

**CORRECTED
MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
AUGUST 5, 2008
(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: Thomas G. Manuel, District 4, Chairman
 Cyndi Stevenson, District 1, Vice Chair
 Ron Sanchez, District 2
 Ben Rich, District 3
 Michael D. Wanchick, County Administrator
 Patrick McCormack, County Attorney
 Terry Bulla, Deputy Clerk

Also present: Michael Hunt, Assistant County Attorney

(08/05/08 - 1 - 9:01 a.m.)
CALL TO ORDER

Manuel called the meeting to order.

(08/05/08 - 1 - 9:01 a.m.)
ROLL CALL

Manuel stated that four commissioners were present, with Bryant absent.

(08/05/08 - 1 - 9:01 a.m.)

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

(9:03 a.m.) Commissioner James Bryant entered the meeting.

(08/05/08 - 1 - 9:03 a.m.)
DELETIONS TO CONSENT AGENDA

There were none.

(08/05/08 - 1 - 9:04 a.m.)
APPROVAL OF CONSENT AGENDA

Motion by Rich, seconded by Sanchez, carried 5/0, to approve the Consent Agenda.

1. Approval of the Cash Requirement Report
2. Minutes:
 07/08/08 – BCC Regular Meeting
 07/15/08 – BCC Special Meeting 9:30 A.M.
 07/15/08 – BCC Special Meeting 10:00 A.M.

3. Sheriff's Office Bonds:

Cancel:	Pamela Acosta	Tracy Belcik	Preston Bowes
	Glen Cardwell	Rachel Clouse	Wayne J. Harrigan Jr
	Gary Howell	Debra Meares	Donald Mills
	William Petty	Donna Switzer	Damian Threet

4. Motion to approve a transfer in the amount of \$61,508 from LETF Reserves (1194-59920) to LETF Operating Supplies (1194-55200) to purchase a video conferencing system, uniforms and equipment for the PAL football league, and a computerized polygraph system
5. Motion to adopt **Resolution No. 2008-200**, approving the terms, conditions, provisions and requirements of a Memorandum of Understanding between St. Johns, Volusia, Flagler, Putnam and Brevard County concerning certain aspects of the River To Sea Loop, and authorizing the County Administrator to execute the Memorandum of Understanding, on behalf of St. Johns County

RESOLUTION NO. 2008-200

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A MEMORANDUM OF UNDERSTANDING BETWEEN ST. JOHNS COUNTY, BREVARD COUNTY, FLAGLER COUNTY, VOLUSIA COUNTY AND PUTNAM COUNTY FLORIDA, CONCERNING CERTAIN ASPECTS OF THE RIVER TO SEA LOOP, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING ON BEHALF OF ST. JOHNS COUNTY

6. Motion to authorize the St. Johns County Recreation and Parks Department to make application for a Florida Recreation Development Assistance Program Grant for Phase I Development of Canopy Shores Park
7. Motion to approve the reappropriation of funding within the Utility Services Division to meet the reprioritization and timing of capital improvement projects for FY 08
8. Motion to approve the transfer of \$5,353 from Utility Reserves to the appropriate personal services line items to enable funds to be appropriated to the Utility Administrative Assistant position to fill said position for the remainder of the year
9. Motion to adopt **Resolution No. 2008-201**, authorizing the person named on the "Authorized Signature Certification" Form to act on behalf of the County in agreements/contracts with the Chief Financial Officer, State of Florida, concerning all cash, book-entry, and security transactions on behalf of St. Johns County, Florida and a motion to authorize the County Administrator to execute the "Authorized Signature Certification" Form

RESOLUTION NO. 2008-201

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CLERK OF COURTS TO EXECUTE AND DELIVER THE ATTACHED AUTHORIZED SIGNATURE CERTIFICATION TO THE FLORIDA DIVISION OF TREASURY

10. Motion to authorize the County Administrator, or his designee, to award a contract to the low bidder, Hashman Construction in the amount of \$361,935 for Bid # 08-125, Frank Butler Park Improvements
11. Motion to authorize the County Administrator, or his designee, to award a contract to the low bidder, Governor Construction, Inc. in the amount of \$188,046.88 for Bid # 08-133, CR 214 Wellfield WTP Improvements High Service Pump #4
12. Motion to authorize the County Administrator, or his designee, to award a contract to the low bidder, Flint Construction in the amount of \$374,943 for Bid # 08-128, Construction of 2 Concessions at Aberdeen & Durbin Parks
13. Motion to authorize the County Administrator, or his designee, to negotiate with and enter into contract with the Number One ranked firm, PGAV Destination Consulting, for the Destination Master Plan. If an agreement cannot be reached with the top ranked firm, authorization is requested to begin negotiations with the next ranked respondent and continue until an agreement is reached
14. Motion to approve a transfer in the amount of \$376 from the Transportation Trust Fund Reserve (1131-59920) to the appropriate salary and benefit line items within the Traffic and Transportation Department to effectuate the transfer of an employee
15. Motion to approve a transfer in the amount of \$1,829.21 from the General Fund Reserve (0083-59920) to the appropriate salary and benefit line items within the Parks and Recreation Department to effectuate a salary adjustment for an Inmate Supervisor
16. Motion to adopt **Resolution No. 2008-202**, approving the terms and authorizing the County Administrator to execute a 1st Amendment to the Purchase and Sale Agreement from Frank Ashidji for property needed for the improvements to Fire Station Number 5

RESOLUTION NO. 2008-202

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A 1ST AMENDMENT TO THE PURCHASE AND SALE AGREEMENT FROM FRANK ASHIDJI FOR PROPERTY NEEDED FOR THE IMPROVEMENTS TO FIRE STATION NUMBER 5

17. Motion to adopt **Resolution No. 2008-203**, approving the terms and authorizing the County Administrator to execute a certain Purchase and Sale Agreement for property needed for the intersection improvements and turn lane on Greenbriar Road and County Road 244

