

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
AUGUST 19, 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
 James Bryant, District 5
 Michael D. Wanchick, County Administrator
 Patrick McCormack, County Attorney
 Terry Bulla, Deputy Clerk

(08/19/08 - 1 - 9:01 a.m.)
CALL TO ORDER

Manuel called the meeting to order.

(08/19/08 - 1 - 9:01 a.m.)
ROLL CALL

Manuel stated that all five commissioners were present.

(08/19/08 - 1 - 9:01 a.m.)
Sanchez gave the Invocation and Rich led the Pledge of Allegiance.

(08/19/08 - 1 - 9:02 a.m.)
PROCLAMATION DESIGNATING AUGUST 31- SEPTEMBER 6, 2008 AS ST. JOHNS COUNTY FIRE FIGHTER APPRECIATION WEEK

Rich introduced Bobby Hall, Fire Chief, and members of his staff and thanked them for their outstanding efforts, particularly those that related to the MDA Fill the Boot Campaign. He presented the proclamation to those members present on behalf of all the fire fighters in St. Johns County. Hall said it was their 51st year to join with Muscular Dystrophy Association in their Fill the Boot campaign, and encouraged the community to support the drive.

(08/19/08 - 1 - 9:08 a.m.)
ACCEPTANCE OF PROCLAMATION

Motion by Stevenson, seconded by Sanchez, carried 5/0, to accept the Proclamation.

(08/19/08 - 1 - 9:08 a.m.)
DELETIONS TO CONSENT AGENDA

Rich requested to pull Consent Item No. 24. It became Regular Agenda Item 11 and would become a roll call vote at the request of Jo Ann and Gordon Lowman.

Manuel requested to pull Item No. 22 and it became Regular Agenda Item 12.

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

1. Approval of the Cash Requirement Report
2. Minutes:
05/29/08 – Special BCC Meeting (Corrected Minutes)
07/22/08 – BCC Regular Meeting
3. Motion to adopt **Resolution No. 2008-213**, approving the terms and conditions of the Software License Agreement between St. Johns County Board of County Commissioners and First Coast Service Options, Inc. and authorizing the County Administrator, or his designee, to execute the Agreement on behalf of the County

RESOLUTION NO. 2008-213

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF THE SOFTWARE LICENSE AGREEMENT BETWEEN ST. JOHNS COUNTY AND FIRST COAST SERVICE OPTIONS, INC.

4. Motion to adopt **Resolution No. 2008-214**, approving the signature of Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Contracts/Subcontracts Form required by the State of Florida Department of Children and Families for the third year of Contract #DH646, and authorizing the Chairman of the Board of County Commissioners to execute the Form on behalf of the County

RESOLUTION NO. 2008-214

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE SIGNATURE OF THE CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION CONTRACTS/SUBCONTRACTS FORM AS A REQUIREMENT TO CONTRACT DH646 BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES

5. Motion to adopt **Resolution No. 2008-215**, approving and authorizing St. Johns County Administrator to execute a 1st Amendment to the Interlocal Agreement and the 2nd Amendment to the Lease for the leased space occupied by the Office of the State Attorney Seventh Judicial Circuit of Florida Homicide Investigation Unit hereby authorizing and approving St. Johns County to budget the funds for payment of the 2nd Amendment of Lease

RESOLUTION NO. 2008-215

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND AUTHORIZING ST. JOHNS COUNTY ADMINISTRATOR TO EXECUTE A 1ST AMENDMENT TO THE INTERLOCAL AGREEMENT AND THE 2ND AMENDMENT TO THE LEASE FOR THE LEASED SPACE OCCUPIED BY THE OFFICE OF THE STATE ATTORNEY SEVENTH JUDICIAL CIRCUIT OF FLORIDA HOMICIDE INVESTIGATION UNIT HEREBY AUTHORIZING AND APPROVING ST. JOHNS COUNTY TO BUDGET THE FUNDS FOR PAYMENT OF THE 2ND AMENDMENT OF LEASE

6. Motion to adopt **Resolution No. 2008-216**, recognizing unanticipated revenue in the amount of \$1,389.44, increasing the revenue budget for Golf Course Contributions [4447-36603] and appropriating to the Golf Course Maintenance Operating Supplies expenditure line [4431-55200]

RESOLUTION NO. 2008-216

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2008 GOLF COURSE FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY GOLF COURSE MAINTENANCE DEPARTMENT

7. Motion to approve the addition of 1 FTE to the Personnel Department and a transfer in the amount of \$5,247 from the General Fund Reserve (0083059920) to the appropriate salary, benefit, and equipment line items within the Personnel Services Department and MIS Department to effectuate a salary and benefits of a newly created position and to purchase hardware and software to support the functions of the position
8. Motion to approve the transfer of \$64,302 from the Water & Sewer Authority Capital Outlay Reserves (1103-59927) to the Water & Sewer Authority Indirect Admin Costs (1103-53401) for the payment of prior year management service fees to the General Fund
9. Motion to adopt **Resolution No. 2008-217**, approving the terms, provisions, conditions, and requirements of an agreement between St. Johns County, Florida, and Sunshine Land Holdings, LLC, Florida, for the provision of the utility water unit connection fee refund and authorizing the County Administrator to execute the agreement on behalf of St. Johns County

