

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
AUGUST 21, 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 Chairman
Cyndi Stevenson, District 1
Ron Sanchez, District 2
Michael D. Wanchick, County Administrator
Patrick McCormack, County Attorney
Terry Bulla, Deputy Clerk

Absent: James Bryant, District 5

(08/21/07 - 1 - 9:04 a.m.)

CALL TO ORDER

Rich called the meeting to order.

(08/21/07 - 1 - 9:04 a.m.)

ROLL CALL

Rich stated that four commissioners were present with Bryant absent.

(08/21/07 - 1 - 9:04 a.m.)

Manuel gave the Invocation and Rich led the Pledge of Allegiance.

(08/21/07 - 1 - 9:06 a.m.)

SPECIAL RECOGNITION OF THE OFFICE OF MANAGEMENT AND BUDGET FOR RECEIVING THE GOVERNMENT FINANCE OFFICERS ASSOCIATION'S DISTINGUISHED BUDGET PRESENTATION AWARD

Rich read and presented the award to the Office of Management and Budget. Doug Timms, Director OMB, received the award on behalf of his department and said his staff had done a terrific job. This year's award had the highest merit of any award ever given to the OMB.

(08/21/07 - 1 - 9:13 a.m.)

PROCLAMATION - FIREFIGHTER APPRECIATION WEEK

Sanchez presented the St. Johns County Firefighter Appreciation Week proclamation to Chief Carl Shank, Allison Swanson, Mike Carter, local union president and Mike Detrick for their efforts in fundraising for the Muscular Dystrophy Association. The award was received by Shank on behalf of the firefighters and paramedics. Carter said they would be changing the way they raised funds for the Fill the Boot drive and would be operating from parking lots instead of at the intersections, so that traffic would not be impeded.

(08/21/07 - 2 - 9:15 a.m.)

ACCEPTANCE OF PROCLAMATION

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

(08/21/07 - 2 - 9:16 a.m.)

DELETIONS TO CONSENT AGENDA

Stevenson asked that Item 10 be moved to the Regular Agenda as Item 16A.

Rich asked that Item 11 be moved to the Regular Agenda as Item 16 B.

McCormack asked that Item 8 be pulled.

Wanchick asked that Item 14 be pulled.

(08/21/07 - 2 - 9:18 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Minutes:
07/24/07 - BCC Regular Meeting
07/30/07 - BCC Special/Private Meeting
3. Sheriff Office Bonds:
Approve: Edward Strange Jamie Ryan

Cancel: Nalani Briggs
4. Motion to authorize the County Administrator, or his designee, to negotiate with and enter into contract with the top ten (10) ranked firms for Architectural Services for RFQ 07-93 Continuing Contract - Architectural Services. If an agreement cannot be reached with one or more of the top (10) ranked firms, authorization is requested to begin negotiations with the next ranked respondent and continue until an agreement is reached with ten (10) respondents
5. Motion to authorize the County Administrator, or his designee, to award a contract to Trentham Well Drilling, Inc. in the amount \$110,000.00 for Bid # 07-101 St. Johns County Cypress Lakes Golf Course Irrigation Well
6. Motion to approve the funding for the attached list of FY 07 departments; and transfer the necessary funds from County Commission Reserves to ensure adequate funding for approved FY 07 budgeted positions
7. Motion to adopt **Resolution No. 2007-227**, approving the final plat for Willowcove Park

RESOLUTION NO. 2007- 227

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

This item was pulled.

8. Motion to adopt a resolution approving the final plat for Villa Sovana
9. Motion to adopt **Resolution No. 2007- 228**, approving the final plat for Glen St. Johns Phase 1

RESOLUTION NO. 2007- 228

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

This item became 16A on the Regular Agenda.

10. Motion to approve the transfer of \$23,991 from Northwest Road Project Capital Reserves (3313-59927) to Project 5050-Racetrack Road Four-Laning, Julington Creek Plantation to Russell Sampson Road (3313-56100; 5050-56100)

This item became 16B on the Regular Agenda.

11. Motion to adopt a resolution approving the terms, provisions, conditions, and requirements of an amended Economic Development Agreement between St. Johns County and Flagler-Whitehall Office & Storage LLC, and authorizing the County Administrator to execute the amended agreement on behalf of St. Johns County
12. Motion to adopt **Resolution No. 2007-229**, approving the terms, provisions, conditions, and requirements of a Department of Environmental Protection (DEP) grant agreement for a 2007/2008 Innovative Waste Reduction and Recycling Grant, and authorizing the County Administrator and the County Attorney to execute the agreement on behalf of the County; and motion to adopt **Resolution No. 2007-230**, recognizing \$96,600 of unanticipated revenue to the General Fund (0001-33470) Culture & Recreation State Grant and appropriating it to the Recreation Facilities Department (0080-55305) State Grant Expenditures

RESOLUTION NO. 2007- 229

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) GRANT FOR INNOVATIVE WASTE REDUCTION AND RECYCLING GRANT, AND AUTHORIZES THE COUNTY ADMINISTRATOR, AND THE COUNTY ATTORNEY TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

RESOLUTION NO. 2007-230

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 RECREATION DEPARTMENT

13. Motion to authorize the transfer of \$65,000 from General Fund Reserves (0082-59100) to Private Roads MSBU Fund for the purpose of retiring the remaining debt for the expired Private Roads MSBUs from 1996

This item was pulled.

14. Motion to approve the transfer of \$5,365.00 from the General Fund Reserve (0001-59920) to the County Administrator Department - Moving Expense (0004-54015)

(08/21/07 - 4 - 9:21 a.m.)

PUBLIC COMMENT

Dawn Mayfield, 404 Spring Ridge Ct., commented on her daughter being in the wrong school, and spoke against building more homes in the area without sufficient schools to serve their children as it related to Regular Agenda Items 11 & 12. Rich responded.

(9:28 a.m.) Janet Hutson, 154 Laguna Court, Executive Director of Learn to Read program, St. Augustine, spoke regarding the Learn to Read program and its funding. She asked the Board for their support, as they were facing an 85 percent cut in their current funding.

(9:31 a.m.) Melissa Strohming, 6325 CR 13 South, Hastings, spoke on behalf of the Emergency Services and Coalition Housing Program and asked the Board for their continued support to help prevent homelessness in the community.

(9:35 a.m.) Teresa Doyle, 5448 2nd Street, spoke regarding the APAC asphalt plant and the fact that children at the Osceola Elementary School will be affected by the pollution from the plant. She handed out a petition signed by residents of the community. She asked that APAC be placed on the agenda for action. She asked them to write an Ordinance to protect the residents of the area.

