

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JULY 10, 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
Ron Sanchez, District 2
Waldemar Kropacek, Interim County Administrator
Patrick McCormack, County Attorney
Lenora Newsome, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Courts, and Michael Hunt, Deputy County Attorney

(07/10/07 - 1 - 9:02 a.m.)
CALL TO ORDER

Rich called the meeting to order.

(07/10/07 - 1 - 9:02 a.m.)
ROLL CALL

Rich stated that three commissioners were present; Bryant and Stevenson were absent.

(07/10/07 - 1 - 9:03 a.m.)
Sanchez gave the invocation and Manuel led the Pledge of Allegiance.

(07/10/07 - 1 - 9:03 a.m.)
FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PRESENTATION

This item was postponed until the next meeting.

(07/10/07 - 1 - 9:04 a.m.)
DELETIONS TO CONSENT AGENDA

Kropacek requested to pull Item 6, because it required a super majority vote.

(07/10/07 - 1 - 9:04 a.m.)
APPROVAL OF CONSENT AGENDA

Motion by Sanchez, seconded by Manuel, carried 3/0 with Bryant and Stevenson absent, to approve the consent agenda as amended.

1. Approval of the Cash Requirement Report
2. Minutes:
06/05/07 - BCC Special Meeting
06/12/07 - BCC Regular Meeting

3. Sheriff Office Bonds:
 Approve: Lucien Charles Brian Gleason David Thomas
 Thomas Bickhart Brian Beloit Shawn Emert
 Samantha English Benjamin Jacobs Scott Lennon
 Debra Maynard Henry Miller Dominic Russo
 Mark Samson Margarita Skeen Michael Soles
 Caitlin Stevens Dominic Perseo Mark Snyder

 Cancel: Robert Crosby Deborah Russell William Secure
4. Motion to acknowledge the Tax Collector's report of discounts, errors, double assessments and insolvencies that is due on or before the 60th day after the tax certificate sale
5. Motion to adopt **Resolution No. 2007-190**, approving the terms, conditions, provisions, and requirements of a Non-Exclusive Franchise Agreement for Construction and Demolition Debris between St. Johns County, Florida, and Collier's Waste Containers, Inc.; and authorizing the County Administrator to execute the Non-Exclusive Franchise Agreement for Construction and Demolition Debris on behalf of St. Johns County, Florida

RESOLUTION NO. 2007-190

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A NON-EXCLUSIVE FRANCHISE AGREEMENT FOR CONSTRUCTION AND DEMOLITION DEBRIS BETWEEN ST. JOHNS COUNTY, FLORIDA, AND COLLIER'S WASTE CONTAINERS, INC.; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE CONSTRUCTION AND DEMOLITION FRANCHISE AGREEMENT, ON BEHALF OF ST. JOHNS COUNTY

6. Motion to adopt a resolution approving the terms of, and authorizing the County Administrator to execute, a certain Purchase and Sale Agreement for property needed for the intersection improvements to Dobbs Road and Kings Road

This item was pulled from the agenda.

7. Motion to adopt **Resolution No. 2007-191**, accepting the terms of a Lease from the Town of Hastings to St. Johns County for the St. Johns County Family Integrity Program Community Based Care; and authorizing the County Administrator to execute said Lease

RESOLUTION NO. 2007-191

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING THE TERMS OF A LEASE FROM THE TOWN OF HASTINGS TO ST. JOHNS COUNTY FOR THE ST. JOHNS COUNTY FAMILY INTEGRITY PROGRAM COMMUNITY BASED CARE AND

AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE SAID LEASE

8. Motion to adopt **Resolution No. 2007-192**, authorizing the County Administrator to execute a Lease between St. Johns County and the Council on Aging for property to be purchased at Old Moultrie Road to operate a Public Transportation Operations and Maintenance Facility to be built and interim use of property following the County's purchase

RESOLUTION NO. 2007-192

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A LEASE BETWEEN ST. JOHNS COUNTY AND THE COUNCIL ON AGING FOR PROPERTY TO BE PURCHASED AT OLD MOULTRIE ROAD TO OPERATE A PUBLIC TRANSPORTATION OPERATIONS AND MAINTENANCE FACILITY TO BE BUILT AND INTERIM USE OF PROPERTY FOLLOWING THE COUNTY'S PURCHASE

9. Motion to approve the transfer of \$20,000 from the General Fund Reserves [0083 59920] to Julington Creek Annex Department Equipment [0034-56400], to facilitate completion of installation of the emergency backup generator at the Northwest Annex
10. Motion to adopt **Resolution No. 2007-193, 2007-194, and 2007-195**, approving the terms and conditions of the Contracts between the Board of County Commissioners of St. Johns County, Florida, and the St. Johns County Council on Aging to provide transit services and be reimbursed for those services from JPA FP-418441-1-84-01, JPA FP-217141-2-84-07 and JPA FP-418441-1-84-03; and authorizing the Chairman of the Board of County Commissioners to execute the Contracts on behalf of the County

RESOLUTION NO. 2007-193

A RESOLUTION OF 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 ST. JOHNS COUNTY COUNCIL ON AGING TO PROVIDE TRANSPORTATION SERVICES AND TO BE REIMBURSED FOR THOSE SERVICES FROM FUNDS RECEIVED BY THE COUNTY FROM A FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSIT BLOCK GRANT, IN ACCORDANCE WITH JOINT PARTICIPATION AGREEMENT FP-NUMBER 418441-1-84-01

RESOLUTION NO. 2007-194

A RESOLUTION OF 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 ST. JOHNS COUNTY COUNCIL ON AGING TO PROVIDE TRANSPORTATION SERVICES AND TO BE REIMBURSED FOR THOSE SERVICES FROM FUNDS RECEIVED BY THE COUNTY FROM A FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSIT BLOCK GRANT, IN ACCORDANCE WITH JOINT PARTICIPATION AGREEMENT FP-NUMBER 217141-2-84-07

RESOLUTION NO. 2007-195

A RESOLUTION OF 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 ST. JOHNS COUNTY COUNCIL ON AGING TO PROVIDE TRANSPORTATION SERVICES AND TO BE REIMBURSED FOR THOSE SERVICES FROM FUNDS RECEIVED BY THE COUNTY FROM A FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSIT BLOCK GRANT, IN ACCORDANCE WITH JOINT PARTICIPATION AGREEMENT FP-NUMBER 418441-1-84-03