RESOLUTION NO. 2008-217

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND SUNSHINE LAND HOLDING, LLC,

FLORIDA, FOR THE PROVISION OF THE UTILITY WATER UNIT CONNECTION FEE REFUND AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

10. Motion to adopt **Resolution No. 2008-218**, accepting a utility easement from The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for an existing lift station located in Anastasia State Park and authorizing the County Administrator to execute said easement once granted without further approval by the Board

RESOLUTION NO. 2008-218

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A UTILITY EASEMENT FROM THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA FOR AN EXISTING LIFT STATION LOCATED IN ANASTASIA STATE PARK AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE SAID EASEMENT ONCE GRANTED WITHOUT FURTHER APPROVAL BY THE BOARD

11. Motion to adopt **Resolution No. 2008-219**, accepting five Easements for Utilities for water services to serve Flagler Professional Center located on Old Moultrie Road

RESOLUTION NO. 2008-219

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING FIVE EASEMENTS FOR UTILITIES FOR WATER SERVICES TO FLAGLER PROFESSIONAL CENTER LOCATED OLD MOULTRIE ROAD

12. Motion to adopt **Resolution No. 2008-220**, accepting five Easements for Utilities for existing facilities at Ocean House, Tradewinds, Sand Dollar I, and Quail Hollow on the Ocean South Condominiums

RESOLUTION NO. 2008-220

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING FIVE EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE FOR EXISTING FACILITIES AT OCEAN HOUSE, TRADEWINDS, SAND DOLLAR I, AND QUAIL HOLLOW ON THE OCEAN SOUTH CONDOMINIUMS

13. Motion to adopt **Resolution No. 2008-221**, approving the terms and authorizing the County Administrator to execute a certain Purchase and Sale Agreement for property needed for the Bakersville Bridge Replacement project

RESOLUTION NO. 2008-221

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CERTAIN PURCHASE AND SALE AGREEMENT FOR PROPERTY NEEDED FOR THE BAKERSVILLE BRIDGE REPLACEMENT PROJECT

14. Motion to adopt **Resolution No. 2008-222**, approving the terms and authorizing the County Administrator to execute a certain Purchase and Sale Agreement for property required for Segment III of the Volusia Street/Four Mile Road project

RESOLUTION NO. 2008-222

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CERTAIN PURCHASE AND SALE AGREEMENT FOR PROPERTY REQUIRED FOR SEGMENT III OF THE VOLUSIA STREET/FOUR MILE ROAD PROJECT

15. Motion to adopt **Resolution No. 2008-223**, accepting an Easement for Utilities and Bill of Sale for water and sewer services to Palencia North PUD Phase IIA Subdivision

RESOLUTION NO. 2008-223

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICES TO PALENCIA NORTH PUD PHASE IIA SUBDIVISION AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM

16. Motion to adopt **Resolution No. 2008-224**, accepting a Special Warranty Deed for conveyance of a lift station site to provide sewer service to Las Calinas Subdivision located on US #1 North

RESOLUTION NO. 2008-224

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED FOR CONVEYANCE OF A LIFT STATION SITE TO PROVIDE SEWER SERVICE TO LAS CALINAS SUBDIVISION LOCATED ON US #1 NORTH

17. Motion to authorize the County Administrator, or his designee, to award a contract to the low bidder, Commercial Industrial Corporation for the Lump Sum Bid amount of \$717,849 for Bid # 08-136, Federal Point Bridge Replacement

18. Motion to authorize the County Administrator, or his designee, to award a contract to Summerville Electric, for work described in the bid proposal 08-143, Non-Routine & Emergency Signal Maintenance Services
19. Motion to authorize the County Administrator, or his designee, to award a contract to the low bidder, Worth Contracting, Inc. for the Base Bid and Alternate #1 only for a total contract amount of \$228,235 for Bid # 08-99, St. Augustine Lighthouse Restoration
20. Motion to authorize the County Administrator, or his designee, to award a contract to the low bidder, The Watauga Company in the amount of \$194,325 for Bid # 08-95, Windswept Acres Park
21. Motion to approve donation of surplus property to the Friends of Health and Human Services of St. Johns County, Inc.

This item became Item No. 12 on the Regular Agenda.

22. Motion to authorize the County Administrator, or his designee, to negotiate with and enter into contract with the top four (4) ranked "Other Than Small" firms and the top two (2) "Small" firms for Utility Engineering Services, RFQ 08-138, Continuing Contract. If an agreement cannot be reached with one or more of the top four (4) ranked "Other than Small" firms and the top two (2) "Small" firms, authorization is requested to begin negotiations with the next ranked respondent and continue until an agreement is reached with six (6) respondents
23. Motion to authorize the County Administrator, or his designee, to award a Continuing Unit Price Contract to all four (4) bidders: 1) PAH Constructors, Inc. 2) American Lighting & Signalization 3) Traffic Control Devices and (4) Miller Electric Company, per the Unit Price Proposal submitted by each bidder for Bid # 08-32, Post Disaster Signalization Services

This became Item No. 11 on the Regular Agenda.

