

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
AUGUST 8, 2000  
(9:00 A.M.)**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, began and 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: James E. Bryant, District 5, Chair  
Mary Kohnke, District 4, Vice Chair  
Pal Howell, District 1  
John Reardon, District 2  
Marc Jacalone, District 3  
Ben W. Adams, Jr., County Administrator  
Daniel Bosanko, Deputy County Attorney  
Lenora Newsome, Deputy Clerk

Also present were: Cheryl Strickland, Clerk of Courts; Doug Burnett, Assistant County Attorney

(08/08/2000 - 1 - 9:07 a.m.)  
CALL TO ORDER

The meeting was called to order by Bryant.

(08/08/2000 - 1 - 9:07 a.m.)  
The Invocation was given by Bryant. The Pledge of Allegiance was led by Jacalone.

(08/08/2000 - 1 - 9:08 a.m.)  
ROLL CALL

The roll was called by the Deputy Clerk.

(08/08/2000 - 1 - 9:08 a.m.)  
PUBLIC COMMENT

Caroline Woeff, 1405 U.S. 1 South, Director of St. Gerard Campus, spoke on donating school supplies for St. Johns County. She mentioned that she has a bus in the front yard of St. Gerard Campus to be filled with school supplies, and when it is full, they will distribute the supplies around the County. Bryant stated the Lutheran Services, out of Jacksonville, will be locating a food bank in St. Johns County.

(9:12 a.m.) Nina Beverly, 8 Joiner Street, on behalf of the Veterans in the community, spoke on having a Veterans Clinic in St. Johns County.

(9:14 a.m.) Edith Look, 705 Segovia Road, spoke on the disabled Veterans in St. Johns County having to go somewhere else for clinic care and on needing a clinic in St. Johns County. Bryant stated that the County is working on getting a clinic here.

(9:19 a.m.) Louise Thrower, 288 Orange Ave., spoke on Jenna McCrea leaving County employment and stated that she would definitely be missed.

(9:21 a.m.) Diane Mills, 5455 Lewis Speedway, spoke on flooding in St. Johns County. Jacalone suggested for Mills to contact her District Commissioner if she has a drainage problem. Discussion followed on checking into the drainage problems mentioned by Mills.

(08/08/2000 - 2 - 9:29 a.m.)

ADDITIONS/DELETIONS TO CONSENT AGENDA

Kohnke requested to pull Consent item #14 and place it on the Regular Agenda as item #10a. Jacalone requested to pull Consent item #2 and place on the Regular Agenda as item #10b and pull Consent item #3, and place it on the Regular Agenda as item #10c.

(08/08/2000 - 2 - 9:31 a.m.)

APPROVAL OF CONSENT AGENDA

**Motion by Jacalone, seconded by Reardon, carried 5/0, to approve the Consent Agenda as amended.**

1. Sheriff's Bonds:

Approve: Christopher Kreisen  
Approve: Linda Yelle  
Approve: Sheriann Triay  
Approve: Bert Rowell, Jr.  
Approve: William Pettitt  
Approve: Jannie Clark  
Approve: Scott Tucker  
Approve: James Hux  
Approve: Scott Brandow  
Approve: Anthony Laska, III

Approve: Jason Braughton  
Approve: Jimmie Newton  
Approve: Terrell Ulrich  
Approve: Jeremy Galentine  
Approve: Catherine Patrick  
Approve: Graham Harris  
Approve: Timothy Burress  
Approve: Michael Williams  
Approve: Nicolette Nordan  
Approve: Michael Rowe

2. Motion to adopt Resolution recognizing unanticipated revenue in the amount of \$139,856.35 and appropriating it to the Fire Division Budget for FY 2000.

*This item was moved to the Regular Agenda as item #10b. (See Page 9.)*

3. Approval of a motion to allow the County Administrator, or his designee, to enter into a contract with BGCO, Inc. in the amount of \$139,747.00 for Bid No. 00-56, Construction of Deer Park Blvd.

*This item was moved to the Regular Agenda as item #10c. (See Page 9.)*

4. Motion to approve License Agreement between St. Johns County and St. Johns River Water Management District for the location of three monitoring wells at Treaty Park.

5. Motion to adopt Resolution approving expenditures of Park Zones C and D funds in Park Zone B for construction of Northeast Park.

**RESOLUTION NO. 2000-102**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, IDENTIFYING A PARK IMPROVEMENT PROJECT WITHIN ST. JOHNS COUNTY; IDENTIFYING BENEFITS OF SAID PARK IMPROVEMENT TO ADJACENT PARK IMPACT FEE DISTRICTS; APPROVING USE OF IMPACT FEES FROM OTHER PARK DISTRICTS FOR THE PARK IMPROVEMENT PROJECT IN DISTRICT B; AND PROVIDING AN EFFECTIVE DATE**

6. Approval of a motion to allow the County Administrator or his designee, to execute contract accepting unanticipated funds from the U.S. Fish and Wildlife Service for the Initiation of the Coastal Habitat Conservation Plan.