11. Motion to adopt **Resolution No. 2007-196**, approving the attachment of FTA grants FL-03-0308, FL-90-X603, and FL-04-0019 as exhibits to the April 1, 2005 subagreement with the St. Johns County Council on Aging

RESOLUTION NO. 2007-196

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE ATTACHMENT OF FEDERAL TRANSIT ADMINISTRATION GRANTS FL-03-0308, FL-90-X603 AND FL-04-0019 AS EXHIBITS TO THE APRIL 1, 2005 SUBAGREEMENT WITH THE ST. JOHNS COUNTY COUNCIL ON AGING TO PROVIDE TRANSPORTATION SERVICES FOR ST. JOHNS COUNTY

12. Motion to adopt **Resolution No. 2007-197**, amending the budget to accommodate the transfer of funds in the amount of \$240,610, from the General Fund for the purchase of property and then reimbursing the General Fund using Florida Department of Transportation Public Transit Block Grant funds in the amount of \$240,610

RESOLUTION NO. 2007-197

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE BUDGET TO ACCOMMODATE THE TRANSFER OF FUNDS IN THE AMOUNT OF \$240,610 FROM THE GENERAL FUND TO BE USED TO

**PURCHASE PROPERTY AND THEN REIMBURSING
THE GENERAL FUND USING FLORIDA DEPARTMENT
OF TRANSPORTATION PUBLIC TRANSIT BLOCK
GRANT FUNDS IN THE AMOUNT OF \$240,610**

13. Motion to approve position changes not included in the Board of County Commissioners' FY 07 Adopted County Budget
14. Motion to authorize the Interim County Administrator, or his designee, to execute a lease agreement with Modular Space Corporation for a period of 24 months for lease of modular temporary office space

(07/10/07 - 5 - 9:05 a.m.)
PUBLIC COMMENT

There was no public comment.

(07/10/07 - 5 - 9:05 a.m.)
ADDITIONS/DELETIONS TO REGULAR AGENDA

Sanchez requested to add the discussion of the operations of the amphitheater as Item 18a. Kropacek requested to pull Item 15 and move Item 18 to Item 1 and move Item 1 to Item 1a. McCormack requested to add the item Amendment to the Temporary Easement to the Florida Inland Navigational District as Item 1b and add the item a proposed resolution regarding the Mariposa DRI as Item 1c.

(07/10/07 - 5 - 9:08 a.m.)
APPROVAL OF REGULAR AGENDA

Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to approve the regular agenda as amended.

(07/10/07 - 5 - 9:08 a.m.)
1. FUNDING OF NEW EOC PROJECT (*Formerly Item 18*)

Kropacek reviewed this item, stating that the funding was pretty well intact as presented. He stated that the funding would not jeopardize any of the other projects and all the other projects on the bottom of the list would go forward as proposed. Rich asked that the motion include that it be in accordance with the alternative funding plan copy that was submitted. (9:10 a.m.) **Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to adopt the funding of the alternative funding sources for the new EOC.**

(07/10/07 - 5 - 9:13 a.m.)
1a. PRESENTATION OF FISCAL YEAR 2008 RECOMMENDED BUDGET (*Formerly Item 1*)

Doug Timms, Director of Management and Budget, stated that Florida Statutes required that a tentative balanced budget be submitted to the Board of County Commissioners within fifteen days of certification of taxable value by the property appraiser, in which it was. He reviewed the 2008 Budget highlights. He spoke on CRAs, employee health costs, and stated that the Board's recommended budget workshop would be next Tuesday in the auditorium. Discussion followed. Sanchez mentioned looking into the recycling program.

(07/10/07 - 6 - 9:47 a.m.)

1b. AMENDMENT TO TEMPORARY CONSTRUCTION EASEMENT - FLORIDA INLAND NAVIGATION DISTRICT

Patrick McCormack, County Attorney, reviewed this item, stating that this was just a formality to ratify an amendment to the temporary construction easement.

(9:50 a.m.) Les Wood, 249 Marius Court, mentioned that he appreciated the Board doing the temporary construction easement.

(9:53 a.m.) **Motion by Sanchez, seconded by Manuel, carried 3/0 with Bryant and Stevenson absent, to ratify and approve the June 29, 2007, executed Amendment to Temporary Construction Easement between St. Johns County and Florida Inland Navigation District, and that said Amendment to Temporary Construction Easement shall be recorded in the public records of St. Johns County.**

(07/10/07 - 6 - 9:54 a.m.)

1c. A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, INITIATING CONFLICT RESOLUTION PROCEDURES PROVIDED BY THE FLORIDA GOVERNMENTAL CONFLICT RESOLUTION ACT, PERTAINING TO A CONFLICT WITH PUTNAM COUNTY, FLORIDA

Patrick McCormack, County Attorney, reviewed this item, explaining what the resolution contained. He mentioned that if the Board adopted this resolution, one requirement would be to identify a suggested first meeting time for the two county administrators to meet. Discussion followed. (10:07 a.m.) **Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to adopt Resolution No. 2007-198, to authorize the County Attorney to act in the best interest of the citizens of St. Johns County and implement, as he sees fit, the statutory authorities as contained in Florida Chapter 164 and Florida Chapter 380 and the underlined Statute 163.** (10:08 a.m.) *It was the consensus of the Board for the County Attorney to attempt to arrange a meeting with his counter part in Putnam County by July 18, or other date as mutually agreeable.*

RESOLUTION NO. 2007-198

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, INITIATING CONFLICT RESOLUTION PROCEDURES PROVIDED BY THE FLORIDA GOVERNMENTAL CONFLICT RESOLUTION ACT, PERTAINING TO A CONFLICT WITH PUTNAM COUNTY, FLORIDA

(07/10/07 - 6 - 10:08 a.m.)

2. CONSIDER NATIONAL SCENIC BYWAY (NSB) GRANT AWARD AND FDOT LOCAL AGENCY PROGRAM AGREEMENT (LAPA) FOR WILLIAM BARTRAM SCENIC & HISTORIC HIGHWAY

Vickie Renna reviewed this item, stating that the funding was for a Master Plan. She also reviewed Item 3 at this time. (10:13 a.m.) **Motion by Rich, seconded by Manuel, carried 3/0 with Bryant and Stevenson absent, to adopt Resolution No. 2007-199, recognizing unanticipated revenue in the amount of \$600,000.** (10:14 a.m.) **Motion by Rich, seconded by Manuel, carried 3/0 with Bryant and Stevenson absent, to adopt Resolution No. 2007-200, to authorize the County Administrator to execute the FDOT**

Local Agency Program Agreement (LAPA) for William Bartram Scenic & Historic Highway.