24. Motion to adopt a Resolution approving the Economic Development Grant Agreement with Flagler-Whitehall Office & Storage and to authorize the County Administrator to execute the contract on behalf of the County
25. Motion to authorize a compensation adjustment to return the second legal assistant to Legal Support Specialist I within the Office of the County Attorney, with appropriate step
26. Proofs:
 - a. Proof, Notice to Bidders, Bid No. 08-154
 - b. Proof, Notice to Bidders, Bid No. 08-159
 - c. Proof, Notice of Unclaimed Monies, forfeited unless claimed before September 1, 2008
 - d. Proof, Notice of Referendum, Consider the adoption of a Home Rule Charter for St. Johns County
 - e. Proof, Notice of Referendum, Consider the adoption of a Home Rule Charter for St. Johns County, Limit on terms served by members of the Charter Board of County Commissioners
 - f. Proof, Notice of Referendum, Consider the adoption of a Home Rule Charter for St. Johns County, Nonpartisan elections for members to the Charter Board of Country Commissioners

- g. Proof, Notice of Referendum, Consider the adoption of a Home Rule Charter for St. Johns County, Supermajority Board approval of structure height above 35 feet in the coastal area
- h. Proof, Certificate of liability Insurance, B.N.C., Inc.

(9:10 a.m.) Ray Ashton gave a brief update on Tropical Storm Fay.

(9:12 a.m.) Patrick McCormack, County Attorney, stated that Chapter 252 Florida Statutes authorized local governments to enact local State of Emergencies in certain circumstances. Additionally, he said County Ordinance 94-25 authorized the Chairman or Vice Chairman of the Board of the County Administrator to enact an Emergency Declaration if the full Board was not available. He stated that such a declaration would not be requested at that time, but asked that the Board recognize that the County Administrator could declare such a state when the appropriate time came.

(9:13 a.m.) Ashton reviewed the threat to St. Johns County due to heavy rainfall and flooding in the area.

(08/19/08 - 7 - 9:14 a.m.)

PUBLIC COMMENT

Bob Wheeler, State Attorney's Office, thanked the Board for all they did and thanked them for their service to the community.

(9:15 a.m.) Mary Savard, 2785 Stratton Rd., spoke regarding working conditions and Noise Ordinance 88-37 Sec. 4f, 4k and 6c. She explained how the neighbors were being adversely affected by construction on Stratton Boulevard (Exhibit A), requested an amendment to the ordinance and read the requested changes they were proposing (Exhibit B). She presented a petition signed by neighbors (Exhibit C). Discussion followed.

(9:25 a.m.) McCormack reported that the site was part of a PUD and there was a special opportunity to place some controls for future PUDs. He offered some areas for suggested changes. Discussion ensued. Sanchez asked McCormack to also look at the nuisance ordinance to see if there was anything applicable to this situation. Manuel asked for the reaffirmation of the Board to work to standardize documents and templates provided to the developers for PUDs. *There was Board consensus.*

(9:33 a.m.) Sherry Badger, 2772 S. Collins Ave., spoke regarding Red Branch Creek, flooding and the broken sidewalk in that area.

(9:35 a.m.) Dwight Hines, 150 Nesmith Ave., spoke regarding open records. He stated he was going after grant monies for the County because it was so far out of compliance, and it was not fair to the other counties. Discussion ensued.

(9:42 a.m.) Clara Cowan, 244 Patrick Mill Circle, Ponte Vedra, spoke regarding water quality delivered to Seaside Home Owners. She said the problem was sporadic but occurred over and over and the water was often black. She noted there was also a large amount of wasted water. She showed photos (Exhibit A). She noted this was the problem of St. Johns County Utilities since their purchase of the utility from Intracoastal Utilities. She said responsibility and accountability needed to be established and the necessary repairs made immediately. Discussion ensued. The Board instructed the County Administrator to take a look at the matter and get it resolved.

(9:52 a.m.) Wanchick noted it was a utility in transition. He said work was being done to correct the situation on the utility that had not been maintained. He said they offered excellent service countywide and it was going to take awhile to finish the process. He said they were putting in a new chlorination system, were looping water lines, and dead lines caused stagnant water to be flushed down the lines. He asked for patience. Stevenson asked if they could provide bottled drinking water.

(9:54 a.m.) Bill Young, Utilities Director, said they could provide bottled drinking water. He said only a small group of people were affected. He said his staff had been very responsive. He said they would do a better job of flushing the water mains. He explained the previous owner had not maintained the system, but they could promise they would respond to complaints and took every one of them seriously.

(9:57 a.m.) Cowan said the response had been rapid but it had been going on for two months. She said the previous owner's maintenance was terrible and asked why the previous owners were not penalized for their poor maintenance. Young responded that they were committed to get the system working properly.

(10:02 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. South, said the voucher issue to support private education, was going to be on the ballot. She asked that when the Legislative Delegation met, that the Board reach consensus for support of public education and to communicate that to the leaders in Tallahassee. Discussion ensued.

(08/19/08 - 8 - 10:17 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick requested to add Item 1A and 1B pertaining to the Veterans' Nursing Home.