7. Approval of a motion to adopt resolution changing a portion of a road name from State Road 312 to AIA Beach Boulevard.

**RESOLUTION NO. 2000-103**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, CHANGING A PORTION OF A ROAD NAME FROM STATE ROAD 312 TO A1A BEACH BOULEVARD**

8. Approval of a motion to adopt resolution changing a portion of a road name from AIA South to AIA Beach Boulevard.

**RESOLUTION NO. 2000-104**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, CHANGING A PORTION OF A ROAD NAME FROM A1A SOUTH TO A1A BEACH BOULEVARD**

9. Approval of a motion to adopt resolution changing a portion of a road name from AIA South to Old AIA South.

**RESOLUTION NO. 2000-105**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, CHANGING A PORTION OF A ROAD NAME FROM A1A SOUTH TO OLD A1A SOUTH**

10. Approval of a motion to adopt Resolution accepting Easement for Utilities for water and sewer improvements servicing parcels 3 and 5 of the Saint Johns Six Mile Creek North parcel.

**RESOLUTION NO. 2000-106**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING EASEMENT FOR UTILITIES FOR THE WATER AND SEWER IMPROVEMENTS SERVICING PARCELS 3 AND 5 OF THE SAINT JOHNS SIX MILE CREEK NORTH PARCEL**

11. Motion to approve the transfer of \$1,210,595 to the Palm Valley Bridge Fund (305.56100) to make the first payment on the project to the U.S. Army Corps of Engineers, per the Project Cooperation Agreement.
12. Motion to adopt Resolution approving a Final Plat for Hawaiian Isle – Lot 46 Replat.

**RESOLUTION NO. 2000-107**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR HAWAIIAN ISLE - LOT 46 (REPLAT)**

13. Motion to adopt Resolution approving a Final Plat for Bridgestone at Cunningham Creek Plantation Unit Two.

**RESOLUTION NO. 2000-108**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR BRIDGESTONE AT CUNNINGHAM CREEK PLANTATION UNIT TWO**

14. Approval of a Resolution authorizing the Solid Waste Department to support and expand its recycled paint program by charging \$3.00 per gallon for sale of recycled paint to the public.

*This item was moved to the Regular Agenda as item #10a. (See Page 8)*

15. Approval of a motion to recognize the dual status of Mr. Bruce Lucker as a member of both the Amphitheater Board of Directors and the Tourist Development Council.

16. File:

- a. Proof, Notice of Workshops of St. Johns County Board of County Commissioners, New Town Future Land Use Designation, August 1, 2000 and August 15, 2000.
- b. Proof, Request for Proposals, RFP No. 00-67, Historic and Scenic AIA (SRAIA) Corridor Management Plan.
- c. Proof, Notice of Canceled Meeting SJC Board of County Commissioners, August 22, 2000.
- d. Proof, Notice of Special Meeting, Tentative Millage Rate, August 1, 2000.
- e. Proof, Notice of Special Meeting, Allocation of Potential Revenue, July 24, 2000.
- f. Proof, Notice of Special Meeting, Fiscal Year 2000-2001 Budget Consideration, July 27, 2000 and July 28, 2000.
- g. Proof, Notice of Special Meeting, Integrated Planning & Development Permitting System Software Team, August 14, 2000.
- h. Proof, Notice of Public Hearing, Proposed Ordinance, Merchandising of Tobacco Products, August 1, 2000.
- i. Proof, Public Notice for Applicants for Special Master 2000 SJC Value Adjustment Board.
- j. Proof, Notice of Public Hearing, Ordinance 99-51, Article V, Redivision of Previously Platted Subdivision, July 18, 2000.
- k. Proof, Notice of Public Hearing, Amending Ordinance 89-63, Regulation of Water and Sewer Utilities, August 8, 2000.
- l. Proof, Public Notice Applicants for Special Master 2000 SJC Value Adjustment Board, Florida Times-Union.
- m. Proof, Notice of Public Hearings, (Display Ad) Establishment of Ordinance/Regulations Affecting Use of Land, August 1, 2000.
- n. Proof, Certificate of Insurance, Media One of South Florida.
- o. Proof, Certificate of Liability Insurance, Metropolitan Systems Inc.
- p. Proof, Certificate of Liability Insurance, Asset Builders, Inc.
- q. Proof, Declarations Page for Insurance, Gregory and Andrea Maltby.