(9:44 a.m.) Rich noted that the agencies responsible for enforcement had not found the company to be in violation to the degree that it would be shut down. He stated he had met with the company to see what it would take to encourage the company to move, and they were not amenable to moving their company because it was so central to their distribution network. He said it was a hugely difficult issue to shut down the company with no enforcement from the agencies responsible for regulating it, but that it was an issue that had not been forgotten by the Board.

(9:50 a.m.) McCormack said APAC was a chronic issue for the County, and that Regina Ross, Assistant County Attorney, had been working on the project and had looked at the feasibility of creating local regulations pertaining to air quality. He noted that the County would be trying to enforce the same regulations that the State was enforcing. He said it would take approximately a seven year time period to get it approved and at significant expense. General discussion ensued.

(9:54 a.m.) Ed Cooksey, 1600 Woodlawn Rd., spoke in regard to the reassessment of the location of the Emergency Services Center. He asked that it be relocated from the proposed site at the Agricultural Center. He stated that Usina had donated the property at the Ag Center for agricultural purposes to be used for the future of the youth of the County. He gave a history of the development of the center and its uses since. He suggested other locations for the new center, including property at the County Fairgrounds and property currently owned by the Mosquito Control program.

(10:00 a.m.) Manuel said the tax payers of St. Johns County had purchased the land for the Mosquito Control program. General discussion followed.

(10:05 a.m.) Sarah Bailey, 2202 Bishop Estates Rd., St. Johns, said they were losing agriculture within the county, and a big mistake would be made if their agricultural land was taken away for other programs.

(10:09 a.m.) Ken Bryan, 126 Oyster Catcher Circle, said he was a volunteer and not on the staff of the County. He spoke regarding the Salvation Army Food Bank and gave an update on the programs in St. Johns County in a PowerPoint presentation. He asked for the Board's continued support. General discussion followed.

(10:24 a.m.) Wayne Whitehead, 7910 Rusty Anchor Rd., thanked Bryant for his service to the Food Bank program. He noted the difference between food banking and food pantries. He reviewed their funding process and how they were rated. He thanked the volunteers and donors who made the program possible.

(10:27 a.m.) Rev. Bonnie Lipton, 305 Doyle Lane, Pastor of Pilgrim Church, United Church of Christ, Ecumenical Food Pantry, spoke on the importance of the Ecumenical Food Pantry, and asked the Board not to cut the proposed funding for the food pantry. She reported on the services of the program and those who received those services. She asked them to move forward and not backward, and to at least maintain their current fiscal support. General discussion followed.

(10:33 a.m.) Lisa Franklin, 317 Orchis Rd., spoke in behalf of the Salvation Army Food Bank and stated that it really made a difference in our community. She asked for the Board's continued support because it supported many smaller agencies.

(10:34 a.m.) Kami Roeder, 123 Unicorn Rd., said she was the Volunteer Director for the Christian Service Center, which serviced about 1,200 clients monthly. She asked for their continued support of the Salvation Army Food Bank as her agency, like many others, was dependent on them for their food.

(10:36 a.m.) Rick Aepli, 180 Marsh Island Circle, said he was there to thank the Salvation Army Food Bank. He said he worked for Labor Ready and they had been a big support to that agency. General discussion followed.

(08/21/07 - 5 - 10:42 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Stevenson requested that Item No. 7 be pulled.

Wanchick asked that Items Nos. 13, 14, & 15 be pulled at the request of the applicant.

(08/21/07 - 5 - 10:43 a.m.)

APPROVAL OF REGULAR AGENDA

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

The Board recessed for its morning break at 10:51 a.m. and resumed at 11:04 a.m.

(08/21/07 - 6 - 11:04 a.m.)

1. COUNTYWIDE STORMWATER UTILITY RATE STUDY

Doug Timms, Director OMB, introduced Joe Stephenson, Public Works Director, who gave a PowerPoint presentation regarding the Countywide Drainage Study update. He noted the summary recommendations included adoption of the Stormwater Ordinance to implement countywide stormwater utility and to implement the Countywide Drainage Study recommendations and to continue the National Pollutant Discharge Elimination System (NPDES) permit implementation. He said staff sought consensus for direction from the Board on those issues.

(11:14 a.m.) Rich asked about the NPDES. Stephenson said the permit was required by the Federal Government, and it would have a direct affect upon the water quality that was discharged into the St Johns River and all of our water bodies.

(11:16 a.m.) Stevenson asked Stephenson to explain why newer communities that had some stormwater treatment had to pay into the countywide stormwater treatment fund. Stephenson said the rate study had determined that about 50 percent charge should go to the residential footprint and about 50 percent should go to the rest of the impacts that we have by living in the county. He said undeveloped land did have stormwater runoff and there was a charge for dealing with it both as a drainage and as a water quality issue. He said additional water quality work might be required to treat already treated water from planned communities, which often ran into outfalls for which the county was responsible. Stevenson asked for clarification on the rate structure and who would be included in which rate level. Stephenson said the rule of thumb was that if they had a retention pond in their neighborhood and the water from a house ran into that retention pond, there was a high probability of being in the .6 rather than the 1.0 category for the proposed Stormwater utility fees. Stephenson said public hearings would be held in the auditorium if the item went forward, as it would be heard in the form of an ordinance.

(11:22 a.m.) **Motion by Rich, seconded by Manuel, carried 4/0 with Bryant absent, to grant staff consensus direction from the Board to:**

- 1.) Amend St. Johns County Ordinance No. 94-16 (with Amendment No. 94-51) with changes recommended by the August, 2007 Stormwater Utility Rate Study, prepared by GPI Southeast Inc. and to**
- 2.) Initiate drafting of a Resolution to establish a maximum rate for the St. Johns County Stormwater Management System Benefit Area (SMSBA) for the Board's consideration.**

Patrick McCormack, County Attorney, stated he wanted to clarify that they were only authorizing consensus and not actually amending the ordinance with that vote.

(08/21/07 - 6 - 11:23 a.m.)

2. PROPOSED NEW COUNTY FEES FOR FY 2008

Timms reviewed the consultant study by PFM, the County's financial advisor, which examined the capital planning process and fees and charge structure. He said they developed up to ten fee proposals, completed in December of 2005. He asked for the Board's consideration of those items, in workshop status, and asked for consensus on each distinct area. He said specific proposals within each area strengthened and complimented one another, and he would stop at each area for Board consensus.