(08/19/08 - 8 - 10:17 a.m.)

APPROVAL OF REGULAR AGENDA

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

(08/19/08 - 8 - 10:18 a.m.)

A1. CONSIDER A MOTION FOR A RESOLUTION TO APPROVE THE TERMS AND AUTHORIZING THE CHAIRMAN TO EXECUTE A CONSERVATION EASEMENT OVER 2.74 ACRES AT THE CLYDE E. LASSEN VETERANS' NURSING HOME SITE ON STATE ROAD 16 TO MITIGATE FOR WETLAND IMPACTS ASSOCIATED WITH THE CONSTRUCTION OF THE VETERAN'S HOME AND A TEMPORARY CONSTRUCTION EASEMENT FOR WETLAND RESTORATION WITHIN THE CONSERVATION EASEMENT

Mary Ann Blount, Land Management Systems Director, gave the presentation and explained the request.

(10:19 a.m.) Motion by Rich, seconded by Sanchez, carried 5/0, to adopt Resolution No. 2008-225, approving the terms and authorizing the Chairman to execute a Conservation Easement over 2.74 acres at the Clyde E. Lassen Veterans' Nursing Home site on State Road 16 to mitigate the wetland impacts associated with the construction of the Veterans' Nursing Home site and the Temporary Construction Easement.

RESOLUTION NO. 2008-225

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A CONSERVATION EASEMENT OVER APPROXIMATELY 2.74 ACRES AT THE CLYDE E. LASSEN VETERANS' NURSING HOME TO MITIGATE FOR WETLAND IMPACTS ASSOCIATED WITH THE CONSTRUCTION OF THE NURSING HOME AND A TEMPORARY CONSTRUCTION EASEMENT FOR THE WETLAND RESTORATION WITHIN THE CONSERVATION EASEMENT AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE THE EASEMENTS

(08/19/08 - 9 - 10:20 a.m.)

- B1. CONSIDER A MOTION FOR A RESOLUTION TO AUTHORIZE THE TRANSFER OF CERTAIN REAL PROPERTY TO THE STATE OF FLORIDA FOR THE CLYDE E. LASSEN STATE VETERANS' NURSING HOME

(10:20 a.m.) **Motion by Rich, seconded by Sanchez, carried 5/0, to adopt Resolution No. 2008-226, authorizing the Chairman to execute a County Deed in favor of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the Veterans' Nursing Home site and deliver it to the FDVA.**

RESOLUTION NO. 2008-226

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING TRANSFER OF CERTAIN COUNTY OWNED PROPERTY TO THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA FOR USE AS A STATE VETERANS' NURSING HOME

(08/19/08 - 9 - 10:21 a.m.)

1. CONSIDER A MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO AWARD A CONTRACT TO THE LOW BIDDER, P & S PAVING, INC. FOR THE BASE BID PLUS OPTION BID #1 FOR A TOTAL CONTRACT AMOUNT OF \$4,770,731.46 FOR BID # 08-130, 195 AT CR210 ROADWAY IMPROVEMENTS

Press Tompkins, County Engineer, gave the presentation and explained the project. Stevenson clarified regarding misinformation regarding this project and said there had been no reduction of any DRI obligations as a result of the improvement. She said staff had found funding and matching dollars and thanked staff for their tremendous efforts. Manuel asked that the map of the improvements be displayed in the newspaper. He commended Stevenson for her efforts to get these improvements made and noted it should make a significant safety improvement.

(10:24 a.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to authorize the County Administrator, or his designee, to award a contract to the low bidder, P&S Paving, Inc., for the Base Bid plus Option Bid #1 for a total contract amount of \$4,770,731.46 for Bid #08-130, 195 at CR 210 Roadway Improvements.**

(08/19/08 - 10 - 10:25 a.m.)

2. CONSIDER A MOTION TO AUTHORIZE STAFF TO PREPARE THE APPROPRIATE DOCUMENTS AND DISBURSEMENT TERMS AND AUTHORIZE THE CHAIRMAN OR HIS DESIGNEE TO EXECUTE A NON-AMORTIZING, 0% INTEREST LOAN IN THE AMOUNT OF \$80,000, DUE AT THE END OF 20 YEARS, FOR THE PURPOSE OF PROVIDING A CLINIC FOR FREE MEDICAL AND DENTAL SERVICES TO LOW-INCOME RESIDENTS OF ST. JOHNS COUNTY UNDER THE DIRECTION OF GOOD SAMARITAN HEALTH CENTERS, INC

Tom Crawford, Director of Housing and Community Services, gave the presentation and explained the request.

(10:27 a.m.) Dr. Ken Baker, 809 Captains Drive, Board Member of the Good Samaritan Health Center, asked for the Board for their support for the loan. He explained it was an all volunteer service to the low income citizens of St. Johns County, and it would result in a savings to the County. He asked that the request be amended to become a ten year loan and that one tenth be forgiven each year as long as they accomplished what they intended to do. He said they had raised in excess of \$80,000 towards construction of the building.

(10:32 a.m.) Rich said he would not support forgiveness of the loan. He said it could be forgiven in the future but services needed to be evaluated first. He asked staff if the dollars were locked in to today's value, as an inflationary clause needed to be attached.