RESOLUTION NO. 2008-203

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A 1ST AMENDMENT TO THE PURCHASE AND SALE AGREEMENT FOR PROPERTY NEEDED FOR THE INTERSECTION IMPROVEMENTS AND TURN LANE ON GREENBRIAR ROAD AND COUNTY ROAD 244

18. Motion to adopt **Resolution No. 2008-204**, approving the terms and authorizing the Chairman to execute a Conservation Easement over ~ 30 acres near SR 13 N and Jack Wright Island Rd. to mitigate for wetland impacts associated with the Bakersville Bridge/CR 208 improvement project

RESOLUTION NO. 2008-204

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE CHAIRMAN TO EXECUTE A CONSERVATION EASEMENT OVER APPROXIMATELY 30 ACRES NEAR JACK WRIGHT ISLAND ROAD AND STATE ROAD 13 NORTH TO MITIGATE THE WETLAND IMPACTS ASSOCIATED WITH THE BAKERSVILLE BRIDGE/CR 208 IMPROVEMENT PROJECT

19. Motion to adopt **Resolution No. 2008-205**, approving the terms and authorizing the County Administrator to execute a Purchase and Sale Agreement for property needed for the construction of CR2209 (North/South Corridor)

RESOLUTION NO. 2008-205

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A PURCHASE AND SALE AGREEMENT FOR PROPERTY NEEDED FOR THE CONSTRUCTION OF CR 2209 (NORTH/SOUTH CORRIDOR)

20. Motion to adopt **Resolution No. 2008-206**, authorizing the release of interest by Quit Claim Deed of an easement area designated for utilities within two tracts designated for additional right of way along State Road 16 in the plat of Ashley Oaks Subdivision to the Florida Department of Transportation and authorizing the County Administrator to execute the Quit Claim Deed

RESOLUTION NO. 2008-206

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE RELEASE BY QUIT CLAIM DEED OF INTEREST OF AN EASEMENT AREA DESIGNATED FOR UTILITIES WITHIN TWO TRACTS DESIGNATED

FOR ADDITIONAL RIGHT OF WAY ALONG STATE ROAD 16 IN THE PLAT OF ASHLEY OAKS SUBDIVISION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE QUIT CLAIM DEED

21. Motion to adopt **Resolution No. 2008-207**, accepting Deeds of Dedication and Grant of Easement from FDG Flagler Crossing, LLC to St. Johns County and accepting a Survey Map all in connection with the new right-of-way of San Sebastian View

RESOLUTION NO. 2008-207

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING DEEDS OF DEDICATION AND GRANT OF EASEMENT FROM FDG FLAGLER CROSSING, LLC TO ST. JOHNS COUNTY AND ACCEPTING A SURVEY MAP ALL IN CONNECTION WITH THE NEW RIGHT-OF-WAY OF SAN SEBASTIAN VIEW

22. Motion to adopt **Resolution No. 2008-208**, approving the terms of a Hold Harmless Agreement between St. Johns County and FDG Flagler Crossing, LLC and authorizing the County Administrator to execute the Agreement on behalf of the County

RESOLUTION NO. 2008-208

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF A HOLD HARMLESS AGREEMENT BETWEEN ST. JOHNS COUNTY AND FDG FLAGLER CROSSING, LLC AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

23. Motion to adopt **Resolution No. 2008-209**, accepting a Deed of Dedication from Moultrie Crossing Homeowners' Association Inc., to St. Johns County conveying the right-of-way of Moultrie Crossing Lane

RESOLUTION NO. 2008-209

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION FROM MOULTRIE CROSSING HOMEOWNERS' ASSOCIATION, INC. TO ST. JOHNS COUNTY CONVEYING THE RIGHT-OF-WAY OF MOULTRIE CROSSING LANE

24. Motion to approve the Personnel Distribution Adjustment of the Health & Human Services Department
25. Motion to adopt **Resolution No. 2008-210**, repealing and replacing Resolution 96-201 creating an official County flag that includes the words "St. Johns

County" arrayed around the County's official Coat of Arms and a motion to authorize the purchase of two official County flags

RESOLUTION NO. 2008-210

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, REPEALING AND REPLACING RESOLUTION NO. 96-201, ADOPTING A COUNTY FLAG

26. Proofs:
- a. Proof, Notice of Hearing, Board of County Commissioners, Oil and Grease Ordinance, Tuesday, August 5, 2008 at 9:00 a.m.
 - b. Proof, Notice to Bidders, Bid No. 08-32
 - c. Proof, Notice to Bidders, Bid No. 08-150
 - d. Proof, Notice of Hearing, Board of County Commissioners and Community Redevelopment Agency, Adoption of two Resolutions, Tuesday, August 19, 2008 at 9:00 a.m.
 - e. Proof, Public Notice, Tax Impact of Value Adjustment Board
 - f. Proof, Notice of Hearing, Board of County Commissioners, Impose and Provide for Collection of Fire Rescue Special Assessments, Tuesday, August 5, 2008 at 9:00 a.m.
 - g. Proof, Notice to Bidders, Bid No. 08-157
 - h. Proof, Notice to Bidders, Bid No. 08-155
 - i. Proof, Notice to Bidders, RFQ No. 08-145
 - j. Proof, Notice of Meeting, Board of County Commissioners, Special Public and Private Meeting, Tuesday, July 15, 2008 at 9:30 a.m.
 - k. Proof, Notice of Meeting, Board of County Commissioners, Workshop for FY 2009 Financial Plan, Tuesday, July 15, 2008 at 10:00 a.m.
 - l. Proof, Notice to Bidders, RFP No. 08-113
 - m. Proof, Notice to Bidders, Bid No. 08-123
 - n. Proof, Notice to Bidders, Bid No. 08-143
 - o. Proof, Notice to Bidders, Bid No. 08-149

(08/05/08 - 6 - 9:03 a.m.)

