO THE USUAL ROAD VACATION PROCESS, WHICH CAN ONLY BE DONE WHEN THE COUNTY CAN DEMONSTRATE CLEAR OWNERSHIP OF THE RIGHT-OF-WAY, THIS IS BEING PROCESSED AS A DETERMINATION OF NO BASIS OF ANY INTEREST ON BEHALF OF ST. JOHNS COUNTY. THERE WERE NO DEPARTMENT OBJECTIONS TO THIS APPLICATION DURING THE APPLICATION REVIEW PROCESS, AND NO ADJACENT PROPERTY OWNERS USE THIS PORTION OF OLD DIXIE HIGHWAY TO ACCESS THEIR PROPERTIES

Proof of publication of the notice of public hearing on VACROA 2006-003, Vacation of Old Dixie Highway, was received, having been published in *The St. Augustine Record* on June 11, 2007.

Press Tompkins, County Engineer, presented the application for the vacation of a portion of Old Dixie Highway. He read the following "The applicant requests to have the County find no basis for claiming an interest in the referenced portion of Old Dixie Highway located within Parcel number 074510-0000. As opposed to the usual road vacation process which only can be done when the County can demonstrate clear ownership of the right-of-way, this is being processed as a determination of no basis of any interest on behalf of St. Johns County." He said there were no department objections to the application during the application review process and no adjacent property owners used that portion of Old Dixie Highway to access their properties. He said the staff had no objection to approval.

(5:28 p.m.) Motion by Stevenson, seconded by Sanchez, carried 4/0 with Manuel absent, to adopt Resolution 2007-188, to have the County find no basis for claiming an interest of a portion of Old Dixie Highway lying within Parcel 22, and adopting the whereas clauses on the attached resolution.

RESOLUTION NO. 2007-188

A RESOLUTION OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS FINDING NO BASIS FOR CLAIMING A COUNTY INTEREST IN THAT PORTION OF OLD DIXIE HIGHWAY DESCRIBED IN SCHEDULE "A" HERETO

(06/26/07 - 17 - 5:32 p.m.)

- 13A. RESOLUTION APPROVING THE TERMS AND AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A TERMINATION OF PURCHASE AND SALE AGREEMENT; MUTUAL RELEASE AND WAIVER BETWEEN BRENNER LAND COMPANY, LLC. AND ST. JOHNS COUNTY FOR PROPERTY FOR THE SHERIFF'S AGRICULTURAL WORK CENTER

Wally Kropacek, Interim County Administrator gave the presentation. He thanked the Brenner Land Company for voluntarily offering to terminate the agreement when they learned of the Sheriff's decision not to locate the prison farm at that site.

(5:34 p.m.) Motion by Rich, seconded by Sanchez, carried 4/0 with Manuel absent, to adopt Resolution No. 2007-189 agreeing to terminate the Purchase and Sale

Agreement authorizing the interim County Administrator to execute the Termination of Purchase and Sale Agreement; Mutual Release and Waiver between Brenner Land Company, LLC and St. Johns County for property needed to construct a prison farm (Sheriff's Agricultural Work Center).

RESOLUTION NO. 2007-189

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE THE TERMINATION OF PURCHASE AND SALE AGREEMENT; MUTUAL RELEASE AND WAIVER BETWEEN BRENNER LAND COMPANY, LLC. AND ST. JOHNS COUNTY FOR PROPERTY TO CONSTRUCT A PRISON FARM (SHERIFF'S AGRICULTURAL WORK CENTER)

(06/26/07 - 18 - 5:35 p.m.)

13B. ISSUE OF FUNDING CONSTRUCTION OF THE NEW EOC

Joe Vonasek, Assistant County Administrator, said they were revisiting the issue of having to fund the construction of the new EOC. He said the sources they had identified as being available for that purpose were located within the 2006 Sales Tax Bond revenues and would require reallocations within that project list. He said there was approximately \$1,450,000 in interest earnings remaining and \$200,000 from the Usina boat ramp property acquisition project which left approximately \$2.35 million required to fund the remainder of the EOC project. He said the options for reallocation of funds included \$800,000 budgeted for the prison farm land and three other projects that had not been started, including the Northwest Community Center, Helo, at \$3.5 million, the Landfill Soccer Field at \$1.5 million and Cornerstone Community Center at \$1.5 million. He said if the \$800,000 was appropriated from the prison farm land that would leave \$1.5 million remaining that would be required. Rich said he wanted to make sure that no contracts had been issued for those projects. Vonasek said that no contract had been issued.