(10:33 a.m.) Crawford said the full \$80,000 was not calculated future value. Rich said any motion should include that it be adjusted for CPI annually.

(10:34 a.m.) Sanchez said he supported it 100 percent and the people of West Augustine deserved it. He said it would have to be set up legally by the Legal Department and he would be in favor of it being forgiven by one tenth of its value for ten years.

(10:35 a.m.) Baker said they had a ten year track record which exceeded vastly the dollar services to the residents of St. Johns County. He asked that the one tenth per year forgiveness be stipulated and that it be based on accountability and performance. Rich noted that any Board could dismiss that loan.

(10:37 a.m.) Greg White, 905 W. Pearl St., Chairman of the Westside CRA Steering Committee and Chairman of the Weed and Seed program, said both organizations supported Good Samaritan as well as Mt. Moriah Christian Ministry. He thanked Rev. Stafford and his congregation for the donation of the land. He said in the long run this would save the County money because emergency room visits were far more costly.

(10:40 a.m.) Eric Terry, 420 S. Nassau St., Chairman of the Weed and Seed Policing and a member of West Augustine CRA, stated that the project was greatly needed in their community.

(10:41 a.m.) Rev. Ron Stafford, thanked the Board for its support of the clinic. He said they would like to become a part of the County 501C3 budget process.

(10:43 a.m.) Dr. Richard Foster, 349 Fiddler's Point Drive, President, Board of Directors of Good Samaritan, spoke in support of the clinic. He said there had been no cost to the County or to the taxpayer for the times and services donated for the services over the past ten years. He reviewed the various services that were provided by volunteers, and noted the dollar value of the professional services provided was about \$100,000

annually and for all other services was about an additional \$100,000 annually. He noted that it had added up to a great deal of money over the past ten years. He said the services would actually be expanded and the dollar values contributed would increase. He also thanked them for the support they had received for the Board and the staff.

(10:47 a.m.) Wanchick said we all had the same goal and when they put it together, they anticipated that the loan would probably be forgiven eventually and that they followed this process for correct financial oversight. He said it was an enabling initiative, not a providing initiative and they all appreciated it.

(10:48 a.m.) Manuel said the Board had given 100 percent support and the Board maintained that support. He agreed that they had a fiduciary responsibility because it was taxpayer money. He urged them to work with the County Administrator during the next budget cycle to bring forth their documentation as to the value of the services provided, because they were clearly a candidate for services purchased by the County. He said he would support their request for inclusion in not for profit contributions, though he was against the forgiveness of the loan. He thanked them for their services.

(10:51 a.m.) Bryant said he totally supported the project and would be willing to give them an \$80,000 grant because of the value of their services.

(10:52 a.m.) Stevenson said this type service would improve social services to the community. She said she would favor a 20 year forgiveness cycle based on what they had accomplished.

(10:55 a.m.) McCormack said he sensed absolute support of this project. He pointed out that there was some value to forgiveness over time. He said it would be beneficial for payment initially and forgiveness could be given over time. He said there was no guarantee that they would be in the building for twenty years.

(10:57 a.m.) Rich said it was a capital improvement issue. He said if they were going to dismiss the loan it would be dismissed over the life of the asset and would be the rational way to do it. He said a future board would see the value and based on the level of service would dismiss the capital improvement.

(11:00 a.m.) Sanchez asked what the final payment would be. Rich said no one knew what the CPI would be over 20 years. Sanchez said he was doing it to help the people who needed the service. He said he would like Administration to look at setting up a way to forgive the loan.

(11:03 a.m.) Motion by Sanchez, seconded by Bryant, carried 5/0, to authorize Staff to prepare the appropriate documents and disbursement terms and authorize the Chairman or his designee to execute a non-amortizing, 0% interest loan in the amount of \$80,000, due at the end of 20 years, for the purpose of providing a clinic for free medical and dental services to low-income residents of St. Johns County under the direction of Good Samaritan Health Centers, Inc.

The Board recessed at 11:03 a.m. and reconvened at 11:15 a.m.

THE BOARD CONVENED AS THE COMMUNITY REDEVELOPMENT AGENCY

(08/19/08 - 11 - 11:15 a.m.)

3. CONSIDER A MOTION TO ADOPT CRA RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS ACTING AS ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY ("CRA") AFFIRMING AN ACTION TAKEN BY

THE BOARD OF COUNTY COMMISSIONERS BY RESOLUTION NO. 2008-187
AND AUTHORIZING AN ADDITIONAL TRANSFER OF AN AMOUNT NOT
TO EXCEED \$5,000 TO COVER CLOSING COST AND DUE DILIGENCE ITEMS

Tom Crawford, Director Housing and Community Services gave the presentation.