PUBLIC COMMENT

Roger Van Ghent, 4005 Moultrie Foreside Blvd., spoke on Charter Government. He clarified what he considered to be misconceptions about it and asked for its support. Discussion followed.

(9:12 a.m.) Clara Cowan, 244 Patrick Mill Circle, Ponte Vedra, spoke as President of the Coalition, regarding a proposed PUD in Ponte Vedra. She asked why they were not going through the major modification process for PUDs. Stevenson said discussion on it would be added to the Regular Agenda.

(9:13 a.m.) Melanie Cain Stage, 5285 St. Ambrose Church Road, from H.A.W.K.E., gave a background of the H.A.W.K.E. program, Exhibit A. She thanked the County for its support but noted that expenses had increased greatly. She said they needed more help from the County to survive. Discussion ensued regarding the possibility of the use of the Tree Bank Fund for help on funding H.A.W.K.E. McCormack said that he had informally interviewed the Environmental Manager and there was a nexus between the loss of protected trees and the negative affect on displaced wildlife. Rich mentioned that the change to the Tree Bank Fund would be brought before the Board in September as a possible funding source.

(9:27 a.m.) Mary Kohnke, 29 S. Roscoe, Ponte Vedra, spoke on the MSBU and charged the Board with wasting over \$200,000 of taxpayer dollars. She also spoke on the Homestead Exemption and Save Our Homes. Sanchez explained the process regarding the MSBU and clarified that they had never approved a fire fee. Discussion ensued.

(9:40 a.m.) Bing Dino, 910 Palermo Road, spoke regarding the fact that we were in a recession and that the fire and rescue assessment was just the beginning. He asked the Board to consider other sources of funding rather than penalizing the homeowners.

(9:44 a.m.) Allen MacDonald, County Finance Director, entered the meeting.

(9:44 a.m.) J. B. Patterson, 2521 Deer Run Road, spoke in opposition of the MSBU. Wanchick spoke on the MSBU.

(9:45 a.m.) Terry Bulla, Deputy Clerk left the meeting and Lenora Newsome, Deputy Clerk entered the meeting.

(9:45 a.m.) Stevenson spoke on negative things coming from the County. Rich spoke on seeking other alternatives and on things having a negative affect on the business community. Sanchez spoke on the fire rescue MSBU being a dead issue and the letters that were sent out regarding the fee, did not count now.

(9:59 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, Fruitcove, spoke on the Fruit Cove Post Office being considered in Jacksonville instead of St. Johns County, and asked to have the sign in front of the station changed, Exhibit B.

(10:04 a.m.) Mary Savard, 2785 Stratton Blvd., spoke on two commercial properties, with entry on Stratton Blvd., which would be coming to the Board for approval soon. She spoke on some critical issues already approved on Stratton Blvd. McCormack voiced concern about the item coming before the Board. Sanchez spoke on checking the area out and taking a closer look on some of the problems in that area. Rich spoke against the project. Sanchez spoke on the water flowing into the county ditches and the direction of the drainage. Savard spoke on a small adjustment plan turning into a big adjustment plan. She spoke on culverts and ditches being blocked, Exhibit C. She stated that the impact fees were never paid. Rich stated that he needed to know answers concerning ditches being cleaned out, impact fee payments, and installation of a signal light, before this item came back before the Board.

(08/05/08 - 7 - 10:24 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick requested to remove Items 13 and 14 from the agenda until the first meeting in September.

(08/05/08 - 7 - 10:25 a.m.)

APPROVAL OF REGULAR AGENDA

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

The meeting recessed at 10:25 a.m. and reconvened at 10:33 a.m.

(10:33 a.m.) Stevenson asked to add the Ponte Vedra PUD that was approved last Tuesday as Item 16 to the Regular Agenda for discussion. **Motion by Rich, seconded by Stevenson, carried 5/0, to approve the Regular Agenda as amended.**

(08/05/08 - 8 - 10:33 a.m.)

1. PUBLIC HEARING - ADOPTION HEARING FOR SCHOOL CONCURRENCY DOCUMENTS - THIS IS THE ADOPTION HEARING, WHICH IS THE LAST STEP IN THE ADOPTION PROCESS FOR AMENDMENTS TO THE ST. JOHNS COUNTY 2015 COMPREHENSIVE PLAN RELATED TO SCHOOL CONCURRENCY. THE DOCUMENTS TO BE CONSIDERED ARE AN UPDATED INTERLOCAL AGREEMENT, A NEW PUBLIC SCHOOL FACILITIES ELEMENT (PSFE), AN AMENDMENT TO THE INTERGOVERNMENTAL COORDINATION ELEMENT (ICE) AND CAPITAL IMPROVEMENTS ELEMENT (CIE), AND ARE KNOWN COLLECTIVELY AS THE SCHOOL CONCURRENCY DOCUMENTS

Proof of publication of the notice of public hearing regarding adoption of the School Concurrency Documents was received having been published in *The St. Augustine Record* on July 25, 2008.

Jason Cleghorn, Planner III, gave the presentation and explained the previous steps taken in the adoption process, noting that the presentation that day was the last step in that process, Exhibit A. He mentioned that the School Board representatives were present.

(10:40 a.m.) Tim Forson, 40 Orange Street, St. Johns County School District Executive Director for Facilities and Operations, said they believed that the documents were ready for adoption and met the goals and provisions of the Florida Statutes.

(10:41 a.m.) Don Beattie, 808 Mill Pond Ct., spoke on the Interlocal Agreement they were discussing that day. He reviewed the impacts of the decisions that would be made after the agreement was passed, and reviewed modifications he felt needed to be made. He discussed the fallacy of ratios that had been projected, how they affected county tax payers, and that residential development did not pay for itself when low ratios were used. Discussion ensued. Beattie suggested that Table 2.19 should be eliminated as it was inaccurate, and that a simple one sentence addition be added: *the School District and County Planning Department would estimate student per household ratios based on the demographics of the proposed development.* Rich said the ratio was obviously skewed and he supported Beattie's idea for the removal of the table and the inclusion of the sentence he proposed. Discussion ensued.