(08/08/2000 - 4 - 9:31 a.m.)

**ADDITIONS/DELETIONS TO REGULAR AGENDA**

Bryant requested to pull item #5 to reschedule at a later date. Jacalone requested to add an item, the *Vilano Pier Improvements*, as item #10d.

(08/08/2000 - 4 - 9:32 a.m.)

**APPROVAL OF REGULAR MEETING AGENDA**

**Motion by Reardon, seconded by Jacalone, carried 5/0, to approve the Regular Agenda as amended.**

(08/08/2000 - 5 - 9:32 p.m.)

1. PUBLIC HEARING – ORDINANCE AMENDING ST. JOHNS COUNTY WATER AND SEWER UTILITIES REGULATORY ORDINANCE 89-63.

Proof of publication of notice of public hearing on Regulation of Water and Sewer Utilities Ordinance #89-63, was received having been published in the St. Augustine Record on July 19, 2000.

George Flint, Executive Director of the Water and Sewer Authority, reviewed this item, explaining the changes made. The changes were proposed to allow St. Joe Utility in the Northwest to be able to serve the new Northwest High School in a timely fashion. Reardon voiced concern about United Water being in and already serving that area. Bosanko stated that United Water's franchise area does not extend to the High School. Discussion followed on allowing St. Joe to buy water from United Water to provide to the High School, and the intent of St. Joe creating service and being an authorized utility provider. Flint stated that he proposed this as a stop-gap measure, so at least the High School could have water and sewer while they were preparing the rate application and they are having a cost of service study done now. Kohnke discussed St. Joe's service area regarding the High School, and St. Joe building a plant. Reardon questioned if there is a statute of limitations on a franchise area where nothing is happening. (10:06 p.m.) Bill Young, Utility Director, stated that he is not sure if there is a statute of limitations on inactivity where someone can lose their franchise. Flint remarked that there is not a provision in the County's Utility Regulatory Ordinance for not providing service in a certain amount of time. (10:07 a.m.) **Motion by Jacalone, seconded by Howell, carried 5/0, to adopt Ordinance No. 2000-45.**

#### **ORDINANCE NO. 2000-45**

**AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, RELATING TO THE REGULATION OF WATER AND SEWER UTILITIES WITHIN THE UNINCORPORATED AREA OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE ST. JOHNS COUNTY WATER AND SEWER UTILITIES REGULATORY ORDINANCE NUMBER 89-63, BY AMENDING THE DEFINITION OF "UTILITY" AND THEREBY PROVIDING FOR ADDITIONAL EXEMPTIONS FROM REGULATION, AND PROVIDING AN EFFECTIVE DATE**

(08/08/2000 - 5 - 10:08 a.m.)

2. CONSIDER A RESOLUTION SUPPORTING THE TREE OF LIFE CORPORATION'S APPLICATION FOR THE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM AND TO COMMIT THE COUNTY TO PAY UP TO \$115,000 IN LOCAL FINANCIAL SUPPORT

John Schwab, Administrative Office, stated that this item was in regards to considering a resolution of local government support for a long time business in St. Johns County, *Tree of Life Corporation*, to be qualified as a targeted industry under the Florida Statutes. Dennis Oistacher, Vice-President Finance and CFO, Tree of Life Corporation, gave a brief overview of the history of the Tree of Life. He mentioned the major role Tree of Life plays in the County with providing many jobs, volunteer support and financial contributions. Tree of Life has undergone a tremendous amount of growth and needs a larger, more modern, technically capable corporate headquarters facility. He explained the expansion they are proposing and stated that Tree of Life is requesting that the St. Johns County Commission vote in support of their QTI application. Jacalone gave additional history of the Tree of Life Corporation. Kohnke mentioned over a period of seven years the County will be forgiving the Tree of Life taxes of

\$115,000 dollars, and questioned what the Tree of Life's tax bill would be for those same seven years. Oistacher stated that their property tax on the building will be in excess of \$100,000 dollars per year. (10:18 a.m.) Dianne McGibeny, Tree of Life, relayed that they did a rough overview on the ad valorem taxes that the project could generate over a ten year period and stated it would be about 1.5 million dollars. Kohnke questioned who wrote the resolution. Schwab remarked that the resolution was drafted by the Tree of Life Council and reviewed by the County Attorneys. Burnett clarified the drafting of the resolution. Kohnke voiced concern about the Tree of Life expanding and relocating its corporate headquartered operation in another state depending on cost factors. Burnett reassured her that for them to qualify from this tax incentive program though the state, they had to be legitimately looking at other locations. Discussion followed on the average wage for a job being \$50,000 dollars, tax refund coming from the taxes the project would generate, and these types of programs being between the business entity and the State of Florida. (10:25 a.m.) Mike Givens, Chief Deputy Finance, entered the meeting. (10:26 a.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to adopt Resolution No. 2000-109 to support the Tree of Life Corporation's Application for the Qualified Target Industry Tax Refund Program and to commit the County to pay up to \$115,000 as Local Financial Support and to reflect the change from Section 288.105 to Section 288.106 on the bottom of the first page of the resolution.** Burnett left the meeting.