(11:25 a.m.) Col. Art May, St. Johns County Sheriff's Office, said that on the proposed fees for the Sheriff's Department, they would like some time to do research on best

practices on false alarms. He said Sheriff Shoar was in favor of mitigating false alarms, but the methods had not yet been determined. General discussion ensued regarding the expenses involved with false alarms and the importance of the issue. *There was consensus that they would wait on the Sheriff's proposal.*

(11:29 a.m.) William Rosenstock, 57 White Court, spoke on behalf of Bob Samuels, President of the Civic Association, in opposition to the proposed parking fees at the Pier Park. He also spoke in opposition to off beach parking charges. General discussion followed.

(11:37 a.m.) Timms reiterated that it was a workshop item for consideration of PFM recommendations, and that it was not for the purpose of implementation on that day. He reviewed the general principles of the PFM report.

(11:38 a.m.) He noted that the first grouping concerned animal control and the management thereof. The first requirement was to require mandatory pet licensing. He said the second recommendation was to increase the leash law/license violation fees so as to complement and strengthen the pet licensing law.

(11:42 a.m.) Rich said he would not support mandatory pet licensing.

(11:42 a.m.) Sanchez said he was not in favor of licensing but would support fees for picking up animals and charging owners to insert chips. He said good pet owners would be penalized for the owners who were responsible for the problems.

(11:44 a.m.) Stevenson said she believed pet licensing promoted responsible ownership and she was for enforcement of the leash law. She said the fees would help to fund spade and neuter programs which would reduce the overall demand for county services. She said it had been effective in other communities.

(11:47 a.m.) Manuel said he was in favor of the licensing fee, and it was a public safety issue. He said he supported all the user fee suggestions.

(11:50 a.m.) *Rich said there was no consensus of the Board for mandatory pet licensing.*

(11:50 a.m.) Rich said he was not in favor of increasing the leash violation fee issue though he would entertain the one warning or no warning violation being issued.

(11:50 a.m.) Stevenson said licensure would ensure greater enforcement of the leash law. She said even responsible owners had instances where there pets got out.

(11:52 a.m.) Sanchez said he was in favor of raising fees to enforce the leash law.

(11:52 a.m.) Manuel said he was in favor of the leash law penalty.

(11:53 a.m.) *Rich said consensus was granted for support of the penalty with zero warnings. Timms said they would have to amend the Ordinance and it would have to be returned to the Board for a specific vote.*

(11:53 a.m.) Timms continued with Beach Services issues including charging a higher fee for the Vehicle Beach Access Pass for non-county residents and secondly charge for off-beach parking in a pilot program for selected county parking lots.

(11:56 a.m.) Manuel said the differential for non-county residents was too small and should be greater. He said he did not support off-beach parking fees. He said he was in favor of allowing beach services people to issue citations.

11:57 a.m. Manuel left the meeting.

(11:57 a.m.) Stevenson said she supported the differential, but was not in support of off-beach parking fees at this time.

(11:58 a.m.) McCormack said they had to justify a figure with study findings for establishing a differential for residents versus non-residents.

(11:59 a.m.) Sanchez said he was in favor of the differential charge and did not support the off-beach parking.

(12:00 p.m.) Timms covered the third phase designed to allow Beach Services civilian personnel to issue beach code parking and environmental citations. He said it was to complement off beach parking and if they did not support that, they could still consider the environmental violation portion. He said it would supplement the efforts of the deputy sheriffs.

(12:01 p.m.) Rich said he did not support off beach parking and suggested the differential levels should be more delineated and gave suggestions and said he could support it with those changes. He said he did not support beach services civilian personnel to issue citations. Troy Blevins, Director of Parks and Recreation, said it would be the people who worked in the HCP program, and had been considered more for environmental infractions. Rich said he could not support it.

(12:06 p.m.) Stevenson said the two issues went together and if they didn't support off-beach parking it would be irrelevant. She said the fines were to gain compliance and not to generate revenue and the public needed to be educated to understand that motivation.

There was no consensus for off-beach parking fees, but consensus was granted for a higher fee for the vehicle Beach Access Pass for non-county residents. There was not consensus for issuing citations by civilians.

(12:09 p.m.) Timms moved to the last issue regarding proposed fees for the Sheriff's Operations to require mandatory annual burglar alarm registration and to charge a false burglar alarm fine.

(12:13 p.m.) Rich said the revenues should go to the Sheriff's office to offset their costs of responding to the alarms, and he would be waiting for the Sheriff's recommendation.

(12:13 p.m.) Stevenson said the Sheriff had a proposal that made sense; she would also wait for that proposal and was in support of reducing false alarms for improved services for real responses.

(12:15 p.m.) *Timms said they would bring back those items of consensus for future consideration relative to amending existing County ordinances.* General discussion ensued on false alarms for fires.

(08/21/07 - 9 - 12:16 p.m.)

3. PUBLIC HEARING - BUDGET TRANSFER OF MAINTENANCE SURPLUS TO CAPITAL DEBT FOR RUSTY ANCHOR/WENDOVER PRIVATE ROAD MAINTENANCE MSBU - THE RESIDENTS IN THE BENEFIT AREA OF THE RUSTY ANCHOR/WENDOVER ROAD MAINTENANCE MSBU SURFACED THEIR ROADS WITH ASPHALT MILLINGS. THE COUNTY WAS THEREFORE NO LONGER ABLE TO PROVIDE THE GRADING AND MAINTENANCE SERVICE DEFINED IN THE MSBU AND THE SERVICE AND MAINTENANCE ASSESSMENTS WERE DISCONTINUED. THERE IS A BALANCE OF \$2,182 LEFT IN THE MAINTENANCE RESERVE THAT SHOULD BE TRANSFERRED TO PAY DOWN THE DEBT FOR THE ORIGINAL CAPITAL IMPROVEMENTS THE RESIDENTS CONTINUED TO REPAY THROUGH THEIR IMPROVEMENT ASSESSMENTS. THIS TRANSFER SHOULD SAVE THE RESIDENTS MONEY IN INTEREST FEES AND ALLOW FOR FUTURE REDUCTION OR EARLY RETIREMENT OF ASSESSMENTS

Mary Ann Blount, Land Management Director, gave the presentation for the Rusty Anchor/Wendover Road Maintenance MSBU.

(12:19 p.m.) Motion by Stevenson, seconded by Sanchez, carried 3/0 with Bryant and Manuel absent, to authorize the transfer of \$2,182 from Rusty Anchor/Wendover maintenance Reserves (1290-24730000) to pay down the capital improvement debt for the Rusty Anchor/Wendover Road Maintenance MSBU.