(10:58 a.m.) Mary Kohnke, 29 South Roscoe, spoke on concurrency being related to a development not to a sector of the county. Bryant spoke on it being a learning process. Lengthy discussion followed. Forson spoke on student generation rates, stating that it was done with real numbers per household in the District and that it needed to be updated every year. Bryant stated that they needed to expand the chart on the number of children in the household from one day old to school age. Manuel mentioned that the implementation date required by State Statute was December 1st. Forson replied that the effective date in St. Johns County was August 1st, with the effective date becoming the approval date, and they would move forward from there. Manuel spoke on the school concurrency issue. Stevenson spoke on the Julington Creek Plantation example. Beattie spoke on housing being marketed to young families. Rich stated that he was not comfortable with this item, if it was approved as it stood. He asked if that item could be tabled for the time being. McCormack replied yes, but there was a risk in going farther and farther away from the August 1st due date. He stated, as the Board

Attorney, that he would prefer that it be adopted so that they would comply with the State requirements within four days.

(11:25 a.m.) Beattie spoke on St. Johns County being selected as one of six counties to do a pilot interlocal agreement reviewing the problems of concurrency and level of service. Rich asked Beattie if he had reviewed the information from Teresa Bishop, which was referred to by the County Attorney, and asked if that verbiage would correct this issue. Beattie replied not completely because of the issue of what happens in the next year. McCormack mentioned that one alternative could be, if it had an annual review requirement, there could be an addition, that in the first year it had to be done six months from the adoption. Stevenson spoke on Comp Plan amendments that were approved in the last few years.

(11:30 a.m.) Forson spoke on the Interlocal Agreement. Discussion followed.

(11:32 a.m.) Teresa Bishop, reviewed the proposed language to be placed in the amendment ordinance that was adopting the public school facility element. She stated that, not only did St. Johns County and the School District have to be together on the school student generation rates; they also had to incorporate all the municipalities. Bishop stated that the specific was; *Section 6. On an annual basis, staff of the St. Johns County School District, St. Johns County, City of St. Augustine, City of St. Augustine Beach, and Town of Hastings will review the school student generation rates established for each Concurrency Service Area and revise as necessary to address changes in student population and school enrollments.* She stated that the first review would start in three or six months. She mentioned that the sectors and school concurrency service areas were required by statute. Manuel asked what would happen if the review commenced at the end of the school year. Forson replied that they could do that, but there were two times during the year to get the best figures, October and February. Bishop stated that they would be comfortable with using an October review. Discussion followed on doing a review twice a year. Bishop reviewed the revised language on Section 6: *On an annual basis, with the first being in October 2008, staff of St. Johns County School District, St. Johns County, City of St. Augustine, City of St. Augustine Beach, and Town of Hastings will review the school student generation rates established for each concurrency service area and revise as necessary to address changes in the student population and school enrollments. If there is a deviation between the October and the February numbers, and it's a greater deviation, the School District will adjust their numbers to accommodate the increase.* Discussion followed on the deviation percentage. McCormack stated that Bishop had set out the merits for this and that her language was good. He requested to have a recess to finalize the motion. Manuel stated that they would like to give the Attorney's Office the chance to finalize the motion, have Nick Sacia do the EDC, Item #3, and then come back to the Attorney for the suggested motion.

(11:58 a.m.) Karen Taylor, 77 Saragossa Street, stated that she had Item 11 that afternoon and asked if she could present her item at 1:30 p.m. because she had a City and Zoning Board meeting that started at 2:00 p.m. Manuel stated that they would let Taylor present her item at 1:30 p.m.

(11:59 a.m.) Bishop stated that they came up with the following motion for Item 1: *Section 6. On a bi-annual basis, in October and February, with the first review being in October 2008, staff of the St. Johns County School District, St. Johns County, City of St. Augustine, City of St. Augustine Beach, and Town of Hastings will review the school student generation rates established for each Concurrency Service Area and revise as necessary to address changes in student population and school enrollments. If the February analysis shows a deviation greater than 2.5 percent student generation rates will be adjusted.* She stated that this amendment

was being made in the proposed ordinance adopting the public school facilities element and was added as Section 6.

(12:01 p.m.) Motion by Rich, seconded by Stevenson, carried 5/0, to enact Ordinance No. 2008-38, School Concurrency Documents which include a Public School Facilities Element; revised Intergovernmental Coordination Element; revised Capital Improvement Element and related data and analysis, and adopting a revised Interlocal Agreement between St. Johns County and the municipalities of Hastings, St. Augustine, and St. Augustine Beach and the School District of St. Johns County, Florida, to include the amendment, Section 6, as outlined by Teresa Bishop.

ORDINANCE NO. 2008-38

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO ADD THE NEW PUBLIC SCHOOL FACILITIES ELEMENT AND AMEND THE TEXT OF THE COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES, OF THE INTERGOVERNMENTAL COORDINATION AND CAPITAL IMPROVEMENTS ELEMENTS AND, TO MEET THE REQUIREMENT OF SB360, KNOWN AS SCHOOL CONCURRENCY; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(08/05/08 - 10 - 1:36 p.m.)

2. FOLLOW-UP PRESENTATION AND DISCUSSION OF LOCAL FUNDING OPTIONS FOR PARKS AND LAND CONSERVATION

Susan Grandin, Director of the Trust for Public Land Conservation Program, Jacksonville Office, 1022 Park St. # 401, Jacksonville, introduced Will Abberger, National Assistant Director of Conservation Finance for the Trust for Public Lands, 306 N. Monroe St., Tallahassee. He gave a PowerPoint presentation (Exhibit A) evaluating the feasibility of dedicated funding sources for land conservation in St. Johns County. He reviewed the successful ballot measures in Florida, the steps for a successful ballot measure, the feasibility study, sources of financing, the public opinion survey, the initial ballot test, program structure and program recommendations. The recommendation was for a one cent sales tax for no more than five years, to be placed on the general election ballot in November.