RESOLUTION NO. 2007-199

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2007 GENERAL FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY PLANNING DIVISION

RESOLUTION NO. 2007-200

A RESOLUTION BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF A LOCAL AGENCY PROGRAM AGREEMENT AND PROVIDING WHEN THIS RESOLUTION WILL TAKE EFFECT

(07/10/07 - 7 - 10:15 a.m.)

3. CONSIDER NATIONAL SCENIC BYWAY (NSB) GRANT AWARD AND FDOT LOCAL AGENCY PROGRAM AGREEMENT (LAPA) FOR SCENIC & HISTORIC A1A - 5 YEAR CORRIDOR MANAGEMENT PLAN UPDATE

(10:15 a.m.) Motion by Sanchez, seconded by Manuel, carried 3/0 with Bryant and Stevenson absent, to adopt Resolution No. 2007-201, recognizing unanticipated revenue in the amount of \$20,000. (10:16 a.m.) Motion by Sanchez, seconded by Manuel, carried 3/0 with Bryant and Stevenson absent, to adopt Resolution No. 2007-202, to authorize the County Administrator to execute the FDOT Local Agency Program Agreement (LAPA) for Scenic & Historic A1A.

RESOLUTION NO. 2007-201

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2007 GENERAL FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY PLANNING DIVISION

RESOLUTION NO. 2007-202

A RESOLUTION BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF A LOCAL AGENCY PROGRAM AGREEMENT AND PROVIDING WHEN THIS RESOLUTION WILL TAKE EFFECT

(07/10/07 - 7 - 10:16 a.m.)

4. CONSIDER MOTION TO ADOPT A RESOLUTION AMENDING AND RESTATING RESOLUTION NUMBER 2006-60 OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SPECIFICALLY REVISING SECTION 3B, RETURNING THE COMPOSITION OF THE HEALTH

AND HUMAN SERVICES ADVISORY COUNCIL TO A NINE-MEMBER COUNCIL

Melissa Lundquist, Administrative Coordinator, stated that this item was to revise the composition of the Health and Human Services Advisory Council. (10:17 a.m.) **Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to adopt Resolution No. 2007-203, amending and restating Resolution Number 2006-60 of the Board of County Commissioners of St. Johns County, Florida, specifically revising Section 3B, returning the composition of the Health and Human Services Advisory Council to a nine-member council.**

RESOLUTION NO. 2007-203

A RESOLUTION AMENDING AND RESTATING RESOLUTION NUMBER 2006-60 OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SPECIFICALLY REVISING SECTION 3B, RETURNING THE COMPOSITION OF THE HEALTH AND HUMAN SERVICES ADVISORY COUNCIL BACK TO A NINE-MEMBER COUNCIL

(07/10/07 - 8 - 10:18 a.m.)

5. **CONSIDER APPOINTMENTS TO THE HEALTH & HUMAN SERVICES ADVISORY COUNCIL**

Melissa Lundquist, Administrative Coordinator, reviewed this item. (10:18 a.m.) **Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to reappoint Lynn E. Brueske-Walton to the Health and Human Services Advisory Council for a full four-year term, scheduled to expire January 28, 2011.**

(10:19 a.m.) **Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to appoint Thomas L. Myrick to the Health and Human Services Advisory Council for a partial term, scheduled to expire August 11, 2010.**

(07/10/07 - 8 - 10:19 a.m.)

6. **CONSIDER APPOINTMENT TO THE ADJUSTMENT & APPEALS BOARD**

Melissa Lundquist, Administrative Coordinator, reviewed this item. (10:20 a.m.) **Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to appoint Ted Meade to the Adjustment and Appeals Board as a regular member for a full four-year term, scheduled to expire July 10, 2011.**

(07/10/07 - 8 - 10:20 a.m.)

7. **CONSIDER APPOINTMENT TO THE INDUSTRIAL DEVELOPMENT AUTHORITY**

Melissa Lundquist, Administrative Coordinator, reviewed this item. (10:21 a.m.) **Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to reappoint William A. Brown to the Industrial Development Authority for a full four-year term, scheduled to expire February 25, 2011.**

(07/10/07 - 8 - 10:21 a.m.)

8. **CONSIDER APPOINTMENTS TO THE LAND ACQUISITION & MANAGEMENT PROGRAM (LAMP) CONSERVATION BOARD**

Melissa Lundquist, Administrative Coordinator, reviewed this item. (10:22 a.m.) **Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to reappoint Lee Gerald to the LAMP Conservation Board for a full four-year term, scheduled to expire May 13, 2011. Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to reappoint Mark Middlebrook to the LAMP Conservation Board for a full four-year term, scheduled to expire July 17, 2011. Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to appoint Sarah Owen to the LAMP Conservation Board for a full four-year term, scheduled to expire July 10, 2011. Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to appoint Nicholas McAuliffe to the LAMP Conservation Board for a full four-year term, scheduled to expire July 10, 2011.**

The meeting recessed at 10:24 a.m. and reconvened at 10:35 a.m.

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

9. CONSIDER APPOINTMENTS TO THE PLANNING & ZONING AGENCY

Melissa Lundquist, Administrative Coordinator, reviewed this agenda item, stating that there were three vacancies due to resignations. (10:38 a.m.) **Motion by Rich, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to appoint Kimberly Oglesby, for a partial term, scheduled to expire December 1, 2009. (10:40 a.m.) Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to appoint Dick Williams, to the Planning & Zoning Agency for a partial term, scheduled to expire December 1, 2008. Motion by Sanchez, seconded by Manuel, carried 3/0 with Bryant and Stevenson absent, to appoint Hiram Hanson to the Planning & Zoning Agency for a partial term, scheduled to expire March 2, 2008**

(07/10/07 - 9 - 1:30 p.m.)