#### RESOLUTION NO. 2000-109

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOMMENDING THAT A COMPANY THAT IS CURRENTLY A CORPORATE HEADQUARTERED OPERATION IN ST. JOHNS COUNTY, FLORIDA BE APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES; COMMITTING TO PAY UP TO \$115,000 AS AND FOR THE LOCAL FINANCIAL SUPPORT THAT IS REQUIRED TO ENABLE THE COMPANY TO PARTICIPATE DURING EACH SUCH YEAR IN THE STATE'S SECTION 288.106 TAX REFUND PROGRAM; PROVIDING CONDITIONS TO SUCH COMMITMENT; PROVIDING ASSURANCES; MAKING FINDINGS; AND PROVIDING AN EFFECTIVE DATE**

The meeting recessed at 10:29 a.m. and reconvened at 10:41 a.m.

(08/08/2000 - 6 - 10:42 a.m.)

3. CONSIDER WAIVER OF A FILING FEE FOR A ZONING VARIANCE FOR MR. ALAN AUST

Rosemary Yeoman, Zoning Manager, reviewed this item and stated that Staff has no objection to the waiver. Bosanko mentioned that the motion should include a finding that it is in the public interest to correct this mistake by this action. **Motion by Reardon, seconded by Jacalone, carried 5/0, to approve waiver of filing fee for zoning variance for Mr. Alan B. Aust, finding the request in compliance with Resolution 99-147 and that this waiver is in the public interest as a correction for the mistake described in the material.** Strickland left the meeting.

(08/08/2000 - 6 - 10:44 a.m.)

4. CONSIDER PROPOSED RESTRICTED FORMULARY

Dr. James Walker, Medical Director, explained the reason for having a restricted formulary for indigent patients. Gloria Benischeck, Social Services, mentioned that they have some fail safe methods in place so that people are not hurt by this formulary. Discussion followed on the cost of name brand medicines and generic medicines, the expenditures through the years on medication, telling indigent patients they have to use the generic brand of medication, talking

with the doctor to see if there is a cheaper alternative to the medication they prescribe, and on how much money this restricted formulary would save the County. **Motion by Jacalone, seconded by Reardon, carried 5/0, to adopt the Proposed Restricted Formulary.**

Reardon requested to hear item 10a next. ***It was consensus of the Board to hear item 10a next.***

*The Meeting moved to item #10a. (See page 8)*

(08/08/2000 - 7 - 9:31 a.m.)

5. REPORT ON THE TENANT STATUS FOR THE ST. JOHNS COUNTY HEALTH & HUMAN SERVICES CENTER

*This item was pulled to be rescheduled at a later date.*

(08/08/2000 - 7 - 11:16 a.m.)

6. CONSIDER AUTHORIZATION TO ENTER INTO A COST SHARE AGREEMENT WITH THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT FOR THE COUNTY'S SR 207 GOLF COURSE

Young reviewed this item and requested the Board's authorization to enter into this agreement. He thinks it a very positive and helpful arrangement to enter into. Young stated that this agreement is for the lines to go out and for some design of the plan itself, to modify it to produce the extra water. Kohnke mentioned that she has suggested to Young to start charging a nominal fee for the County's reuse water. Young relayed that he and Leon Shimer have been discussing a charge to implement. **Motion by Jacalone, seconded by Kohnke, carried 5/0, to approve the cost share agreement between St. Johns County and St. Johns River Water Management District.**

(08/08/2000 - 7 - 11:21 a.m.)

7. CONSIDER A REQUEST FOR THE FREE USE OF THE SJC CONVENTION CENTER AT THE WORLD GOLF VILLAGE FOR ST. JOHNS COUNTY TO HOST THE REGIONAL SUMMIT FOR THE SEVEN COUNTY NORTHEAST FLORIDA AREA

Patsy Heiss, Assistant to Administrator, stated that this is with regard to the County's Regional Summit being moved from this summer to September 20 and approving the free use of the Convention Center for this date. **Motion by Reardon, seconded by Kohnke, carried 5/0, to grant free use of the St. Johns County Convention Center to host the Regional Summit for the 7 County Northeast Florida area.**

(08/08/2000 - 7 - 11:22 a.m.)