(1:50 p.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., stated that he supported the effort whole heartedly. He asked the Board to support it. He noted that transportation would be helped by this measure as well.

(1:52 p.m.) Rich requested that the County Administrator look for consensus of the Board to work with the Trust for Public Land and any other interested parties to move forward with the development of ballot language and ordinance completion. Sanchez concurred. Stevenson reviewed the areas this would cover, and said this was the way the Board needed to be going for long range planning for St. Johns County, but there were other safety issues that needed to be dealt with as well. She asked for guidance from the County Administrator as there weren't many options.

(1:54 p.m.) Wanchick said he shared her concerns and would love to see us move forward with that issue, but they needed to keep in mind that there were other serious

capital needs, including the Fire Plan, the 800 mega hertz system and the need for countywide stormwater revenue source to pay for the improvements that were being mandated by changes in Federal legislation. He said they would need to hold a Board workshop to set some priorities, identify funding sources and balance some of their long term financial goals.

(1:56 p.m.) Stevenson said she wanted to be sure the public understood that the number one issue was public safety, but agreed to support further dialogue and said it was more economically sound at this time.

(1:57 p.m.) Bryant agreed but asked if there was a cap. Abberger responded (inaudible).

(1:57 p.m.) Manuel said the Commissioners were charged to maintain the character and nature of St. Johns County according to Florida Statute 163. He stated that uniqueness was also a factor. He said that according to the survey there was clearly a tremendous interest in accomplishing those three goals. He said people wanted to know how money was spent and the Board needed to be precise in how the money would be applied. He said he would like to see project specific applications and asked the County Administrator to meet with each Commissioner to develop those applications. He said they also needed to emphasize the sunset provision, as it would only last for five years. He said there were deadlines for the November 4th ballot and language had to be given to the Supervisor of Elections by August 29th. McCormack stated that it had to be adopted by Ordinance and it had to be advertised. Manuel asked Wanchick to schedule a date for a meeting prior to the deadline for advertising. McCormack clarified that by giving consensus to the County Administrator to bring back a proposed ordinance, it was not being adopted that day, but was for consideration of placement of a one cent sales tax before the public for their vote.

(08/05/08 - 11 - 11:48 a.m.)

3. CHAMBER OF COMMERCE EDC QUARTERLY ECONOMIC DEVELOPMENT UPDATE

Nick Sacia gave a third quarter Economic Development update on traffic, recruiting industries, local business on expansion plans, the Source Refrigeration company announcement, meetings held in the third quarter, legislative things done that quarter, existing business surveys, and businesses having concerns about expanding locally. He continued with the 2004 to 2008 comparisons, anticipating negative increases, investment forecasts, workforce rankings, strengths and weaknesses of businesses, 2008/2009 community project - education program, quarterly report, and wrapping up the study on the workforce sites, Exhibit A.

(08/05/08 - 11 - 12:02 p.m.)

4. CONSIDER A MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS AND CONDITIONS ASSOCIATED WITH AN EXTENSION AGREEMENT FOR AUDIT SERVICES BETWEEN DAVIS MONK & COMPANY, AND ST. JOHNS COUNTY, FLORIDA, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE EXTENSION AGREEMENT ON BEHALF OF THE COUNTY

Manuel asked how long it had been since this was last put out for RFP.

(12:02 p.m.) Allen MacDonald, Finance Director, replied that the last time this was put out as an RFP was the beginning of their contract five years ago. He stated that with the language that was amended, this would be for a one three-year extension. Manuel

asked the County Administrator, based on their discussions on RFP renewals, how he felt about it. Wanchick replied that he thought they should move forward.

(12:04 p.m.) **Motion by Stevenson, seconded by Rich, carried 5/0, to adopt Resolution No. 2008-211, approving the terms and conditions associated with an extension agreement for audit services between Davis Monk & Company, and St. Johns County, Florida, and authorizing the County Administrator to execute the extension agreement on behalf of the County as discussed for a three year period.**

RESOLUTION NO. 2008-211

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS ASSOCIATED WITH AN EXTENSION AGREEMENT FOR AUDIT SERVICES BETWEEN DAVIS MONK & COMPANY, AND ST. JOHNS COUNTY, FLORIDA, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE EXTENSION AGREEMENT ON BEHALF OF THE COUNTY

The meeting adjourned at 12:05 and reconvened at 1:34 p.m.

(08/05/08 - 12 - 2:07 p.m.)

5. CONSIDER MOTION TO APPROVE THE TRANSFER OF \$93,351 FROM THE GENERAL FUND RESERVES TO SOCIAL SERVICES TO FUND THE SEVERANCE/ADMINISTRATIVE LEAVE PACKAGE ASSOCIATED WITH THE HHS REORGANIZATION AND TO REQUEST THE FINANCE DEPARTMENT TO REALLOCATE THE EXPENDITURES FROM CBC AND MENTAL HEALTH

Bob Peters, Personnel Services Director, gave the presentation and explained why the request was being made.

(2:08 p.m.) **Motion by Rich, seconded by Sanchez, carried 5/0, to approve the transfer of \$93,351 from the General Fund Reserves to Social Services to fund the severance/administrative leave package associated with HHS reorganization and to request the Finance Department to reallocate the expenditures from CBC and Mental Health.**

(08/05/08 - 12 - 2:09 p.m.)

6. CONSIDER APPOINTMENTS TO THE HOUSING FINANCE AUTHORITY

Melissa Lundquist, Administrative Coordinator, gave the presentation.