10. PRESENTATION ON CHARTER FORM OF GOVERNMENT IN FLORIDA COUNTIES

The presentation was given by Ginger Delegal, General Counsel to the Florida Association of Counties, who gave an introduction to the Florida Association of Counties, and said she was there for informational and not advocacy purposes. She gave a PowerPoint presentation explaining what constituted a county, what functions they performed, expanded functions commonly performed and other county officers, including the Property Appraiser, Tax Collector, Clerk of Court, Sheriff and Supervisor of Elections, all of whom were independently elected. She reviewed the authority held by the county. She then discussed Charter Government and explained that a charter was a mini-constitution and explained that it was the transfer of certain state powers to local entities in matters of local concern but without complete autonomy. She reviewed the diversity of the 67 existing counties in Florida, which included 19 charter counties. She noted that a charter county had the power to chose those elements of government which best fit what was going on in that community. She compared the constitutional powers and authority of charter versus non-charter counties, and noted that most charter counties were located in high growth and high density parts of the state.

She reviewed the county authority as opposed to home rule authority. She explained that counties functioned under the Florida Constitution, Florida statutes, special legislative acts, Florida Administrative Code, Florida case law, county charters, and county ordinances and resolutions. She noted that in 1968 the Home Rule Authority was established by a Florida constitutional revision, through Article VIII, section 1, for charter counties, which gave the powers of choosing their form of government, to tax in unincorporated areas, to alter functions of county officers and to have countywide authority. She noted that special acts must be approved by the electors to have a limiting effect and citizen involvement could be increased.

(1:59 p.m.) Manuel asked if a charter could be more restrictive than the State constitution in regard to campaign reform limitations. Delegal said it would have to be determined whether it conflicted with general law. She noted that some counties did have campaign finance regulation and suggested they contact some of those counties.

(2:07 p.m.) Walter Rohrer, 2315 Club View Ct., Ponte Vedra, said he had petitioned all 67 counties, and asked what their countywide millage rate was, what their general fund level was for 2007 and their total budget level for 2007. He said that the 19 counties polled represented 95 percent of the state's population, and proved that the charter counties were less expensive than non-charter counties and provided statistics. Delegal said the University of West Florida had done a survey that was available on their web site for Escambia County. She said taxes were not higher for charter counties as opposed to non-charter counties, but cautioned that comparing counties could be very difficult because the counties could be so very different.

(2:12 p.m.) Ellen Whitmer, 1178 Natures Hammock Rd. S., Fruit Cove, said she supported the charter movement. She asked whether an annexation attempt by Duval County, as a charter county, was possible. Delegal said county boundaries were determined by the State Legislature, and an entire process would have to take place at the State level in order to create a new boundary or a new county.

(2:18 p.m.) Motion by Manuel, seconded by Rich, carried 3/0 with Stevenson and Bryant absent, to provide the presentation for publication on GTV.

(2:18 p.m.) Sanchez asked McCormack, regarding the Amphitheatre contracts, if the Board could agree by consensus that the County Attorney could work with the Administrator to set up a system for approval of contracts by the Administrator to be approved by the Board on the consent agenda.

(2:19 p.m.) McCormack said the Board could not delegate governmental responsibility or authority in the context of contracts, leases or agreements. He said they could, in effect, make something administrative or administrative by having a standard form. He said they would have to look at that in the context of the Amphitheatre and entertainment contracts because in reality, time was of the essence and they needed to find a lawful formula that would work in the quick moving environment.

(07/10/07 - 10 - 10:42 a.m.)

11. PUBIC HEARING - VACPLA 06-0004 DANCY TRACT PLAT VACATION - THE APPLICANT, ST. AUGUSTINE CEMETERY ASSOCIATION WISHES TO VACATE A PORTION OF AN OLD PLAT IN ORDER TO PROVIDE A SINGLE, CONTIGUOUS PROPERTY FOR THE CEMETERY. THIS REQUEST WOULD ELIMINATE LOTS AND ROADS AND ALLOW THE CEMETERY ASSOCIATION MORE FLEXIBILITY FOR FUTURE EXPANSION. AN EASEMENT NECESSARY FOR MAINTENANCE OF A DRAINAGE SYSTEM TO PREVENT FLOODING HAS BEEN EXECUTED WITH ST. JOHNS COUNTY. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL BY A VOTE OF 5/0 AT THEIR JUNE 7, 2007 MEETING

Proof of publication of the notice of public hearing regarding VACPLA 06-0004, Dancy Tract Plat Vacation, was received, having been published in *The St. Augustine Record* on May 26 and June 2, 2007.

Kropacek requested this agenda item be continued to July 24, 2007. (10:42 a.m.) **Motion by Manuel, seconded by Rich, carried 3/0 with Bryant and Stevenson absent, to continue this item until July 24, 2007.**

(07/10/07 - 11 - 10:51 a.m.)

11a. AMPHITHEATRE (*Formerly Item 18a*)

Sanchez reviewed this item. *Motion by Sanchez, seconded by Manuel, to allow the Administrator to sign the contracts for the amphitheatre.* McCormack stated that delegation to the County Administrator worked pertaining to minor changes, but you needed to be careful if there were a lot of variables in the contracts. Hunt spoke on having contracts for all type of situations. (10:47 a.m.) *It was a consensus of the Board to allow the attorneys to continue to develop, basically, a template contract and then bring it back to the Board, in the form of a consent item, after the approval and clearing of it with Commissioner Sanchez.* (10:48 a.m.) *Sanchez withdrew the motion and Manuel withdrew the second.* Discussion followed on the template contract.

(07/10/07 - 11 - 10:51 a.m.)

12. PUBIC HEARING - SS CPA - 2006-18, BIG DAD'S RV & BOAT STORAGE - APPLICATION NO. SS CPA 2006-18, BIG DAD'S RV & BOAT STORAGE IS A PROPOSED SMALL SCALE (SS) COMPREHENSIVE PLAN AMENDMENT (CPA) TO CHANGE THE 2015 COMPREHENSIVE PLAN FROM RESIDENTIAL B TO COMMUNITY COMMERCIAL ON A TOTAL OF 3.15 ACRES OF LAND, LOCATED ADJACENT TO THE ST. JOHNS SOUTHEAST COUNTY LIBRARY, APPROXIMATELY 1,000 FEET FROM THE SR 206 AND US-1 INTERSECTION. SMALL SCALE AMENDMENTS, ARE EXEMPT FROM THE TWICE A YEAR AMENDMENT CYCLE. AT ITS MEETING ON MAY 17, 2007, THE PZA HAD A TIE VOTE (2/2) RECOMMENDATION TO THE BCC FOR THIS PROPOSED SMALL SCALE LAND USE AMENDMENT TO CHANGE THE 2015 FUTURE LAND USE MAP FROM RESIDENTIAL B TO COMMUNITY COMMERCIAL

Proof of publication of the notice of public hearing regarding Application No. SS CPA 2006-18, Big Dad's RV & Boat Storage, was received, having been published in *The St. Augustine Record* on June 25, 2007.