(08/21/07 - 9 - 12:20 p.m.)

4. PUBLIC HEARING - RESOLUTION AMENDING THE CH ARNOLD PRIVATE ROAD MSBU TO MODIFY THE ALLOWABLE GRADING AND MAINTENANCE SERVICE - THE GRADING AND MAINTENANCE SERVICE DEFINED IN THE CH ARNOLD ROAD MAINTENANCE MSBU DOES NOT INCLUDE REPLACING SURFACE MATERIAL ON THE ROAD IN SPOTS WHERE IT HAS WASHED AWAY. THIS PRACTICE IS COMMON ON COUNTY DIRT ROADS AND ITS ADOPTION ON CH ARNOLD WOULD PROVIDE MORE EFFICIENT MAINTENANCE AND MORE RELIABLE ACCESS TO THE BENEFIT AREA FOR THE ESSENTIAL SERVICE PROVIDERS DURING THE REMAINING YEARS OF THE MSBU MAINTENANCE. THE MAINTENANCE ASSESSMENT COLLECTED FOR CH ARNOLD HAS CONSISTENTLY EXCEEDED THE MAINTENANCE COST AND A SURPLUS OF APPROXIMATELY \$7,000 HAS ACCUMULATED IN THE MAINTENANCE RESERVE. THE PROPOSED PERIODIC REPLACEMENT OF ROAD MATERIAL WOULD ONLY BE PERFORMED WHEN DEEMED NECESSARY BY THE COUNTY AND WHEN THE MSBU MAINTENANCE BUDGET ALLOWS

Proof of publication of the notice of public hearing on Assessment/CH Arnold Road was received, having been published in *The St. Augustine Record* on July 21, 2007.

Blount gave the presentation.

(12:20 p.m.) Motion by Stevenson, seconded by Sanchez, carried 3/0 with Bryant and Manuel absent, to adopt Resolution 2007-232 which amends Resolution 2002-46, in order to modify the allowable grading and maintenance service for the CH Arnold Road Maintenance MSBU to allow the County to add surface material when determined by the County to be necessary and when there are sufficient funds available from Road Maintenance Assessments.

RESOLUTION NO. 2007-232

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING ST. JOHNS COUNTY RESOLUTION 2002-46, THE CH ARNOLD ROAD MAINTENANCE MUNICIPAL SERVICE BENEFIT UNIT INITIAL ROAD ASSESSMENT RESOLUTION (INITIAL RESOLUTION), AS AMENDED BY RESOLUTION 2002-192, THE FINAL ROAD ASSESSMENT RESOLUTION, TO MODIFY THE ALLOWABLE GRADING AND MAINTENANCE SERVICE

(08/21/07 - 10 - 12:21 p.m.)

5. PUBLIC HEARING - RESOLUTION ESTABLISHING THE RATES FOR DEERWOOD LANE ROW PRIVATE ROAD MSBU AND ADOPTING THE ASSESSMENT ROLL - THE CONSTRUCTION OF THE IMPROVEMENTS AND THE TABULATION OF COSTS FOR THE DEERWOOD LANE RIGHT-OF-WAY MUNICIPAL SERVICE BENEFIT UNIT (ROW MSBU) ARE COMPLETE. THE MAXIMUM RATE OF THE NON-AD VALOREM ASSESSMENTS ESTABLISHED IN RESOLUTION 2005-270 NEED TO BE INCREASED TO REFLECT THE ACTUAL COST OF THE PROJECT. THE FINAL PROJECT COST IS \$97,191 AND THE ESTIMATED MAXIMUM RATE OF \$622.30 PER RESIDENTIAL UNIT NEEDS TO BE INCREASED TO \$660.00 PER UNIT. THE ASSESSMENT ROLL FOR 2007 WILL SET THIS YEAR'S ASSESSMENT AT A SUB-MAXIMAL RATE OF \$652 PER UNIT. THIS ROLL WILL NEED TO BE CERTIFIED AT THE SEPTEMBER 4 MEETING WHEN THE ASSESSMENT ROLLS FOR ALL OF THE OTHER ROAD IMPROVEMENT MSBUS ARE CERTIFIED

Proof of publication of the notice of public hearing on Deerwood Lane was received, having been published in *The St. Augustine Record* on July 10, 17, 24, 31, 2007.

Blount gave the presentation. Stevenson asked if it had been discussed with the community. Blount said it had been discussed and residents had been notified.

(12:21 p.m.) **Motion by Stevenson, seconded by Sanchez, carried 3/0 with Bryant and Manuel absent, to adopt Resolution 2007-233, establishing the maximum rate for the Deerwood Lane ROW MSBU Non-Ad Valorem Assessment at \$660.00 per residential unit and adopting the Assessment Role.**

RESOLUTION NO. 2007-233

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING THE RATES OF THE DEERWOOD LANE RIGHT-OF-WAY MUNICIPAL SERVICE BENEFIT UNIT (ROW MSBU) NON-AD VALOREM ASSESSMENT LEVIED PURSUANT TO ST. JOHNS COUNTY RESOLUTION 2005-270, AND ADOPTING THE ANNUAL NON-AD VALOREM ASSESSMENT ROLL PERTAINING THERETO

(08/21/07 - 10 - 10:44 a.m.)

6. CONSIDER MOTION TO ADOPT A RESOLUTION THANKING COLIN BAENZIGER & ASSOCIATES FOR ITS OUTSTANDING EFFORTS IN CONDUCTING THE EXECUTIVE SEARCH FOR THE COUNTY'S NEW ADMINISTRATOR

Rich read the Resolution of Appreciation to Colin Baenziger for the outstanding job they had done in helping to select the new County Administrator.

(10:46 a.m.) Colin Baenziger, Colin Baenziger Associates, 12970 Dartford Trail, Wellington, FL, accepted the proclamation and thanked the Board for the opportunity to work with them and for the recognition.

(10:48 a.m.) Gene DeMarie, Colin Baenziger Associates, 34840 Springfield Rd., Sorrento, FL, thanked them for the recognition and stated he had enjoyed the process of selecting the new County Administrator.

(10:50 a.m.) Motion by Manuel, seconded by Sanchez, carried 4/0 with Bryant absent, to adopt Resolution 2007-231, thanking Colin Baenziger & Associates for its outstanding efforts in conducting the executive search for the County's new administrator; and providing an effective date.