(11:16 a.m.) **Motion by Sanchez, seconded by Stevenson, carried 5/0, to adopt CRA Resolution No. 2008-2, by the Board of County Commissioners acting as St. Johns County Community Redevelopment Agency ("CRA"), affirming an action taken by the Board of County Commissioners by Resolution No. 2008-187 and authorizing an additional transfer of an amount not to exceed \$5,000 to cover closing cost and due diligence items.**

CRA RESOLUTION NO. 2008-2

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACTING AS ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY ("CRA") AFFIRMING AN ACTION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS BY RESOLUTION NO. 2008-187 DATED JULY 8, 2008. THE AGENDA ITEM SHOULD HAVE BEEN NOTICED AS A COMMUNITY REDEVELOPMENT AGENCY ITEM

(08/19/08 - 12 - 11:17 a.m.)

4. **CONSIDER A MOTION TO ADOPT CRA RESOLUTION AUTHORIZING THE TRANSFER OF FOUR LOTS TO ST. JOHNS COUNTY THAT ARE NEEDED FOR SEGMENT III OF THE VOLUSIA STREET/FOUR MILE ROAD PROJECT AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE THE COUNTY DEED ON BEHALF OF THE BOARD**

Tom Crawford gave the presentation.

(11:18 a.m.) **Motion by Sanchez, seconded by Bryant, carried 5/0, to adopt CRA Resolution No. 2008-3 authorizing the transfer of four lots to St. Johns County that are needed for Segment III of the Volusia Street/Four Mile Road Project and authorizing the Chairman of the Board to execute the County Deed on behalf of the Board.**

CRA RESOLUTION NO. 2008-3

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACTING AS ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY ("CRA"), AUTHORIZING THE TRANSFER OF FOUR LOTS TO ST. JOHNS COUNTY THAT ARE NEEDED FOR SEGMENT III OF THE VOLUSIA STREET/FOUR MILE ROAD PROJECT AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE THE COUNTY DEED ON BEHALF OF THE BOARD.

(11:18 a.m.) **Motion by Rich, seconded by Sanchez, carried 5/0, to adjourn and reconvene as the Board of County Commissioners.**

THE BOARD RECONVENED AS THE BOARD OF COUNTY COMMISSIONERS

(08/19/08 - 13 - 11:19 a.m.)

5. PUBLIC HEARING - CHANGING A ROAD NAME FROM LEWIS STREET TO SCHEIDEL WAY - THE HABITAT FOR HUMANITY HAS REQUESTED THAT THE BOARD OF COUNTY COMMISSIONERS CONSIDER RENAMING LEWIS STREET TO SCHEIDEL WAY BETWEEN FOUR MILE ROAD AND SAN PEDRO AVENUE. THE PURPOSE OF THE RENAMING IS TO HONOR MR. HERB SCHEIDEL FOR HIS CONTRIBUTIONS TO HABITAT FOR HUMANITY OF ST. AUGUSTINE/ST. JOHNS COUNTY AND FOR HIS COMMUNITY SUPPORT THROUGH SCHOLARSHIPS AND EDUCATION INCENTIVE PROGRAMS

Proof of publication of the notice of public hearing regarding the renaming of Lewis Street to Scheidel Way was received, having been published in *The St. Augustine Record* on August 1, 2008.

Gail Oliver, County Surveyor Land Management Systems, gave the presentation and explained the request.

(11:20 a.m.) Diane Quick, 14951 Walden Spring Way, Jacksonville, spoke regarding the reasoning for asking for the renaming of Scheidel Way, and explained that he had given a great deal of funding, \$2 million matched by the State, for the Habitat for Humanity program. She noted Mr. Scheidel had recently passed away and this would be a legacy to him.

(11:23 a.m.) Rich asked if due diligence had been given to the renaming. Oliver responded that Lewis St. had been recorded in 1926. McCormack said Miss Ross, from his department had studied it, and there was no problem, after all parties had been notified.

(11:24 a.m.) Motion by Sanchez, seconded by Stevenson, carried 5/0, to adopt Resolution No. 2008-227, by the Board of County Commissioners renaming Lewis Street to Scheidel Way between Four Mile Road and San Pedro Avenue.

RESOLUTION NO. 2008-227

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, CHANGING A ROAD NAME FROM LEWIS STREET TO SCHEIDEL WAY; PROVIDING AN EFFECTIVE DATE

(08/19/08 - 13 - 11:24 a.m.)

6. CONSIDER AN APPOINTMENT OF A CITIZEN MEMBER TO THE VALUE ADJUSTMENT BOARD

Melissa Lundquist, Administrator Coordinator, gave the presentation.

(11:26 a.m.) Motion by Bryant, seconded by Sanchez, carried 5/0, to appoint Ms. Heather L. Allen to the Value Adjustment Board for a full two-year term scheduled to expire August 19, 2010, replacing Commissioner Bryant.

(08/19/08 - 13 - 11:27 a.m.)

7. CONSIDER APPOINTMENTS TO THE HISTORIC RESOURCE REVIEW BOARD

Melissa Lundquist gave the presentation.

(11:27 a.m.) **Motion by Rich, seconded by Sanchez, carried 5/0, to (re)appoint Donald Rice to the Historic Resource Review Board for a full four-year term scheduled to expire May 18, 2012.**

(11:28 a.m.) **Motion by Rich, seconded by Sanchez, carried 5/0, to appoint Gerald Eubanks to the Historic Resource Review Board for a full four-year term scheduled to expire August 19, 2012.**

(08/19/08 - 14 - 11:28 a.m.)