(2:09 p.m.) **Motion by Bryant, seconded by Rich, carried 5/0, to reappoint Ann Mathis Doak to the Housing Finance Authority for a full four-year term scheduled to expire March 10, 2012.**

(2:10 p.m.) **Motion by Rich, seconded by Sanchez, carried 5/0, to appoint Robert Marshall to the Housing Finance Authority for a partial term scheduled to expire March 10, 2011.**

(08/05/08 - 12 - 2:11 p.m.)

7. CONSIDER APPOINTMENTS TO THE RECREATION ADVISORY BOARD

Melissa Lundquist gave the presentation.

(2:11 p.m.) **Motion by Rich, seconded by Bryant, carried 5/0, to reappoint Fred Harris to the Recreation Advisory Board for a full four-year term scheduled to expire June 22, 2012.**

(2:13 p.m.) **Motion by Sanchez, seconded by Stevenson, carried 5/0, to reappoint Sean Sacco to the Recreation Advisory Board for a full four-year term scheduled to expire June 22, 2012.**

(08/05/08 - 13 - 2:13 p.m.)

8. CONSIDER APPOINTMENTS TO THE CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS

(2:14 p.m.) **Motion by Stevenson, seconded by Bryant, carried 5/0, to appoint William R. Boyer to the Adjustment & Appeals Board as a regular member for a full four-year term scheduled to expire August 5, 2012.**

(2:15 p.m.) **Motion by Manuel, seconded by Sanchez, carried 5/0, to reappoint Audrey Cheney Short to the Adjustment & Appeals Board for a full four-year term scheduled to expire July 13, 2012.**

(08/05/08 - 13 - 2:15 p.m.)

9. PUBLIC HEARING - OIL AND GREASE MANAGEMENT ORDINANCE - THE PROPOSED OIL AND GREASE MANAGEMENT ORDINANCE REPLACES EXISTING ORDINANCE 2004-76 AND HAS BEEN REVISED TO REFLECT: 1. CLEARLY DEFINED PROGRAM REQUIREMENTS, SUCH AS OIL AND GREASE INTERCEPTION DEVICE DESIGN, CAPACITY INSTALLATION AND MAINTENANCE REQUIREMENTS, PERMIT AND REPORTING REQUIREMENTS, PROGRAM INSPECTIONS, VIOLATIONS AND NONCOMPLIANCE REQUIREMENTS AND PERMIT FEE REQUIREMENTS. 2. EFFECTIVE ENFORCEMENT REMEDIES INCLUDING ADMINISTRATIVE AND JUDICIAL ENFORCEMENT REMEDIES, ORDINANCE ENFORCEMENT, JURISDICTION, FURTHER ADMINISTRATIVE AND LEGAL ACTIONS AND SHOW CAUSE HEARINGS. 3. REDUCED ANNUAL OIL AND GREASE MANAGEMENT PROGRAM FEES

Proof of publication of the notice of public hearing regarding the Oil and Grease Management Ordinance was received, having been published in *The St. Augustine Record* on July 22, 2008.

Bill Young, Utilities Director, gave the presentation and explained the new ordinance. Linda Fielder, Manager of the program, and Stacy Colson, Utility Environmental Coordinator, were present to answer questions.

(2:18 p.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to enact Ordinance 2008-40, replacing County Ordinance 2004-76, concerning SJCUD Oil and Grease Management Program requirements, enforcement remedies and program fees.**

ORDINANCE NO. 2008-40

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE OIL AND GREASE MANAGEMENT ORDINANCE FOR ST. JOHNS COUNTY, FLORIDA; PROVIDING FOR GENERAL PROVISIONS;

PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR OIL AND GREASE MANAGEMENT PROGRAM REQUIREMENTS; PROVIDING FOR GENERAL CRITERIA; PROVIDING FOR DESIGN AND CAPACITY; PROVIDING FOR INSTALLATION; PROVIDING FOR MAINTENANCE; PROVIDING FOR WASTEWATER DISCHARGE PERMITS; PROVIDING FOR REPORTING REQUIREMENTS; PROVIDING FOR OIL AND GREASE MANAGEMENT PROGRAM INSPECTIONS; PROVIDING FOR VIOLATIONS AND NONCOMPLIANCE; PROVIDING FOR PERMITS AND FEES; PROVIDING FOR ADMINISTRATIVE AND JUDICIAL ENFORCEMENT REMEDIES; PROVIDING FOR ORDINANCE ENFORCEMENT; PROVIDING FOR JURISDICTION; PROVIDING FOR ADMINISTRATIVE AND LEGAL ACTION; PROVIDING FOR SHOW CAUSE HEARINGS; PROVIDING FOR OIL AND GREASE MANAGEMENT PROGRAM RATES AND FEES; PROVIDING FOR OIL AND GREASE MANAGEMENT PROGRAM FEE CALCULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE

(08/05/08 - 14 - 2:19 p.m.)

10. PUBLIC HEARING - WAIVER TO BALD EAGLE REQUIREMENTS FOR DAVIDSON PROPERTY - APPLICANT SEEKS A WAIVER TO SECTIONS 4.01.10. B, C AND D, OF THE LAND DEVELOPMENT CODE CONCERNING HABITAT MANAGEMENT FOR THE BALD EAGLE, FOR NEST SJ-024, TO CONSTRUCT A SCREEN PORCH ON A SINGLE FAMILY HOME IN THE PRIMARY ZONE OF BALD EAGLE NEST SJ-024 ON A LOT LOCATED AT 3492 STATE ROAD 13, NORTH. THE APPLICANT WILL COMPLY WITH THE U.S. FISH AND WILDLIFE SERVICE REQUIREMENTS WHERE THE SCREEN PORCH SHALL BE CONSTRUCTED APPROXIMATELY 500 FEET FROM THE NEST TREE AND NO EXTERIOR CONSTRUCTION WILL TAKE PLACE DURING THE NESTING SEASON WHICH IS FROM OCTOBER 1ST TO MAY 15TH

Proof of publication of the notice of public hearing regarding a waiver request for Bald Eagle Nest SJ-024 was received, having been published in *The St. Augustine Record* on July 21, 2008.