RESOLUTION NO. 2007- 231

**A RESOLUTION OF THE COUNTY COMMISSION OF
ST. JOHNS COUNTY, FLORIDA, THANKING COLIN
BAENZIGER & ASSOCIATES FOR ITS OUTSTANDING
EFFORTS IN CONDUCTING THE EXECUTIVE SEARCH
FOR THE COUNTY'S NEW ADMINISTRATOR; AND
PROVIDING AN EFFECTIVE DATE**

This item was pulled.

(08/21/07 - 11 - 10:42 a.m.)

7. CONSIDER FUNDING ALTERNATIVES FOR AESTHETIC ENHANCEMENTS FOR THE CR-210 WEST CORRIDOR

The Board recessed at 12:23 pm., and reconvened at 1:30 p.m., with all five commissioners, Wanchick, Desai, Whitehouse and Deputy Clerk Lenora Newsome present.

(08/21/07 - 11 - 1:41 p.m.)

8. PUBLIC HEARING - VACPLA 2007-005, RIVERDALE FARMS TRACTS - THE APPLICANT, BARTRAM FARMS PARTNERS, LLC, WISHES TO VACATE A PORTION OF AN OLD PLAT IN ORDER TO SATISFY CONCERNS OF PLATTED NON-CONFORMING LOTS BECOMING NON-COMPLIANT DURING PHASED DEVELOPMENT IN REGARDS TO LOT SIZE AND ACCESS. THIS REQUEST TO VACATE THE OLD UNDERLYING PLAT WILL ALLOW DEVELOPMENT AND PLATTING TO MOVE FORWARD IN PHASES AT THE DEVELOPER'S DISCRETION. STAFF RECOMMENDS APPROVAL OF THIS PLAT VACATION. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL BY A 5/0 VOTE AT THEIR AUGUST 2, 2007 MEETING

Proof of publication of the notice of public hearing on the plat vacation of Riverdale Farms was received, having been published in *The St. Augustine Record* on July 11 & 18, 2007.

Kathy Nielsen, Applications Review Manager, reviewed this item, turning in the Title Search, Exhibit A.

(1:43 p.m.) **Motion by Stevenson, seconded by Manuel, carried 4/0 with Bryant absent, to adopt Resolution No. 2007-234, approving the petition to vacate a portion of the Riverdale Farms Tracts plat.**

RESOLUTION NO. 2007-234

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, VACATING A PORTION OF THE PLAT OF RIVERDALE FARMS TRACT

(08/21/07 - 12 - 1:43 p.m.)

9. CONSIDER MOTION TO ADOPT A RESOLUTION APPROVING THE FINAL PLAT FOR BARTRAM FARMS UNIT ONE, PHASE ONE

Kathy Nielsen, Applications Review Manager, reviewed this item.

(1:43 p.m.) **Motion by Stevenson, seconded by Manuel, carried 4/0 with Bryant absent, to adopt Resolution No. 2007-235, approving the final plat for Bartram Farms Unit One, Phase One.**

RESOLUTION NO. 2007-235

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR BARTRAM FARMS UNIT ONE, PHASE ONE

(08/21/07 - 12 - 1:36 p.m.)

10. PUBLIC HEARING - REZ 2007-24, ANASTASIA WWTP - THIS IS A REQUEST TO REZONE 18 ACRES FROM OR TO PS. A CERTIFICATE OF CONCURRENCY IS NOT REQUIRED FOR THIS REZONING. 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. THIS REZONING IS REQUIRED TO ALLOW THE ANASTASIA WWTP EXPANSION. THE REZONING REQUEST IS COMPATIBLE WITH THE FUTURE LAND USE DESIGNATION OF PUBLIC. SOME PORTIONS OF THE SURROUNDING AREA, INCLUDING THE SMALLER NE PARCEL ARE THE PUBLIC WORKS FACILITY FOR THE CITY OF ST. AUGUSTINE BEACH AND ON THE SOUTHERN PORTION OF THIS PARCEL IS THE SJC COMMERCIAL RECYCLING CENTER. THE PZA MADE A RECOMMENDATION OF APPROVAL AT THEIR JULY 19, 2007 MEETING BY A VOTE OF 7-0 (WILES/GRAYSON)

Proof of publication of the notice of public hearing on REZ 2007-24, Anastasia Wastewater, was received, having been published in *The St. Augustine Record* on August 6, 2007.

Lindsay Haga, AICP, Chief Planner, reviewed this item. Rich read an e-mail into the record from Jay LaPorte, Exhibit A.

(1:39 p.m.) Bill Young, Utility Director, spoke on the modification to the plant, specifically odor control. (1:40 p.m.) **Motion by Stevenson, seconded by Sanchez, carried 4/0 with Bryant absent, to enact Ordinance 2007-65, known as REZ 2007-24, Anastasia WWTP, adopting findings of fact one through three to support the motion.**

ORDINANCE NO. 2007-65

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

(08/21/07 - 13 - 1:44 p.m.)

11. PUBLIC HEARING - DEVAGREE 2006-14, TURNBULL DEVELOPMENT AGREEMENT - THIS IS THE SECOND OF TWO REQUIRED PUBLIC HEARINGS. THE FIRST PUBLIC HEARING WAS HELD ON JULY 24, 2007. THE PROPOSED DEVELOPMENT AGREEMENT ADDRESSES ROADWAY CAPACITY, AND WATER AND SEWER TRANSMISSION CAPACITY ISSUES FOR THE TURNBULL PUD, WHICH WILL INCLUDE THE PROPERTY THAT IS THE SUBJECT OF THE WILDCAT VENTURES COMPREHENSIVE PLAN AMENDMENT (COMPAMD 2005-05), IF APPROVED. THE DEVELOPER (16 DEVELOPMENT, LLC) HAS PROPOSED A DEVELOPMENT AGREEMENT WITH ST. JOHNS COUNTY. THE PROPOSED DEVELOPMENT AGREEMENT WILL SERVE AS THE DEVELOPER'S COMMITMENT TO BUILD THE TRANSPORTATION, WATER AND SEWER FACILITIES NECESSARY TO SERVE THE IMPACTS OF THE PROPOSED DEVELOPMENT, SPECIFICALLY IMPROVEMENTS THAT PROVIDE ADEQUATE ROADWAY CAPACITY ON LINK 92.1 (SR 16 FROM CR 2209 TO WEST MALL ENTRANCE), THE SR 16/TOM'S ROAD INTERSECTION, AND THE SR 16/I-95 SOUTHBOUND RAMP INTERSECTION IN ORDER TO SATISFY THE COUNTY'S TRANSPORTATION CONCURRENCY REQUIREMENTS. THE PROPOSED IMPROVEMENTS INCLUDE WIDENING SR 16 TO A FOUR-LANE DIVIDED ROADWAY FROM THE EXISTING 4-LANE WEST TO 1,320 FEET WEST OF THE TURNBULL PUD ENTRANCE, A 450 FOOT WESTBOUND RIGHT-TURN LANE ON SR 16 AT THE EAST ENTRANCE TO THE OUTLET MALL, AND A 300 FOOT EASTBOUND RIGHT-TURN LANE ON SR 16 TO THE SOUTHBOUND ON-RAMP TO I-95. IN ADDITION, THE PROJECT IS CONTINGENT UPON THE IMPROVEMENTS PROPOSED IN THE PENDING FLORIDIAN CONCURRENCY AGREEMENT (CONAGREE 2006-04) TO PROVIDE ADEQUATE CAPACITY ON LINK 62.2 (FOUR MILE RD. FROM HOLMES BLVD. TO SR 16) AND THE SR 16/FOUR MILE RD. INTERSECTION. THE PROPOSED AGREEMENT WAS REVIEWED BY THE CONCURRENCY REVIEW COMMITTEE (CRC) ON JULY 12, 2007. THE CRC VOTED (3-0) TO SUPPORT THE PROPOSED AGREEMENT, IN THAT THE PROPOSED IMPROVEMENTS ARE SUFFICIENT TO PROVIDE ADEQUATE CAPACITY