8. CONSIDER APPOINTMENT TO THE SCHOOL READINESS COALITION

Heiss reviewed this item. **Motion by Reardon, seconded by Jacalone, carried 5/0, to appoint Sharon Benedict to serve as the County Commission Representative to the School Readiness Coalition, for a term scheduled to expire July 1, 2002.**

(08/08/2000 - 7 - 11:23 a.m.)

9. CONSIDER APPOINTMENT TO THE HEALTH & HUMAN SERVICES ADVISORY COUNCIL

Heiss reviewed this item. Discussion followed on Maximillion Wilson being appointed to the At-Large position, and next time a position is available, contact the Commissioners so there could be applicants representing all the districts. **Motion by Jacalone, seconded by Reardon, carried 5/0, to appoint Maximillion Wilson to the At-Large position on the Health & Human Services Advisory Council to a four-year term, scheduled to expire July 28, 2004.**

(08/08/2000 - 8 - 11:27 a.m.)

10. CONSIDER A RESOLUTION AMENDING THE RULES AND POLICIES OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING APPOINTED COMMITTEES

Bosanko stated that this item was placed on the Regular Agenda because of a change made at the request of the Clerk of Court Finance Office. The change is in the middle of the first underlined paragraph on page 2, *provide that each committee will be assigned to a county department*. This proposed request was approved by Joe Vonasek, Budget Analyst and the Clerk of Court for budgeting purposes. Bryant explained the reason for this change. **Motion by Bryant, seconded by Reardon, carried 5/0, to approve Resolution No. 2000-111 amending the rules and policies of the St. Johns County Board of County Commissioners regarding appointed committees.**

#### RESOLUTION NO. 2000-111

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE RULES/POLICIES OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTED MAY 12, 1998 AS PREVIOUSLY AMENDED, PROVIDING A GENERAL MISSION STATEMENT FOR ALL APPOINTED COMMITTEES, AND REQUIRING A SPECIFIC MISSION STATEMENT FOR EACH SPECIFIC APPOINTED COMMITTEE; PROVIDING RULES FOR PROVISION OF COUNTY STAFF SUPPORT FOR COMMITTEES; AND PROVIDING RULES GOVERNING COMMITTEE EXPENDITURES**

(08/08/2000 - 8 - 11:08 a.m.)

- 10a. APPROVAL OF A RESOLUTION AUTHORIZING THE SOLID WASTE DEPARTMENT TO SUPPORT AND EXPAND ITS RECYCLED PAINT PROGRAM BY CHARGING \$3.00 PER GALLON FOR SALE OF RECYCLED PAINT TO THE PUBLIC.  
*(This item was Consent item #14.)*

Isabelle Lopez, Assistant County Attorney, stated there is some language that can be added as an additional Section #3 that would apply to not-for-profit organizations and government entities. She remarked that Section #3 tracks the statutory language and they would have to make an application, come before the Board, and a resolution would have to be given for each agency. Schwab mentioned getting a list of the non-profit organizations and a resolution could be drawn up which would encompass those agencies. Kohnke voiced concern about the public coming before the Board to get a waiver, and getting charged a fee to get free paint. Schwab mentioned that this would be a one time resolution at the beginning of the year listing all the non-profit organizations and any additional ones would be dealt with on an individual basis. Bosanko stated there was no fee in the schedule for the process of getting a waiver. Jacalone suggested making a generic waiver application instead of trying to find out all the non-profit organizations. **Motion by Jacalone, seconded by Reardon, carried 5/0, to approve Resolution No. 2000-110 with the additional language provided to the Board by the County Attorney's Office, Section #3.**

#### RESOLUTION NO. 2000-110

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE SOLID WASTE DEPARTMENT OF ST. JOHNS COUNTY TO SUPPORT AND EXPAND ITS RECYCLED PAINT PROGRAM BY MAKING RECYCLED PAINT AVAILABLE FOR BID TO RESIDENTS OR COMMUNITY ORGANIZATIONS OF ST. JOHNS COUNTY.**



*The Meeting returned to item #6. (See page 7)*

(08/08/2000 - 9 - 11:29 a.m.)

- 10b. MOTION TO ADOPT RESOLUTION RECOGNIZING UNANTICIPATED REVENUE IN THE AMOUNT OF \$139,856.35 AND APPROPRIATING IT TO THE FIRE DIVISION BUDGET FOR FY 2000 (*This item was Consent item #2.*)

Jacalone pulled this item from the Consent Agenda to question how the unexpended funds are handled. Vonasek explained. **Motion by Jacalone, seconded by Kohnke, carried 5/0, to adopt Resolution No. 2000-112, recognizing unanticipated revenue in the amount of \$139,856.35 and appropriating it to the Fire Division Budget for FY 2000.**

#### RESOLUTION NO. 2000-112

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2000 FIRE DIVISION REVENUE AND EXPENDITURE BUDGETS TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY FIRE DIVISION**

(08/08/2000 - 9 - 11:30 a.m.)