Vickie Renna, Principal Planner, reviewed this item, stating that denial was recommended on this small scale amendment.

Michael Blackford, Planner II, reviewed Item 13, stating that it was a rezoning to Commercial General and that it required a special use.

(10:57 a.m.) Hunt Bowman, 6784 A Avenue, the applicant, spoke on what he wanted to do with this property. He reviewed the letters of approval.

(11:04 a.m.) Bruce Fletcher, 50 North Laura Street, Jacksonville, represented the applicant, spoke on the property being consistent with everything.

(11:08 a.m.) John Wood, 1 Avista Circle, asked what the required setback was for this property on the property line, with Blackford replying that it depended on the adjacent uses. Wood voiced his biggest concern. Discussion followed.

(11:15 a.m.) Fletcher stated that the applicant would have to come through with a special use permit, which had been submitted. James Whitehouse, Assistant County Attorney, suggested checking with staff to make sure proper notice was received by the residents behind the property, and spoke on the applicant coming for a special use. Rich spoke on comments by staff.

(11:19 a.m.) **Motion by Manuel, seconded by Rich, carried 3/0 with Bryant and Stevenson absent, to deny Application No. CPA-2006-18, finding that the proposed project is not in compliance with the Land Development Code, specifically A.1.3.12 and A.1.3.12.1.**

(07/10/07 - 12 - 11:20 a.m.)

13. PUBIC HEARING - REZ 2006-40, BIG DAD'S BOAT AND RV STORAGE - THIS IS A REQUEST TO REZONE APPROXIMATELY 3.15 ACRES OF LAND FROM OPEN RURAL (OR) TO COMMERCIAL GENERAL (CG) FOR THE CONSTRUCTION OF A BOAT AND RV STORAGE. BOAT AND RV STORAGE IS ALLOWED BY SPECIAL USE WITHIN CG ZONING. THE PROPERTY IS LOCATED ON THE EAST SIDE OF US 1 S, APPROXIMATELY ¼ MILE NORTH OF SR 206. THE PROPERTY IS CURRENTLY VACANT. THE PARCEL IS CURRENTLY LOCATED WITHIN RESIDENTIAL-B LAND USE, AS DEPICTED ON THE 2015 FUTURE LAND USE MAP, A SMALL SCALE LAND USE AMENDMENT IS CURRENTLY BEING CONSIDERED TO CHANGE THE LAND USE TO COMMUNITY COMMERCIAL. THE SURROUNDING PROPERTIES ARE ZONED OPEN RURAL (OR), PUBLIC SERVICE (PS), RESIDENTIAL SINGLE-FAMILY (RS-3), AND PLANNED UNIT DEVELOPMENT (PUD). CENTRAL WATER AND SEWER WILL BE PROVIDED BY ST. JOHNS COUNTY UTILITIES. THE PLANNING AND ZONING AGENCY RECOMMENDED DENIAL OF THIS REZONING REQUEST AT THEIR MAY 17 MEETING, BY A VOTE OF 2/2. THE ORIGINAL MOTION TO APPROVE (LAIDLAW/GREEN) FAILED BY A VOTE OF 2/2 A SECOND MOTION TO DENY (WHEELER/WILES) ALSO FAILED BY A VOTE OF 2/2. AS A RESULT THE ITEM WAS RECOMMENDED FOR DENIAL

Proof of publication of the notice of public hearing regarding REZ 2006-40, Big Dad's Boat and RV Storage, was received, having been published in *The St. Augustine Record* on June 25, 2007.

(11:20 a.m.) **Motion by Rich, seconded by Manuel, carried 3/0 with Bryant and Stevenson absent, to deny rezoning application REZ 2006-40, Big Dad's Boat and RV Storage, adopting findings of fact as expressed by Commissioner Manuel in Item 12.**

(07/10/07 - 12 - 11:21 a.m.)

14. PUBIC HEARING - REZ 2007-07 MEYERS RV CENTER - THIS IS A REQUEST TO REZONE APPROXIMATELY 9.85 ACRES OF LAND FROM OPEN RURAL (OR) AND COMMERCIAL HIGHWAY TOURIST (CHT) TO COMMERCIAL INTENSIVE (CI) FOR THE CONSTRUCTION OF A CONSTRUCTION EQUIPMENT RENTAL FACILITY. THE PROPERTY IS LOCATED ON THE NORTH SIDE OF SR 16, APPROXIMATELY 1 MILE EAST OF I-95. THE PROPERTY IS CURRENTLY OCCUPIED BY AN RV SALES CENTER AND RV PARK. THE PARCEL IS LOCATED WITHIN MIXED USE LAND USE, AS DEPICTED ON THE 2015 FUTURE LAND USE MAP. THE SURROUNDING PROPERTIES ARE ZONED OPEN RURAL (OR), COMMERCIAL HIGHWAY TOURIST (CHT), COMMERCIAL INTENSIVE (CI), AND INDUSTRIAL WAREHOUSE (IW). CENTRAL WATER AND SEWER WILL BE PROVIDED BY ST. JOHNS COUNTY UTILITIES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR JUNE 7, 2007 MEETING BY A VOTE OF 5/0

Proof of publication of the notice of public hearing regarding REZ 2007-07, Meyers RV Center, was received, having been published in *The St. Augustine Record* on June 25, 2007.

Michael Blackford, Planner, reviewed this item.

(11:22 a.m.) Karen Taylor, representative for the applicant, 3070 Harbor Drive, stated that she would be happy to answer any questions. (11:23 a.m.) **Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to enact Ordinance No. 2007-55, known as REZ 2007-07, findings of fact 1 through 4 to support the motion.**

ORDINANCE NO. 2007-55

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) AND COMMERCIAL HIGHWAY TOURIST (CHT) TO COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(07/10/07 - 13 - 9:05 a.m.)