General discussion ensued regarding various funding sources, and whether or not the project should be funded. There was also discussion regarding the State plan for the EOC and the obligation of the County to that plan and whether it was in compliance. Ashton said the grant in question was a one time grant provided by the State to bring the EOC into compliance. Stevenson asked Ashton if it was his understanding that funding had to be decided that day. Ashton said no, but the funding had to be identified before the grant papers could be signed. Vonasek said if the paperwork was executed they would have to fund the item completely to build the EOC. In response to a question from Stevenson, he said if they deferred executing the grant they could also defer finding a funding source.

(6:06 p.m.) Motion by Stevenson, seconded by Sanchez, carried 4/0 with Manuel absent, to defer it until the next meeting.

Vonasek asked the Board to instruct the Interim County Administrator to withhold signing the grant agreement. Rich said that was the desire of the Board.

(06/26/07 - 18 - 6:07 p.m.)

COMMISSIONERS' REPORTS

Commissioner Sanchez:

Sanchez said that anyone claiming to represent an organization at the meeting should have a letter signed stating that they were representing that organization, and should present it prior to the meeting. He said he would like to see that policy implemented.

Commissioner Rich:

Rich said that regarding the Provider Service Network issue he would like Kropacek to add it as an agenda item so that he could provide them with the background of the issue and who was responsible for what. He also asked Commissioners to think about funding to the Health Department and suggested moving \$500,000 from primary care to the State Health Department which would allow them to move \$1 million to matching funds with United Way to fund the 501(c)(3) that were beginning to show up. He said the matching fund issue with United Way would allow the Board to fund them in the amount of \$2 million. He said it would also free up \$1.2 million that would go back to the General Fund to be used as emergency funding. He said it would take them out of the loop on many issues, especially the 501(c)(3), Private Corporation funding, and would provide United Way with the funding. He said he had discussed it with the United Way Director.

Commissioner Bryant:

Bryant said the State had looked at the operations in St. Johns County and was confident that under the scenario of a PSN, they would be returning a substantial amount of money to the State in the neighborhood of \$500,000. He said they knew what the capitated rate would be. He said the State would give the County back half of what was returned. He said Dr. Colavito would make a presentation and explain in more depth what was involved.

(06/26/07 - 19 - 6:13 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Kropacek said the Budget was to be scheduled for July 17. He said the recommended budget would be recommended on July 10. He noted that even though they had met the 2008 budget reductions, staff was working on the 2009 Budget reductions and asked them to share any ideas they might have. He said staff had done a wonderful job with making cuts.

Rich said long term funding for personnel was where the major hit was going to be. He recommended not backfilling any positions from now on.

Stevenson asked if he would frame some of the issues in the Budget Workshop especially the one time cuts that would not ripple through the system. She said some of them would cost them later, like acquiring road right-of-way which would be more expensive later.

(06/26/07 - 19 - 6:17 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack asked for direction regarding the alarm ordinance which had been discussed during the Sheriff's presentation. Rich said it was the Sheriff's Office responsibility to contact him and work out something that was enforceable.

Stevenson said there were some things they could do and the kind of alarm systems that would be responded to. She said she would work with Col. May on that issue if the Board would like her to. Rich repeated that it was the Sheriff's responsibility to put something together and bring it to the Board.

(6:20 p.m.) Motion by Bryant, seconded by Sanchez, 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 6:20 p.m.

REPORTS:

1. St. Johns Board of County Commissioners Check Register, Check Number 403054 through 403276, totaling \$1,499,953.93 (06/05/07)
2. St. Johns Board of County Commissioners Check Register, Check Number 403277 through 403303, totaling \$42,348.09 (06/07/07)
3. St. Johns Board of County Commissioners Check Register, Check Number 403304 through 403645, totaling \$3,521,532.66 (06/12/07)

CORRESPONDENCE:

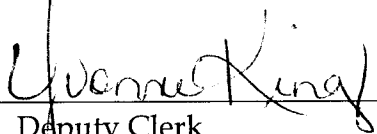
1. Letter dated June 14, 2007 to Liz Cloud, Program Administrator, Bureau of Administrative Code and Weekly, filing St. Johns County Ordinance Number 2007-50

Approved July 24, 2007

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Ben Rich, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