- 10c. APPROVAL OF A MOTION TO ALLOW THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO ENTER INTO A CONTRACT WITH BGCO, INC. IN THE AMOUNT OF \$139,747.00 FOR BID NO. 00-56, CONSTRUCTION OF DEER PARK BLVD. (*This item was Consent item #3.*)

Jacalone pulled this item from the Consent Agenda to question if the scope of the project was changed or if the bid was put out as originally intended. Vonasek responded. **Motion by Jacalone, seconded by Reardon, carried 5/0, to allow the County Administrator or his designee to enter into a contract with the low bidder, BGCO, Inc. in the amount of \$139,747.00 for Bid No. 00-56. (See Attachment)**

(08/08/2000 - 9 - 11:32 a.m.)

- 10d. VILANO PIER PROJECT (*No back-up provided*)

Jacalone explained that the Vilano Pier is the location for several community related events during the year. It was brought to his attention earlier this year that there are some small improvements that need to be done to the pier to facilitate these types of events. The most important one is additional electrical outlets on the pier so that these activities can occur and be more functional. He requested the Board to authorize Adams to secure the funding for these improvements of about \$1,000. **Motion by Jacalone, seconded by Kohnke, carried 5/0, to direct Adams to take care of the expansion outlets at the Vilano Pier and the funding to come from General Fund Reserves after checking out other funds first.**

(08/08/2000 - 9 - 11:34 a.m.)

COMMISSIONERS' REPORTS

Commissioner Howell:

Howell announced that August 19 is the opening for the Orangedale Fire Station between 10:00 a.m and 12:00 noon.

(11:34 a.m.)

Commissioner Kohnke:

Kohnke spoke on Adams, Reardon, and Joe Stephenson being in Palm Valley yesterday discussing the decision on Roscoe. Sheriff Perry is increasing his patrol.

Kohnke stated that she received a letter from Dan McDonald, Ponte Vedra Coalition Chairman of the Sub Committee on Growth, requesting a Town Hall Meeting for the purpose to get answers to their questions. She said the meeting was scheduled for September 27 and she will see if they still wanted the meeting with the Board on September 27.

Kohnke spoke on the concern with the Cummer Property being transferred. In the Regional Planning Council's transfer, the DOT raised the serious question about what is going to happen to the right-of-way on 210, Race Track Road and the 9B Extension. (11:41 a.m.) Reardon left the meeting. Kohnke requested a consensus from the Board that before moving forward this right-of-way question on 210, Race Track Road and the 9B Extension will be straightened out before any Comprehensive Plan changes take place. ***It was the consensus of the Board, with Reardon absent, to do as Kohnke requested.*** Kohnke mentioned that she recommended that Scott Clem and Teresa Bishop not negotiate without the County Attorney with them through the negotiations and that it be very clear what the Board wants as an end product out of these negotiations.

(11:46 a.m.)

Commissioner Bryant:

No report.

(11:46 a.m.)

Commissioner Jacalone:

Jacalone stated that it is budget time and he is getting requests from different agencies, groups, and individuals to consider last minute appropriations. He stated that he didn't want to be the bad guy when the County resumes the budget hearings, but he will have a couple of add on requests that he thinks should be considered.

(11:47 a.m.)

Commissioner Reardon:

No report.

(08/08/2000 - 10 - 11:47 a.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams mentioned a public notice that he needed to do for the Fish and Wildlife Conservation Commission to announce a public hearing for the Guana River Wildlife Management area on Thursday, August 31, 2000 from 7:00 p.m. to 9:30 p.m. in the County Administration Building in Conference Room A. The purpose of the meeting is to receive public comments regarding considerations for the Commission's Five Year Conceptual Management Plan for the Guana River Wildlife Management area.

(08/08/2000 - 10 - 11:47 a.m.)

COUNTY ATTORNEY'S REPORT

No report.

(08/08/2000 - 10 - 11:47 a.m.)

CLERK OF COURT'S REPORT

No report.

The meeting therefore recessed for lunch at 11:47 a.m. and reconvened at 1:37 p.m. with Bryant, Kohnke, Jacalone, Howell, Reardon, Bosanko, Burnett, Adams and Deputy Clerk Judy Hamilton present.

(08/08/2000 - 11 - 1:37 p.m.)