8. CONSIDER APPOINTMENT TO THE NORTH COASTAL CORRIDOR

Melissa Lundquist gave the presentation..

(11:29 a.m.) **Motion by Bryant, seconded by Sanchez, carried 5/0, to appoint Richard Ornstein to the North Coastal Corridor Overlay District Design Review Board for a partial term scheduled to expire September 5, 2010.**

(08/19/08 - 14 - 11:29 a.m.)

9. CONSIDER A MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT FOR RECIPROCAL BORROWING PRIVILEGES WITH OTHER FLORIDA COUNTY LIBRARY SYSTEMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE EACH PROSPECTIVE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

Debra Rhodes Gibson, Library System Manager, gave the presentation.

(11:31 a.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to adopt Resolution No. 2008-228, approving the terms, provisions, conditions, and requirements of an Agreement for Reciprocal Borrowing Privileges with other Florida county library systems and authorizing the County Administrator, or designee, to execute each prospective Agreement on behalf of St. Johns County.**

RESOLUTION NO. 2008-228

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT FOR RECIPROCAL BORROWING PRIVILEGES WITH OTHER FLORIDA COUNTY LIBRARY SYSTEMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE EACH PROSPECTIVE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

(11:32 a.m.) Stevenson asked that she be permitted to make an appointment with the head of the library system of the "notably absent" and take Ms. Gibson with her. Ms. Gibson spoke in defense of the "notably absent" and said she had met with the Director there. She said they had taken the information back to their Board and sent her a subsequent letter that said that due to their own fiscal challenges, they were not able to reciprocate this year.

This item was heard out of order.

(08/19/08 - 15 - 10:12 a.m.)

10. CONSIDER A MOTION TO DIRECT THE RECREATION ADVISORY BOARD TO CREATE A UNIFORM SIGN POLICY FOR RECREATIONAL FACILITIES WITHIN ST. JOHNS COUNTY TO BE BROUGHT BACK TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION

Manuel commented regarding the decline by 6 to 8 percent of the assessed valuations of their homes next year. He said that would put further funding challenges on the Board and funds were going to get even tighter, especially in the recreation area. He requested that the Board instruct the Recreation Advisory Board to adopt a policy for signage that would be uniform at all recreational facilities within the County. *There was Board consensus for this item.*

(10:17 a.m.) Alfred Guido, 104 Dogwood Dr., St. Augustine Beach, spoke on the lack of uniform policies and procedures. He noted this had caused a great deal of confusion and may have caused the County to lose about \$10,000 in donations. He said they supported the motion totally.

This item was previously Consent Item 24.

(08/19/08 - 15 - 11:33 a.m.)

11. ECONOMIC DEVELOPMENT GRANT AGREEMENT FOR FLAGLER-WHITEHALL OFFICE & STORAGE

Rich said the reason this item was requested to be brought to the Regular Agenda was because of a letter he had received from Jo Ann and Gordon Lohman who were philanthropists in St. Johns County that the item be removed from the Consent Agenda and be added to the Regular Agenda for public vetting and a roll call vote.

(11:34 a.m.) **Motion by Rich for a Roll Call Vote, seconded by Sanchez, to adopt Resolution No. 2008-229 approving the Economic Development Grant Agreement with Flagler-Whitehall Office & Storage and to authorize the County Administrator to execute the contract on behalf of the county.**

(11:35 a.m.) Stevenson said she would like to have the facts presented before it was brought back before the Board. She said it happened so long ago that she did not remember the particulars of the facility.

(11:36 a.m.) Manuel asked them to move on to the next item while Stevenson read Ms. Lohman's letter.

Subsequently at 11:45 a.m. there was a Roll call vote on Item 11.

Stevenson: Yes

Sanchez: Yes

Rich: No

Manuel: Yes

Bryant: Yes

Motion carried 4/1 with Rich dissenting.

RESOLUTION NO. 2008-229

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE ECONOMIC DEVELOPMENT AGENCY

CONTRACT WITH FLAGLER-WHITEHALL OFFICE &
STORAGE LLC ON BEHALF OF ST. JOHNS COUNTY,
AND PROVIDING FOR AN EFFECTIVE DATE

This item was previously Consent Item No. 22

(08/19/08 - 16 - 11:37a.m.)

12. RFQ 08-138, CONTINUING CONTRACT - UTILITY ENGINEERING SERVICES

Bill Young, Utilities Director, explained the language and what the request meant. Discussion ensued. Young stated they had added four large and two small firms. Rich and Stevenson deferred judgment to the County Administrator. Stevenson said they needed to select the contractor who was best for the job.

(11:44 a.m.) Wanchick said that he and Young were ultimately responsible for the projects. He said they had discussed the list and were comfortable with it. He expressed discomfort with whoever sent the letter anonymously. Wanchick suggested that they defer to Young who worked with the individuals and was comfortable with them.