ON SR 16 (LINK 92.1), THE SR 16/TOM'S ROAD INTERSECTION, AND THE SR 16/I-95 SOUTHBOUND RAMP INTERSECTION TO ACCOMMODATE IMPACTS FROM THE PROPOSED CONCURRENCY DEVELOPMENT, AS DEFINED IN THE DEVELOPMENT AGREEMENT

Proof of publication of the notice of public hearing on DEVAGREE 2006-14, Turnbull Development Agreement, was received, having been published in *The St. Augustine Record* on July 9, 2007.

Bill Hartmann, Transportation Planning Manager, reviewed this item, distributing adjacent property response forms, Exhibit A. He stated that the project was contingent upon a concurrency agreement that was in review, but had not yet come before the Board. He spoke on the improvements included in the development agreement.

(1:49 p.m.) Frank Miller, 245 Riverside Avenue, Jacksonville, stated that he was here to answer any questions. Whitehouse spoke on the development agreement and stated that the Board needed to help the applicant to provide the things that the Board wanted, if they were not provided in the agreement. Stevenson asked if there were going to be any improvements to Tom's Road. Hartmann replied that there were no further plans.

(1:55 p.m.) Motion by Manuel, seconded by Stevenson, carried 4/0 with Bryant absent, to approve the proposed Development Agreement (DEVAGREE 2006-14).

(08/21/07 - 14 - 1:56 p.m.)

12. PUBLIC HEARING - COMPREHENSIVE PLAN AMENDMENT COMPAMD-2005-05, WILDCAT AND TURNBULL PROJECTS - THIS IS THE ADOPTION HEARING FOR THE JUNE 2006 AMENDMENT CYCLE, WHICH INCLUDES CONSIDERATION OF APPLICATION NO. COMPAMD-2005-05, A REQUEST TO AMEND THE 2015 COMPREHENSIVE PLAN AS FOLLOWS: (1) CHANGE THE FUTURE LAND USE MAP (FLUM) DESIGNATION FROM RURAL SILVICULTURE (R/S) TO RESIDENTIAL-B FOR PROPERTY KNOWN AS THE WILDCAT PROJECT; AND (2) ADD A NEW POLICY TO THE FUTURE LAND USE ELEMENT TO PROVIDE SITE-SPECIFIC LIMITATIONS ON THE DENSITY AND INTENSITY OF DEVELOPMENT OF THE WILDCAT PROJECT IN CONJUNCTION WITH AN ADJACENT PROPERTY KNOWN AS THE TURNBULL PROJECT. THE TURNBULL PROJECT IS DESIGNATED AS RESIDENTIAL-B. THE WILDCAT PROJECT WILL BE AN EXTENSION OF THE TURNBULL PROJECT WITH NO ADDITIONAL DWELLING UNITS. THE COMPREHENSIVE PLAN AMENDMENT LIMITS THE PROPERTY DEVELOPMENT TO 813 DWELLING UNITS. IN ADDITION, THE APPLICANT PROPOSES A DEVELOPMENT AGREEMENT TO DEMONSTRATE FINANCIAL FEASIBILITY FOR PUBLIC FACILITIES IN THE IMPACTED AREA FOR BOTH PROJECTS

Proof of publication of the notice of public hearing on COMPAND 2005-05, Wildcat Ventures, LLC, was received, having been published in *The St. Augustine Record* on July 3, 2007.

Teresa Bishop, AICP, Director Growth Management Services, reviewed this item, stating that there were two amendments attached to this request; to change the future land use map, and to add a site specific policy to their Comprehensive Plan Text to limit the number of units.

(1:57 p.m.) Frank Miller, 245 Riverside Avenue, Jacksonville, stated that he was present to answer any questions.

(1:58 p.m.) Motion by Manuel, seconded by Sanchez, carried 4/0 with Bryant absent, to enact Ordinance No. 2007-66, approving COMPAMD 2005-05, amending the 2015 Future Land Use Map from R/S to Residential-B for the property known as the Wildcat Project, adopting findings of fact one through three to support the motion.

ORDINANCE NO. 2007-66

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE 2015 FUTURE LAND USE MAP DESIGNATION FROM RURAL/SILVICULTURE (R/S) TO RESIDENTIAL-B, FOR PROPERTY LOCATED NORTH OF CR 208, APPROXIMATELY TWO MILES WEST OF SR 16, AND FOR PROPERTY LOCATED ON BOTH SIDES OF WHISPER RIDGE DRIVE NEAR OR AT THE INTERSECTION OF SR 16; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(1:58 p.m.) Motion by Manuel, seconded by Sanchez, carried 4/0 with Bryant absent, to enact Ordinance No. 2007-67, approving and adding Policy A.1.11.1(h)(8)(e), to the Comprehensive Plan, establishing the Residential-B Future Land Use Map designation is limited to 813 dwelling units for the property known as the Wildcat/Turnbull Project, adopting findings of fact one through three to support the motion.