11. PUBLIC HEARING - R-PUD-00-020, JOY II RV SALES AND SERVICE - THIS REQUEST SEEKS TO REZONE AN 11.45-ACRE PARCEL FROM EXISTING PUD AND CHT TO PUD, TO ALLOW THE DEVELOPMENT OF UP TO 16,000 SQUARE FEET OF RECREATIONAL VEHICLE SALES AND SERVICE AND 20 OVERNIGHT HOOK-UPS. THE SUBJECT PROPERTY IS WITHIN A MIXED USE DISTRICT AS DESIGNATED BY THE 2015 FUTURE LAND USE MAP. THE SITE IS LOCATED AT THE COUNTY'S SOUTHERNMOST INTERSTATE 95 INTERCHANGE, AND IS SURROUNDED BY SEVERAL OTHER HIGHWAY COMMERCIAL USES. THE OVERALL SURROUNDING AREA IS SPARSELY DEVELOPED WITH NO ADJACENT INCOMPATIBLE USES AS DEFINED BY POLICY A.1.3.12 OF THE COMPREHENSIVE PLAN.

Proof of publication of the notice of public hearing on the rezoning, R-PUD-00-020, Joy II RV Sales and Service, was received having been published in *The St. Augustine Record* on July 24, 2000.

Sonya Doerr, AICP, Principal Planner, made a presentation to the Board of the proposed rezoning, with use of the visual display. She stated Staff recommended approval and the Planning and Zoning Agency unanimously recommended approval at its July 6, 2000 meeting. Discussion followed on the requested rezoning. (1:42 p.m.) The applicant, Karen Taylor, 3070 Harbor Drive, and Staff answered questions of the Board, regarding parking spaces, trees, driveways, gopher tortoises, entrances to the site, overnight parking, turning lanes, signs, vegetation, and vehicles exiting ramp to enter I-95 southbound. Discussion ensued on those issues.

(2:14 p.m.) **Motion by Reardon, seconded by Howell, carried 5/0, to enact Ordinance No. 2000-46, adopting Findings of Fact to support the motion 1 through 5, but where the citations in the ordinance will be conformed to the Findings of Fact on the second page of the package.**

#### **ORDINANCE NO. 2000-46**

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM PRESENT ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) AND COMMERCIAL HIGHWAY TOURIST (CHT) TO PLANNED UNIT DEVELOPMENT (PUD), PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE**

(08/08/2000 - 11 - 2:16 p.m.)

12. REQUEST BY THE WILLIAM BARTRAM SCENIC HIGHWAY CORRIDOR GROUP TO WAIVE THE \$2,500.00 FEE FOR AN APPLICATION FOR DESIGNATION OF A ST. JOHNS COUNTY LANDMARK

Teresa Bishop, AICP, Planning Director, made a presentation to the Board, reviewing the application for designation of a landmark, located at 3000 S.R. 13, known as the Arvida St. Joe River Town property. These sites had been extensively reviewed in the past and there had been no new findings. Discussion was held on the request for landmark designation.

(2:26 p.m.) Mary L. Cornwell, 2652 S.R. 13, Switzerland, representing the William Bartram Scenic Highway group, stated they were requesting County recognition as a significant landmark for the County. With use of the visual display, she spoke on the archeological sites.

(2:33 p.m.) Reardon stated the site was interpreted as representing an intermittent repeatedly occupied aboriginal site. Reardon asked that the fee be waived and a plaque be put up. Discussion was held on the exact nature of the request.

(2:55 p.m.) Mark Ambach, 3995 Hunt Club Road, Jacksonville, representing the St. Joe interest, spoke against waiving the fee, and said they would be happy to put a sign up, but would not maintain it thereafter.

(2:56 p.m.) Bob Johnson, 450 Melrose Avenue, Jacksonville, the archeologist of record for the sites in question, spoke in opposition to the fee waiver for any specific group. He did not think these sites warranted landmark status.

(3:00 p.m.) Louise Thrower, 288 Orange Avenue, Fruit Cove, spoke on a compromise with the Historical Board working with Johnson on what the history would be for that area and then the William Bartram Scenic Highway group would have something that they could have on their trail at such and such a site to see about the Indians who lived here, everybody is happy, it does not cost the County anything and the residents gain.

(3:01 p.m.) The Board recommended that Reardon get with the parties and work something out.

(08/08/2000 - 12 - 3:01 p.m.)

13. CONSIDER RECOMMENDATION FOR THE PONTE VEDRA BRANCH LIBRARY ARCHITECTURE CHANGE ORDER AND AUTHORIZE THE COUNTY ADMINISTRATOR TO NEGOTIATE THE BEST PRICE FOR THE RE-DESIGN AND LANDSCAPE ARCHITECT NOT TO EXCEED \$163,736.00 TO HUNTER/MCKELLIPS ARCHITECTS

Michael B. Rubin, Director of Construction Services, made a presentation to the Board of the architecture change order. Burnett left the meeting at 3:02 p.m. Rubin spoke on problems with the Architectural Review Committee process, after a zoning variance had been received. Discussion followed on justification for the new numbers. (3:11 p.m.) Allen McKellips, of Hunter/McKellips Architects, answered questions of the Board. (3:27 p.m.)