15. PUBLIC HEARING - REZ 2007-24 ANASTASIA WWTP - THIS IS A REQUEST TO REZONE 18 ACRES FROM OR TO PS. THE EXISTING ZONING ON THE SITE IS OPEN RURAL (OR) AND IS SURROUNDED BY THE FOLLOWING ZONING CATEGORIES: OPEN RURAL (OR) TO THE EAST, OPEN RURAL (OR) AND PLANNED UNIT DEVELOPMENT (PUD) WITH SINGLE-FAMILY HOMES TO THE SOUTH, PLANNED SPECIAL DEVELOPMENT (PSD) WITH COMMERCIAL USES TO THE NORTH, AND PLANNED UNIT DEVELOPMENT (PUD) WITH SINGLE-FAMILY HOMES, RESIDENTIAL GENERAL OFFICE (RGO, CITY OF ST. AUGUSTINE ZONING) TO THE WEST. THE FUTURE LAND USE ON THE SITE IS PUBLIC AND IS SURROUNDED BY THE FOLLOWING LAND USE CATEGORIES: RESIDENTIAL D (COASTAL) TO THE NORTH, RESIDENTIAL C (COASTAL) TO THE EAST AND SOUTH, AND RESIDENTIAL B (COASTAL) AND RESIDENTIAL, MEDIUM DENSITY (CITY OF ST. AUGUSTINE LAND USE) TO THE WEST. THE PZA WILL HEAR THIS ITEM ON JULY 5TH AND THEIR RECOMMENDATION WILL BE PROVIDED AT THE TIME OF HEARING

This item was pulled from the agenda.

The meeting recessed at 11:24 a.m. and resumed at 1:30 p.m. with Rich, Sanchez, Manuel, McCormack, Kropacek, Vonasek and Terry Bulla, Deputy Clerk present.

(07/10/07 - 13 - 2:21 p.m.)

16. PUBLIC HEARING - MAJMOD 2006-34 WAL-MART STORES PUD - THE MAJOR MODIFICATION REQUEST PROPOSES TO INCREASE THE BUILDING HEIGHT FROM TWENTY-SIX (26) FEET TO THIRTY (30) FEET, MODIFY THE FRONT FAÇADE INCORPORATING VARIOUS PARAPET HEIGHTS AND INCREASING THE TOTAL AMOUNT OF SIGNAGE FOR THE BUILDING AS SHOWN IN THE ATTACHED UNIFIED SIGN PLAN FOR THE BUILDING. THE SITE WAS ZONED PLANNED UNIT DEVELOPMENT FROM COMMERCIAL GENERAL IN 2000. A SUBSEQUENT MAJOR MODIFICATION, APPROVED BY ORDINANCE 2002-73, EXPANDED UPON THE USES AND SITE PLAN FOR THE WAL-MART PUD. THE SITE IS LOCATED ALONG US 1 SOUTH, BETWEEN US 1 AND OLD MOULTRIE ROAD. THE SITE IS DESIGNATED MIXED USE ON THE FUTURE LAND USE

MAP. ADJACENT ZONING DESIGNATIONS INCLUDE COMMERCIAL INTENSIVE, PSD, AND COMMERCIAL GENERAL. THE REDESIGN OF THE FRONT FAÇADE INCLUDES A WAIVER REQUEST TO THE LAND DEVELOPMENT CODE TO EXCEED THE SIGNAGE REQUIREMENT FOR A SINGLE BUILDING AND A SINGLE SIGN. THE APPLICATION INCLUDES A UNIFIED SIGN PLAN TO ILLUSTRATE THE PROPOSED SIGNAGE FOR THE WAL-MART SUPERCENTER. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR JUNE 7, 2007 MEETING

Proof of publication for the notice of public hearing regarding MAJMOD 2006-34 Wal-Mart Stores PUD, was received, having been published in *The St. Augustine Record* on June 26, 2007.

Teresa Bishop, Growth Management Services, gave the presentation. She explained that the request was to increase the height from 26 feet to 30 feet and to modify the front façade of the building so that the existing signage could be increased. She said the existing signage criteria would not actually fit the building. She said the façade of the building was changing and they were requesting less signage than was on the building originally.

(2:23 p.m.) Stephanie Groves, 1669 SE Pomeroy St., Stuart, FL, of Creech Engineers and Eric Lofts, 21620 W. 100th St., Lenexa, Kansas, of BRR Architecture, were present for the applicant. Lofts said the purpose of the project was to make the building more attractive, and they wanted to break up the façade with varying heights to make it more visibly interesting. He said the square footage of the signage would be reduced, but the signage would provide greater direction to the customer. Groves stated the new signage was being moved around to make it fit in with the new facade. She noted the building was set back so far from the road that it would not make a visible difference from the street.

(2:27 p.m.) Motion by Sanchez, seconded by Manuel, carried 3/0 with Bryant and Stevenson absent, to enact Ordinance No. 2007- 56, known as MAJMOD 2006-34 Wal-Mart Stores PUD, adopting findings of fact one through six to support the motion.

ORDINANCE NO. 2007- 56

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE WAL-MART STORES PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 2000-17, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

The meeting recessed at 2:28 p.m. and reconvened at 2:41 p.m.

(07/10/07 - 14 - 2:41 p.m.)

17. GENERAL DISCUSSION ON CONCURRENCY

Manuel said he would like to have a general discussion on concurrency, what it meant and how it affected transportation and schools in St. Johns County. He said they wanted to come into an understanding of the state mandates and whether their hands were tied or not. He said they dealt with segment concurrency/analysis, and they had been moving from that to a sector concurrency concept. Additionally, he said he

wanted to share discussions he had been having with Bishop, Locklear and Hartmann concerning transportation in the county so they would have an update on the issues he believed they needed to move forward on to manage growth. Manuel asked McCormack to discuss statutory authority as it pertained to transportation concurrency, and what Senate Bill 360 mandated.

(2:46 p.m.) McCormack said they were required to have a concurrency program and St. Johns County was ahead of the other counties, as they had a concurrency management system in place prior to the requirement in 2005. He said, on the local level, the county could determine the level of service for any individual segment of roadway, and concurrency meant whether it exceeded capacity. He said there were seven concurrency factors and the transportation factor was the one that was often most difficult to meet. He deferred to Bishop and Hartmann for their input. Manuel asked what it meant that "we set the level of service."