ORDINANCE NO. 2007-67

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE 2015 COMPREHENSIVE PLAN TO ADD POLICY A.1.11.1 (H)(8)(E) PROVIDING A SITE SPECIFIC LIMITATION ON DENISTY/INTENSITY FOR THE PROPERTY LOCATED NORTH OF CR 208, APPROXIMATELY TWO MILES WEST OF SR 16, AND FOR PROPERTY LOCATED ON BOTH SIDES OF WHISPER RIDGE DRIVE NEAR OR AT THE INTERSECTION OF SR 16; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(08/21/07 - 15 - 10:47 a.m.)

13. PUBLIC HEARING - DEVAGREE 2007-03, ESPLANADE

This item was pulled from the agenda.

(08/21/07 - 15 - 10:47 a.m.)

14. PUBLIC HEARING - COMPAMD 2007-02, ESPLANADE ST JOHNS DRI

Proof of publication of the notice of public hearing on COMPAMD 2007-02, Esplanade at St. Johns, was received, having been published in *The St. Augustine Record* on August 6, 2007.

This item was pulled from the agenda.

(08/21/07 - 16 - 10:47 a.m.)

15. PUBLIC HEARING - NOPC 2007-02, ESPLANADE SAINT JOHNS DRI

Proof of publication of the notice of public hearing on NOPC St. Johns DRI was received, having been published in *The St. Augustine Record* on August 6, 2007.

This item was pulled from the agenda.

(08/21/07 - 16 - 2:00 p.m.)

16. PUBLIC HEARING - DEVAGREE 2005-01, RUSSELL SAMPSON PUD/PRD DEVELOPMENT AND IMPACT FEE AGREEMENT - THIS IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS. THE SECOND PUBLIC HEARING IS SCHEDULED FOR OCTOBER 2, 2007. THE PROPOSED DEVELOPMENT AGREEMENT ADDRESSES ROADWAY CAPACITY ISSUES FOR THE RUSSELL SAMPSON PUD/PRD. THE DEVELOPER (R & F JACKSONVILLE 44, LLC, JACKSONVILLE WEST 95 PARTNERS, LLC, AND DURBIN CREEK NATIONAL, LLC) HAVE PROPOSED A DEVELOPMENT AGREEMENT WITH ST. JOHNS COUNTY. THE PROPOSED DEVELOPMENT AGREEMENT WILL SERVE AS THE DEVELOPER'S COMMITMENT TO BUILD THE TRANSPORTATION FACILITIES NECESSARY TO SERVE THE IMPACTS OF THE PROPOSED DEVELOPMENT, SPECIFICALLY IMPROVEMENTS THAT PROVIDE ADEQUATE ROADWAY CAPACITY ON LINK 35 (CR 210 FROM LEO MAGUIRE PARKWAY TO I-95), THE I-95/CR 210 INTERCHANGE INTERSECTIONS, AND THE CR 210/RUSSELL SAMPSON RD. INTERSECTION TO SATISFY THE COUNTY'S TRANSPORTATION CONCURRENCY REQUIREMENTS. THE PROPOSED IMPROVEMENTS INCLUDE WIDENING CR 210 FROM A FOUR-LANE DIVIDED ROADWAY TO A SIX-LANE DIVIDED ROADWAY BETWEEN LEO MAGUIRE PARKWAY AND THE EXISTING RUSSELL SAMPSON ROAD. IN ADDITION, THE PROPOSED PROJECT IS CONTINGENT UPON THE TWIN CREEKS DRI IMPROVEMENTS BETWEEN RUSSELL SAMPSON RD. AND I-95, AND THE I-95/CR 210 INTERCHANGE INTERSECTIONS. THE PROPOSED AGREEMENT WAS REVIEWED BY THE CONCURRENCY REVIEW COMMITTEE (CRC) ON JUNE 28, 2006. THE CRC VOTED (3-0) TO SUPPORT THE PROPOSED AGREEMENT IN THAT THE PROPOSED IMPROVEMENTS ARE SUFFICIENT TO PROVIDE ADEQUATE CAPACITY ON CR 210 (LINK 35), THE I-95/CR 210 INTERCHANGE INTERSECTIONS, AND THE CR 210/RUSSELL SAMPSON RD. INTERSECTION TO ACCOMMODATE IMPACTS FROM THE PROPOSED CONCURRENCY DEVELOPMENT, AS DEFINED IN THE DEVELOPMENT AGREEMENT. THE CRC DID NOT PROVIDE A RECOMMENDATION ON THE REQUEST FOR IMPACT FEE CREDITS WHICH DO NOT FALL WITHIN THE JURISDICTION OF THE CONCURRENCY REVIEW COMMITTEE

Proof of publication of the notice of public hearing on DEVAGREE 2005-01, Russell Sampson, was received, having been published in *The St. Augustine Record* on August 6, 2007.

Bill Hartmann, Transportation Planning Manager, reviewed this item, stating that this was a request to announce the next public hearing scheduled for October 2, 2007. Manuel stated that he didn't see any reason to go to a second hearing. Rich ask legal about having a second public hearing. Whitehouse stated that there had to be two hearings, if it was going to be approved. He stated that he thought that it might be appropriate, even if there was opposition to it, to allow it to go to the second hearing. Rich stated that Whitehouse's recommendation was, even if the Board was leaning

towards disapproving this developer's agreement, to allow it to go through its normal process.

(2:09 p.m.) George McClure, 81 King Street, suggested continuing to the next public hearing. He stated that he didn't want to get knocked out of line for concurrency and if he was going to fix what was wrong, how could the Board tell him no.

(2:15 p.m.) Ed Brunson, 12243 Mantle Drive, Jacksonville, representing residents in the area, spoke on the realignment of Russell Sampson Road, the potential addition of the light at the intersection and stated that it was essential to have the second hearing. (2:18 p.m.) *Rich announced that the second required public hearing was scheduled for October 2, 2007.* Whitehouse mentioned that the Board may want to ask their professional staff to bring to them some more information about the area pertaining to what was to go there the road systems and the density of the area. Patrick McCormack, County Attorney, entered the meeting and Desai and Whitehouse left the meeting.

(08/21/07 - 17 - 2:23 p.m.)

16a. MOTION TO APPROVE THE TRANSFER OF \$23,991 FROM NORTHWEST ROAD PROJECT CAPITAL RESERVES (3313-59927) TO PROJECT 5050-RACETRACK ROAD FOUR-LANING, JULINGTON CREEK PLANTATION TO RUSSELL SAMPSON ROAD (3313-56100; 5050-56100) (*Formerly Consent 10*)

Press Tompkins, County Engineer, reviewed this item. (2:23 p.m.) **Motion by Stevenson, seconded by Manuel, carried 4/0 with Bryant absent, to approve the transfer of \$23,991 from the Northwest Road Project Capital Reserves (3313-59927) to Project 5050-Racetack Road Four Laning, Julington Creek Plantation to Russell Sampson Road (3313-56100; 5050-56100).**

Manuel corrected ordinance numbers: on Item 12 the Ordinance Nos. should be 2007-66 and 2007-67. Rich mentioned amending the Ordinance No. on Item 10 to 2007-65.