(11:45 a.m.) Motion by Manuel, seconded by Rich, carried 5/0, to authorize the County Administrator, or his designee, to negotiate with and enter into contract with the top four (4) ranked "Other Than Small" firms and the top two (2) "Small" firms for Utility Engineering Services. If an agreement cannot be reached with one or more of the top four (4) ranked "Other than Small" firms and the top (2) "Small" Firms, authorization is requested to begin negotiations with the next ranked respondent and continue until an agreement is reached with six (6) respondents.

(08/19/08 - 16 - 11:48 a.m.)

COMMISSIONERS' REPORTS

Commissioner Rich:

He commented on the mailings in reference to the Charter and noted it had been mailed by a PAC that was not registered with the Supervisor of Elections. He said it was the development community or its representative that was behind it. He said the material was misleading and false.

(11:50 a.m.)

Commissioner Sanchez:

None.

(11:50 a.m.)

Commissioner Manuel:

He spoke regarding the MPO meeting, now being called the TPO. He said that since there were 26 MPO's, they were trying to let people know where they were, so they had added the work Northeast in their title. He said they were having discussions regarding the development of a regional transportation authority which would include Nassau, Baker, Clay, St. Johns, Putnam, Flagler and Duval Counties. He said at the next MPO meeting, a draft resolution was being prepared for adoption by the MPO. He said the regional transportation approach was critical. He said if the resolution being drafted was approved; they would go to each of the County Commissions and ask for resolutions of support from each of them. Additionally, he said he shared the concerns

regarding the mailings pertaining to the Charter. He said it was an unbelievable example of people with special agendas who were afraid to come out into the sun.

(11:54 a.m.)

Commissioner Stevenson:

None.

(11:54 a.m.)

Commissioner Bryant:

None.

(08/19/08 - 17 - 11:54 a.m.)

COUNTY ADMINISTRATOR'S REPORT

None

(08/19/08 - 17 - 11:54 a.m.)

COUNTY ATTORNEY'S REPORT

McCormack commented regarding the publicity on the Charter Referendum scheduled for August 26th, the primary election. He said they had an opportunity to reserve a spot on the November 4th general election, for the County Charter. He said if the charter was not approved on the August 26th, the Board would have an opportunity to get feedback, concerns could be addressed and it could be added on the November 4th ballot, or offer the voters a second chance at the same document. He referred to a news story pertaining to a phrase in the Charter referendum description. He said the phrase read "authorizing ordinances by initiative petition and referendum". He said the phrase had been questioned because the Charter did not use those exact words in the Charter. He said after careful review and counsel with Alan Watts, their Charter specialist, he strongly believed that the language presented was accurate. He asked the Board whether it would like to have a special meeting on August 29th to determine whether to put the Charter item on the November 4th ballot. He said the meeting had been advertised for August 29th just in case.

(11:58 a.m.) Stevenson clarified that the only issue that they would take on, would be the Charter discussion. She said it had been suggested that all of the Constitutional Officers, or other people might have a say to determine who would make up the Charter Review Commission. She said it was a valid consideration. McCormack clarified if they decided on August 27th to consider on August 29th whether to put something on the November 24th ballot, they did not want to rewrite the Charter but it would be an opportunity for four discreet changes that the Board could consider if it wanted to. He said they did not know whether the Charter would be approved on August 26th. Stevenson asked if the vote on August 26th would stand. Manuel and McCormack both said the vote on August 26th would stand. Manuel said on August 27th they would further discuss the language issue which would allow someone to challenge the validity. Manuel said he preferred to err on the side of caution and agreed with Rich's comment that it could be handled on the 27th, whether to have the meeting on August 29th or not. He said it had already been noticed. He said he preferred to err on the side of caution regarding the language issue.

(12:02 p.m.) Manuel said he would be debating with former Commissioner Craig Maguire at the Ponte Vedra Republican Candidate Forum on the Charter that night, at the Sawgrass Beach Club.

(08/19/08 - 18 - 12:02 p.m.)
CLERK OF COURT'S REPORT

None.

(12:02 p.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to adjourn the meeting.** With there being no further business to come before the Board, the meeting adjourned at 12:02 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 424128 through 424525, totaling \$3,255,776.58 (07/29/08)
2. St. Johns County Board of County Commissioners Check Register, Check No. 424526 through 424539, totaling \$254,833.20 (07/30/08)
3. St. Johns County Board of County Commissioners Check Register, Check No. 424540 through 424564, totaling \$41,830.09 (07/31/08)
4. St. Johns County Board of County Commissioners Check Register, Check No. 424565 through 424570, totaling \$187,857.64 (08/01/08)
5. St. Johns County Board of County Commissioners Check Register, Check No. 424571 through 424901, totaling \$2,421,698.54 (08/05/08)
6. St. Johns County Board of County Commissioners Check Register, Check No. 424902, totaling \$1,575 (08/05/08)

CORRESPONDENCE:

1. Letter dated August 8, 2008, to Liz Cloud, Program Administrator, Bureau of Administrative Code and Weekly, filing St. Johns County Ordinances Number 2008-38 through 2008-41

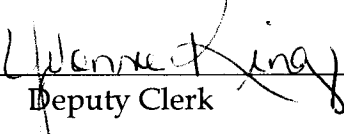
Approved September 16, 2008

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____


Thomas G. Manuel, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By:  _____
Deputy Clerk