Bishop said that concurrency went into affect in 1991 in St. Johns County and was part of the 1985 Growth Management Law, and they lived under that until SB360 of 2005 which modified the concurrency system to allow for proportionate share. She said that levels of service could be determined for county roads with the seven components of concurrency: transportation, solid waste, landfill capacity, mass transit, recreation, water, sewer and drainage. She clarified that the school component was not in effect yet but would be adopted in August of 2008. She said the level of service with those factors was set by the county where they had the jurisdiction to do so. She said variances could be requested for segments of roadway over which they had no authority. She said the Board set the level of service in its Comprehensive Plan for the authorized areas. Hartmann clarified that was with the exception of the Strategic Intermodal System.

Manuel said there were roads that would be forever limited, and he had no problem with a segment failure. He said they had been discussing transportation maps by sector, rather than by segment. He stated he hoped they would evolve a quadrant by quadrant transportation map to be used to guide future development, as it was the best way to turn down development at the Comp Plan Amendment level. He said he would like to see those maps adopted into the Future Land Use Map (FLUM) and the Comp Plan. He said it would give them a management tool to hold against development. He said the key control was to put the sector transportation maps together coupled with a Capital Improvement Plan (CIP), Capital Improvement Schedule (CIS) and Capital Improvement Element (CIE) and of those the CIE was the most important as it was the test for economic feasibility, and they were compelled to build it once it was approved. Bishop said the CIE had other aspects attached to it. She said the projects on the CIS were the ones they had to fund.

(2:57 p.m.) Rich asked if staff could develop a portion of this and come back with a presentation, especially as it related to certain areas. He asked staff how long it would take them to work on a presentation like they were talking about for an example of a map and how it could be implemented with a current Comp Plan. Bishop estimated an example, not to be adopted, would take 2 to 3 months.

McCormack said Transportation Planning was very challenging, and it might not be a new concurrency system, but an executive management tool to help the Board decide whether a development fit into the overall picture or not. Manuel said that was right, it was a tool, and the process of protecting corridors was manageable and policy driven.

(3:04 p.m.) Bishop said the concept of having a map to show the road corridors was feasible and was a valid exercise. She said the FLUM had a series of maps to go along

with it and this could be a part of that series. Manuel said he wanted to get to the next step of protecting those corridors from accidental development.

(3:08 p.m.) Hartmann said the appropriate place to do what they were discussing was in the EAR. He said something that would help was Chapter 337.273, of the 2006 Florida Statutes Legislation, to help with the protection of corridors. He said that through the EAR they would have to update the traffic circulation element and the traffic circulation plan, and that was the map that would get updated in the Comprehensive Plan that shows the corridors. He said that through the EAR process they would want to add whatever corridors they wanted to support in the FLUM on that plan, and that coupled with the recent legislation should enable them to protect those corridors. There was general discussion on the development on this plan and the fact that transportation and economic development went hand in hand. Emphasis was placed on the need to stay in front of development on the southwest and southeast segments of the county where it was still a possibility to do so.

(3:35 p.m.) Discussion ensued regarding school concurrency including the use of circles, segments and sector concepts, transportation maps and the EAR as it related to transportation, development of the amendments and requirements for compliance. Hartmann said all of what they had discussed would be a part of EAR. Bishop said the EAR based amendments were a year away from the actual EAR document. She said the EAR based documents would be used to create the amendments to the Comprehensive Plan.

Manuel said school concurrency was not a requirement for compliance. Bishop said that it was a requirement under statute. She said it had to be in place by August of 2008. Manuel said they had many development orders which had been signed with agreements to agree language contained in them. He said he had a problem with an agreement to agree because it was not an agreement. He asked the Board to consider a tipping of the school impact fees and to hold a workshop on that issue as soon as practical, as an interim step until the school board has finished its analysis. He said the Board of County Commissioners were the ones who decided what the school concurrency requirements would be.

(3:40 p.m.) Rich said the agreement to agree was initiated because the school board did not have a final number they could nail down for the amount of impact on schools for the approved development. Manuel said the school board was going through a legitimate process to determine what school concurrency in the county should be, but it was the BCC that made the law. He said they needed to understand fully that their impact fees were too low and until August 1, 2008, they should have an interim school impact fee increase. McCormack said that before they changed any impact fees they had to do a systematic study to justify the level as per the need.

(3:43 p.m.) Bishop said the agreement to agree language was a part of the DRI development orders. She said her understanding was that the language was created because there was a wide range of numbers on what the impact could be to the school district. She said because there was no school concurrency, the school district tried to get the development community to agree to meeting whatever the school concurrency mitigation might be at that time. She said most of the developers agreed to that. Rich said that what Manuel was trying to say was that the agreement was not an agreement at all.

(3:46 p.m.) McCormack spoke on the agreement to agree, and asked them not to take a position that they were void agreements, because he did not think that they were. He said they had to be looked at carefully on a case by case basis.

(3:49 a.m.) Bishop said they were on the process of working on school concurrency and they met regularly with the school district. She said the final document would come before the Board and the public school facility element, a part of the Comprehensive Plan, would also come before the Board. She said with respect to the agreement to agree, that when that language is in a Development Order as a condition, it did have weight. She said the developers would have to meet the requirements in order to get their DO or before they could get their first permits, based on the language included.

(3:52 p.m.) Manuel said an impact fee could not be project specific and would have to apply to all construction, based on statute. He said the schools needed more money, the impact fees were too low, and he wanted to see an interim increase in impact fees. There was discussion on whether it would cause a run on people trying to get in under the lower rates.

(3:57 p.m.) Sanchez said that if the developers agreed to agree, it sounded better than for the Board to come up with a fee that would fall short of what it should have been. Rich said that was his argument as well.

(3:59 p.m.) Rich suggested that if the school board would submit a letter to the BCC saying that in their opinion they were 95 percent accurate with a specific impact number, plus or minus 5 percent; he would be willing to support implementing that number. Manuel said he would be happy to discuss it with the school board. Sanchez suggested they put it on the agenda for the next joint meeting.

18. FUNDING OF NEW EOC PROJECT

Moved to Item 1.

(07/10/07 - 17 - 4:02 p.m.)
COMMISSIONERS' REPORTS

Commissioner Sanchez:

Sanchez said on July 18 the Charter Government meeting would be held in District 2 at the Hastings Community Center and he would be present to facilitate the meeting.

Commissioner Rich:

No report.