(08/21/07 - 17 - 2:27 p.m.)

16b. MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AMENDED ECONOMIC DEVELOPMENT AGREEMENT BETWEEN ST. JOHNS COUNTY AND FLAGLER-WHITEHALL OFFICE & STORAGE LLC, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AMENDED AGREEMENT ON BEHALF OF ST. JOHNS COUNTY (*Formerly Consent 11*)

Rich explained why he pulled this item. He stated that he did not wish to extend this item and that he did not want to see it go any further than it already had. Manuel stated that he shared Rich's view and would like it to expire per its terms. Stevenson asked to defer this item. Johnson spoke on why they wanted to move forward with this project. Rich stated that the issue was, that the guy's permit had expired, and so the issue then becomes, does the Board want to extend the permit. Discussion followed on reapplying for a permit, having an expired agreement and asking for an extension, and incentives for speculative space. McCormack stated that this was an applicant applying for a benefit they were not entitled to and they let the clock run out, which wasn't the County's fault. (2:45 p.m.) **Motion by Manuel, seconded by Sanchez, carried 3/1 with Stevenson dissenting and Bryant absent, to deny the extension.**

The meeting recessed at 2:45 p.m. and reconvened at 2:53 p.m.

(08/21/07 - 18 - 2:53 p.m.)
COMMISSIONERS' REPORTS

Commissioner Rich:

Rich asked for a consensus of the Board for its support regarding a letter dated August 21, 2007 to the Florida Department of Children and Families Office of Homelessness, Tallahassee, Florida, Exhibit A. He read it into the record stating, that this letter was to support the ESHC request for funding. (2:55 p.m.) *It was the consensus of the Board to send the letter.*

(2:55 p.m.)

Commissioner Stevenson:

Stevenson spoke on DOT pulling a request for proposal for an important progress element for 9B, to bring it down from 9A to U.S. 1. She asked each Board member to contact his or her state representative and the FDOT district secretary in regard to this item. She stated that it was her understanding that this RFP was out and then recalled. Manuel spoke on the MPO meeting, and the five-year work program. He explained why this was withdrawn. Rich stated he would get in touch with Congressman John Mica's office regarding the issue on the 9B project.

(3:02 p.m.)

Commissioner Sanchez:

No report.

(3:03 p.m.)

Commissioner Manuel:

Manuel re-emphasized the point the Chairman made about grant applications. (3:03 p.m.) *It was the consensus of the Board to instruct the County Administrator to make certain that any grant application that was put forth and required any level of financial support from the County, get pre-approved by the Board of County Commissioners.*

Manuel stated that he would like staff to look into lobbyist registration. Stevenson spoke on disclosing conflict of interests to the Board.

Manuel spoke on developers' agreements and keeping the power of the pen in the County's hands. He suggested having the County Attorney look into it.

Manuel spoke on transportation backlogs and on the Concurrency Review Committee. Rich spoke on partial concurrency. McCormack spoke on concurrency and recommended what would trigger a BCC review. Stevenson mentioned the staff considering the access management type issues.

Manuel asked that the Board request that the County Attorney work with the Supervisor of Elections to draft a referendum regarding abolishing the Mosquito Control District and merging it with the County. McCormack spoke on the Board having the authority to place straw ballot questions on an election. Rich asked that a special meeting day be set aside regarding the discussion on the County taking over Mosquito Control.

Manuel spoke on independent agencies and holding a workshop. Rich recommended leaving it in the hands of the County Administrator. Rich stated that he did not support a special workshop.

(08/21/07 - 19 - 3:33 p.m.)
COUNTY ADMINISTRATOR'S REPORT

Wanchick spoke on St. Johns County not being business friendly, and that he would be working with the Chamber on this. Rich spoke on pushing advantages forward.

(08/21/07 - 19 - 3:25 p.m.)
COUNTY ATTORNEY'S REPORT

McCormack spoke on appointments to the Planning and Zoning Agency, and on the County entering its petition to intervene on Mariposa.

McCormack spoke on Signature Entertainment and stated that he would like to have the authority to speak with Signature Entertainment. Rich voiced concern. McCormack replied that he would not be giving away any confidential information. Rich stated that it was expressed to him that there may be possible litigation regarding the RFP process being flawed.

McCormack spoke on Toll Brothers.

McCormack mentioned the lobbyist contract, asking the Board if they would like to continue it after October 1st or do a RFP. Stevenson asked McCormack if he had talked to the new County Administrator about it. McCormack replied that they had not discussed it yet.

McCormack spoke on having another court hearing with Summer Haven on September 7th, and that the moratorium was due to expire at the end of September.

Wanchick commented on St. Johns County being business friendly. Rich spoke on turning the County around.

(3:38 p.m.) Sanchez mentioned being at the airport board meeting yesterday and stated that it gave a report on Sky Bus. He reviewed that report. Sanchez stated that his ambition was to see the airport come off of the tax roll. He stated that he had heard nothing but compliments on Sky Bus.

(08/21/07 - 19 - 3:45 p.m.)
CLERK OF COURT'S REPORT

No report.

Motion by Manuel, seconded by Sanchez, carried 4/0, to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 3:45 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 405822-406185, totaling \$2,439,135.84 (07/31/07)
2. St. Johns County Board of County Commissioners Check Register, Check No. 406186-406212, totaling \$44,149.57 (08/02/07)
3. St. Johns County Board of County Commissioners Check Register, Check No. 406213-406218, totaling \$177,661.99 (08/02/07)
4. St. Johns County Board of County Commissioners Check Register, Check No. 406219-406521, totaling \$1,293,243.65 (08/07/07)

CORRESPONDENCE:

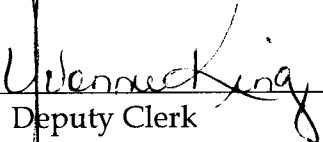
1. Letter dated July 27, 2007, to Liz Cloud, Program Administrator, Bureau of Administrative Code and Weekly, filing St. Johns County Ordinance Numbers 2007-57 through 2007-60.

Approved September 18, 2007

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Ben Rich, Chairman

ATTEST/ CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