Jan Brewer, Environmental Manager, gave the presentation. Bryant said that since the Board had been approving the eagle waivers, there had not been any violations. Brewer said that was correct.

(2:20 p.m.) Motion by Bryant, seconded by Sanchez, carried 5/0, to approve the waiver to Section 4.01.10 B, C and D of the Land Development Code based on the applicant providing an alternate Bald Eagle Management Plan.

(08/05/08 - 14 -1:34 p.m.)

(District 3)

11. PUBLIC HEARING - REZ 2008-02 DH COMMERCIAL - THIS IS A REQUEST TO REZONE 4.22 ACRES FROM OPEN RURAL (OR) TO COMMERCIAL INTENSIVE (CI). THE PLANNING DIVISION FINDS THAT THE REQUEST TO REZONE THE SUBJECT PARCEL OF LAND TO CI MEETS THE TECHNICAL REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE

LAND DEVELOPMENT CODE. THIS FINDING IS BASED UPON THE FOLLOWING INFORMATION: THE APPLICATION MATERIALS AS SUBMITTED BY THE APPLICANT, THE LOCATION OF THE PROPERTY WITHIN THE PUBLIC LAND USE AND OTHER RELEVANT INFORMATION AVAILABLE TO STAFF. THIS FINDING MAY BE SUBJECT TO OTHER COMPETENT SUBSTANTIAL EVIDENCE RECEIVED AT THE QUASI-JUDICIAL PUBLIC HEARING. THE PLANNING & ZONING AGENCY RECOMMENDS APPROVAL BY A VOTE OF 7/0 (MOTION BY LAIDLAW/SECONDED BY NELSON)

Proof of publication of the notice of public hearing REZ 2008-02/DH Commercial was received, having been published in *The St. Augustine Record* on July 21, 2008.

Karen Taylor, 77 Saragossa St., gave the presentation and explained the project.

(1:36 p.m.) Motion by Rich, seconded by Sanchez, carried 5/0, to enact Ordinance 2008-39, known as REZ 2008-02 DH Commercial, adopting findings of fact one through four to support the motion.

ORDINANCE NO. 2008-39

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

(08/05/08 - 15 - 2:20 p.m.)

(District 2)

12. PUBLIC HEARING - REZ 2008-10 ST. JOHNS COUNTY AGRICULTURAL GUN RANGE - THIS IS A REQUEST TO REZONE FROM INDUSTRIAL WAREHOUSE (IW) TO OPEN RURAL (OR) FOR THE DEVELOPMENT OF AN OUTDOOR FIRING RANGE. SUBJECT PROPERTY IS 12.41 ACRES AND IS LOCATED SOUTH OF SR 208 OFF OF AGRICULTURAL CENTER DRIVE. THE PLANNING DIVISION FINDS THE REQUEST TO REZONE TO OPEN RURAL (OR) SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THIS FINDING IS BASED UPON THE FOLLOWING INFORMATION: THE APPLICATION MATERIALS AS SUBMITTED BY THE APPLICANT, THE LOCATION OF THE PROPERTY WITHIN THE PUBLIC LAND USE AND OTHER RELEVANT INFORMATION AVAILABLE TO STAFF. THIS FINDING MAY BE SUBJECT TO OTHER COMPETENT SUBSTANTIAL EVIDENCE RECEIVED AT THE QUASI-JUDICIAL PUBLIC HEARING. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST AT THEIR JUNE 19, 2008 MEETING BY A VOTE OF 7 TO 0 (MOTION BY NELSON, SECONDED BY WILLIAMS)

Proof of publication of the notice of public hearing regarding Proposed Rezoning/2008-10/AG Center Gun Range was received, having been published in *The St. Augustine Record* on July 21, 2008.

Michael Blackford, Planner II, gave the presentation and said he had no new information to provide.

(2:20 p.m.) **Motion by Sanchez, seconded by Rich, to enact Ordinance 2008-41, known as REZ 2008-10, St. Johns County Agricultural Center Gun Range findings of fact one through four to support the motion.** Rich asked staff if this was the FOP gun range. Blackford said it was for Four-H use. Stevenson clarified that it was for low impact munitions. (2:22 p.m.) **Motion carried 5/0.**

ORDINANCE NO. 2008-41

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

This item was postponed until September 2

(08/05/08 - 16 - 10:24 a.m.)

(District 2)

13. PUBLIC HEARING - NOPC 2007-08 WORLD COMMERCE CENTER - THIS IS A NOTICE OF PROPOSED CHANGE (NOPC) TO REVISE THE WORLD COMMERCE CENTER DRI DEVELOPMENT ORDER

This item was postponed until September 2

(08/05/08 - 16 - 10:24 a.m.)

(District 2)

14. CONSIDER MOTION TO ADOPT A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE WORLD COMMERCE CENTER IMPACT FEE CREDIT AGREEMENT IN THE AMOUNT OF \$3,712,363 IN ROAD IMPACT FEE CREDITS

(08/05/08 - 16 - 2:23 p.m.)

(District 1)

15. CONSIDER MOTION TO ADOPT A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE MARSHALL CREEK IMPACT FEE CREDIT AGREEMENT IN THE AMOUNT OF \$3,622,000 IN ROAD IMPACT FEE CREDITS

Lindsay Haga gave the presentation and explained the request. She noted that Kathryn Whittington was present to represent the applicant, if they had questions.

(2:23 p.m.) **Motion by Stevenson, seconded by Rich, to adopt Resolution No. 2008-212, authorizing the County Administrator to execute the Marshall Creek Impact Fee Credit Agreement in the amount of \$3,622,000 in Road Impact Fee Credits.**

(2:24 p.m.) Manuel said he had voted against it when he was on the PZA. He said it was a 2,600 DRI that paid \$3.622 million in total impact fees to the County and on a per house basis, it was the lowest of all the developments that had been approved. He said they had an agreement and a valid and legal document but it bothered him. He stated they should have been able to get greater concessions on a DRI of that size.