Commissioner Manuel:

Manuel said the discussions they were having were important. He discussed caps on budgets and suggested a growth cap should be roughly 7% and anything growing faster than that needed to be looked at. He said they needed to look at everything they did as a county with an eye to shrinking everything they did within the county. He said he would like to start a discussion about forming a separate utility authority and the possibility of spinning it off and out of the public domain. He said they should look at all outsourcing opportunities and to see where there was potential for that. He said if it was core to the county, then the county should do it, but if not, then a third party should do it. He noted there was still room for further budget cuts. He said he had scheduled three public workshops at the three public libraries in Ponte Vedra, St. Augustine and Bartram Trail, and encouraged the public to come and express their thoughts on the budget. He said they would be properly noticed and would meet the Sunshine requirements. He said medical was increasing faster than the 7 percent level and needed to be looked at. He said they had to look at opportunities to get the costs below the 7 percent total. He said they also needed to look at workers compensation, and hard choices would have to be made over the next few years.

(4:08 p.m.) Rich said as far as the revenue issue, they needed to identify expenditures and what it was they wanted to spend money on and why. He said one way to do that was through referendum. He said the charter government would allow them to do things quicker than with the present restrictions under which they operated. He noted that many fees were restricted. He commented on the Utility becoming independent and said the outsourcing of government services could be a double edged sword as they could be held hostage in the negotiation of services.

(4:18 p.m.) Deputy Clerk Terry Bulla left the meeting, and Deputy Clerk Lenora Newsome entered the meeting.

Rich spoke on downsizing to reduce costs. Manuel stated that he would like to rename the Recreation Department to the Quality of Life Department. Rich spoke on health care issues. Manuel spoke on different benefit packages.

(07/10/07 - 18 - 4:26 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Kropacek spoke on the Utility Department working on a presentation based on becoming a private authority. He spoke on outsourcing, budget cuts, multitasking, and healthcare. He stated that the budget workshop was scheduled for July 17. He spoke on having three town hall meetings for budget workshops and mentioned that the Charter presentations were coming up.

(07/10/07 - 18 - 4:30 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack spoke on a rezoning case heard by this Board back in May of 2006, regarding the applicant Alex Pellerito.

(07/10/07 - 18 - 4:32 p.m.)

CLERK OF COURT'S REPORT

No report.

(4:32 p.m.) Motion by Sanchez, seconded by Manuel, carried 3/0 with Bryant and Stevenson absent, to adjourn the meeting.

(5:30 p.m.) Rich opened the meeting with Sanchez, Manuel, Rich, Kropacek, McCormack and Deputy Clerk Lenora Newsome present.

(07/10/07 - 18 - 5:30 p.m.)

19. PUBLIC HEARING - LAND DEVELOPMENT CODE AMENDMENTS - THIS IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS TO CONSIDER AMENDMENTS TO THE LAND DEVELOPMENT CODE. SPECIFICALLY, AMENDMENTS TO ARTICLE II, ARTICLE VI, ARTICLE X AND ARTICLE XII. THE ATTACHED ARTICLES ARE PROVIDED IN STRIKETHROUGH AND UNDERLINE FORMAT TO HIGHLIGHT THE PROPOSED CHANGES. THE SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF THE PROPOSED AMENDMENTS IS SCHEDULED FOR JULY 24, 2007 AT 9:00 A.M.

Proof of publication of the notice of public hearing regarding Land Development Code Amendments was received, having been published in *The St. Augustine Record* on June 30, 2007.

Betty Sue Stepp, AICP, Growth Management, stated there was a typo on page 253, to correct the spelling of boathouse and a typo on page VI-66 to correct the word spelled as five to three. Stepp stated that the Board asked them to look at the Land Development Code and to propose some additional language relating to boat docks and boat houses, which had been done on pages II-16 through II-17. She stated that they also made changes in the off-site parking and road naming. She stated on page II-66 two words, "mechanical equipment" needed to be stricken, and on the top of page II-54 paragraph 2, needed to add the words; "*as the boat house, boat dock, boat shelter or dune walkover.*" McCormack spoke on road name changes.

(5:37 p.m.) J. D. Collins, 3840 Crown Point Road, stated on page II-17, Item M, permits issued by DEP would be expiring and grandfather language needed to be added. McCormack stated that he would like to look at this issue. Stepp stated that this was the first of two hearings and the second hearing was scheduled for July 24th on the regular agenda and the Planning and Zoning Agency would hear this item on July 19th.

Motion by Manuel, seconded by Sanchez, carried 3/0 with Bryant and Stevenson absent, to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 5:41 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 403646 through 403920, totaling \$1,899,681.27 (06/19/07)
2. St. Johns County Board of County Commissioners Check Register, Check No. 403921, totaling \$40,835.67 (06/19/07)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 403922 through 403951, totaling \$63,167.99 (06/21/07)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 403952 through 404416, totaling \$5,168,811.75 (06/26/07)

CORRESPONDENCE:

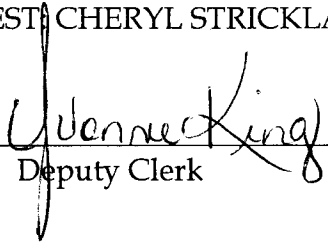
1. Letter to Liz Cloud, Program Administrator, Bureau of Administrative Code, filing Ordinance No. 2007-33 for correction (06/12/07)
2. Letter to Cheryl Strickland, Clerk of Court, confirming receipt of County Ordinance No. 2007-50, dated June 14, 2007 (06/18/07)
3. Letter to Liz Cloud, Program Administrator, Bureau of Administrative Code, filing Ordinance Nos. 2007-44 through 2007-49, proofs of publication and the CODRS Coding Forms (06/18/07)
4. Letter to Liz Cloud, Program Administrator, Bureau of Administrative Code, filing Ordinance No. 2007-27 for correction (06/17/07)
5. Letter to Cheryl Strickland, Clerk of Courts, confirming receipt of a letter dated June 18, 2007 and certified copies of St. Johns County Ordinance Nos. 2007-44 through 2007-49 (06/21/07)
6. Letter to Cheryl Strickland, Clerk of Courts, confirming receipt of a letter dated June 12, 2007 and corrected certified copy of St. Johns County Ordinance No. 2007-33 (06/25/07)
7. Letter to Cheryl Strickland, Clerk of Courts, confirming receipt of a letter dated June 19, 2007 and corrected certified copy of St. Johns County Ordinance No. 2007-27 (06/25/07)
8. Letter to Liz Cloud, Program Administrator, Bureau of Administrative Code, filing Ordinance Nos. 2007-51 through 2007-54 (06/29/07)

Approved August 7, 2007

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Ben Rich, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