(2:25 p.m.) Kathryn Whittington, Pappas Metcalf Jenks & Miller, 245 Riverside Ave., Suite 400, Jacksonville, noted there had been other impact fee agreements for the project and clarified that he was referencing the modification to the DRI. Manuel said that was correct.

(2:26 p.m.) **Motion carried 5/0.**

RESOLUTION NO. 2008-212

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE CREDIT AGREEMENT

(2:26 p.m.) Stevenson clarified that this modification was done when the developer spread some of their other developments further north. Manuel said they went from 2,400 units to 2,600 units. Discussion followed regarding the park and maintenance issues.

(08/05/08 - 17 - 2:28 p.m.)

16. PONTE VEDRA PUD DISCUSSION

Stevenson said it had been brought to her attention that the action involved on the Ponte Vedra PUD would create precedence on other scenic highways and other small scale amendments that might be pending. She said she wanted to make sure that it was clarified that some conditions had been placed on that project to make sure that those unintended consequence would not happen.

(2:29 p.m.) Wanchick said it was his understanding of their intent, that the parcel was to be treated as a unique parcel. He said the PUD would provide for protections in and around that area. He said they were comfortable that it was being recognized as a unique set of circumstances. He said Stevenson's recognition, that it was a unique interpretation of the parcel, would be sufficient for them to interpret that as the Board's direction. She said she would like to add it to the motion to make it clear.

(2:30 p.m.) McCormack said that in order to do that, an order needed to be written, and as part of the order, there would be a narrative, in which they could put the appropriate elements, new findings of fact, and focus on the aspects that made it unique. Stevenson asked what it would take to make staff comfortable. McCormack responded that the Comprehensive Plan had language that could be tested, and this was an opportunity to clarify that language. He said because of the fact that it was a PUD, staff could include that in their Land Development Code. He said the Board could direct it to be "pending zoning doctrine", and protection would begin immediately. Manuel said the County Attorney and the County Administrator should do that, and Residential C would permit the Commercial Neighborhood application. He said they had a chance to negotiate a good agreement. Stevenson said she wanted to make sure that the intent of the Board was not misconstrued.

(08/05/08 - 17 - 2:33 p.m.)

COMMISSIONERS' REPORTS

Commissioner Rich:

None.

(2:33 p.m.)

Commissioner Sanchez:

None.

(2:34 p.m.)

Commissioner Stevenson:

Stevenson commented on rules that governed the Board. She said the people of the County should not be required to shoulder expenses for education from the time a Commissioner was elected until the time he/she took office. She said the other change in the rules was reimbursement to the Board for travel expenses that did not involve an overnight stay, and the policy should be revisited and eliminated.

(2:35 p.m.)

Commissioner Bryant:

He read that the County was the recipient of a FURDAP grant in the amount of \$135,610.84 for the Nease Beachfront Park. He showed a facsimile of the check. He said staff was to be congratulated for acquiring the grant for beachfront land.

(2:37) Commissioner Manuel:

None.

(08/05/08 - 18 - 2:37 a.m.)

COUNTY ADMINISTRATOR'S REPORT

None.

(08/05/08 - 18 - 2:37 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack commented on the PUD requirements and suggested that when the County reviewed fees, that fees for PUD cost administration should be considered. Rich commented on the inconsistency that existed on what was agreed to by the Board and what was finally put before the Chairman for signature. He cautioned that the appearance of impropriety was staggering. He asked McCormack to take a look at what was said and exactly what was done on the Development Order and to figure out if there were inconsistencies and if so, how they came about and who was responsible. Manuel said it looked like there was a breakdown in the system, and he concurred with Rich. Locklear said that there was provision in the PUD that said that upon the counties request they would prepay the impact fees and apparently staff did not make that request. Rich reiterated that they needed to take a look at the whole tape and the order and see if there were inconsistencies. Stevenson said they needed to be sure that they got all the things for which they had negotiated with developers, including those made during Board meetings. She suggested that the structuring of the wording needed to be changed so as not to leave the loophole of "asking". Wanchick said they had heard this concern, were looking at it and were doing a better job than they had done previously. He said staff should not have to request the obligations and they should specify what was required and when it was required. Manuel suggested that they gave away the power of the pen and they should develop a standardized development agreement over which they had control.

(2:46 p.m.) **Motion by Stevenson, seconded by Rich, carried 5/0, to adjourn the meeting.**

With there being no further business to come before the Board, the meeting adjourned at 2:46 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 433487 through 423770, totaling \$4,949,307.25 (07/15/08)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 423771 through 42803, totaling \$72,836 (07/17/08)
3. St. Johns County Board of County Commissioners Check Register, Check No. 42804, totaling \$354.47 (07/17/08)
4. St. Johns County Board of County Commissioners Check Register, Check No. 42805, totaling \$2,500 (07/21/08)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 42806 through 424098, totaling \$1,743,865.95 (07/22/08)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 424099 through 424101, totaling \$6,500 (07/22/08)

CORRESPONDENCE:

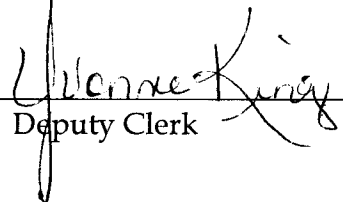
1. Letter to Liz Cloud, Program Administrator, filing Ordinance No. 2008-28 (July 29, 2008)
2. Letter to Liz Cloud, Program Administrator, filing Ordinance Nos. 2008-36 and 2008-37 (July 28, 2008)

Approved _____ September 30 _____, 2008

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Thomas G. Manuel, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