**Motion by Kohnke, seconded by Reardon, carried 5/0, to recommend that the County Administrator be authorized to negotiate the best price for the re-design and landscape architect and then issue a Change Order to Hunter/McKellips Architects, not to exceed \$129,311.00 total contract amount.**

The meeting recessed at 3:28 p.m. and reconvened at 3:41 p.m.

(08/08/2000 - 12 - 3:41 p.m.)

14. CONSIDER DENIAL FOR CONTINUED SERVICE FROM A COMMUNITY WELL LOCATED ON THE COUNTY RIGHT-OF-WAY IN THE FRUIT COVE AREA (MANDARIN MEADOWS SOUTH SUBDIVISION)

Mike Rubin, Director of Construction Services, presented this item to the Board for discussion, stating their department had been called out to this site because citizens were complaining of low water pressure on their well. Rubin stated the well was located in County right-of-way. Rubin and Frank Kenton, Utilities Department, answered questions of the Board regarding the well and about a policy regarding such situations. A letter had been received from Mr. And Mrs. Vincent O'Brosky, 991 Fruit Cove Rd, asking postponement of this item.

(3:59 p.m.) Cheri O'Brosky, 991 Fruit Cove Rd., addressed the Board, and spoke as being one of the affected property owners and on being unable to put in private wells. Discussion followed.

(4:05 p.m.) John Lalley, 952 Fruitwood Drive, spoke on public well use in the Fruit Cove area and the prohibitive cost of putting in private wells for people on fixed incomes.

(4:14 p.m.) Mike Turner, St. Johns River Water Management District, spoke on water use, wells, the problem at this location, and requirements of SJRWMD.

(4:24 p.m.) Staff will investigate possible solutions to this problem.

(4:26 p.m.) **Motion by Reardon, seconded by Kohnke, carried 5/0, to adjourn the meeting.** There being no further business to come before the Board, the meeting adjourned at 4:26 p.m.

REPORTS:

2. Minutes of Joint Meeting with St. Johns County School Board and Board of County Commissioners, April 19, 2000
3. St. Johns County Board Database Check Register Disbursement Fund, dated July 24, 2000, Check #291617 through Check #291908, totaling \$1,255,448.41
4. St. Johns County Board Database Check Register Disbursement Fund, dated July 27, 2000, Check # 291909 through Check #292204, totaling \$1,626,940.39
5. St. Johns County Board Database Check Register Disbursement Fund, dated August 4, 2000, Check #292205 through Check #292449, totaling \$3,181,047.59

CORRESPONDENCE:

1. Statement of Acceptance of Appointment to Planning and Zoning Agency, July 11, 2000 to December 1, 2002, by John W. O'Rourke, dated July 19, 2000
2. Letter to Liz Cloud, Chief, Bureau of Administrative Code, Department of State, transmitting Ordinances No. 2000-42 and No. 2000-43, dated July 21, 2000
3. Notice from Supervisor of Elections Penny Halyburton to Clerk Cheryl Strickland, dated July 25, 2000, regarding Don Girvan, A. J. McGuinness, Bruce Lucker, as Registered to Vote in St. Johns County
4. Oath of Office, filed July 24, 2000, by Don Girvan, as a member of the St. Johns County Industrial Development Authority
5. Letter to Bruce Lucker, dated July 24, 2000, regarding appointment to Tourist Development Council
6. Letter to Don Girvan, dated July 24, 2000, regarding appointment to Industrial Development Authority
7. Letter to A. J. McGuinness, dated July 24, 2000, regarding appointment to Economic Development Committee
8. Notice from Supervisor of Elections Penny Halyburton to Clerk Cheryl Strickland, dated July 31, 2000, regarding Cathy Brown as Registered to Vote in St. Johns County
9. Letter to Cathy Brown, dated July 28, 2000, regarding appointment to Planning and Zoning Agency
10. Letter to Municipal Code Corporation, dated July 31, 2000, transmitting copies of Ordinance Nos. 2000-6, 2000-11, 2000-20, 2000-24, 2000-25, 2000-26, and 2000-27 for codification
11. Letter to Municipal Code Corporation, dated August 1, 2000, transmitting copies of Ordinance Nos. 2000-31, 2000-34, 2000-36, 2000-38, 2000-39, 2000-42 and 2000-43, for codification
12. Letter to Liz Cloud, Chief, Bureau of Administrative Code, Department of State, transmitting Ordinance No. 2000-44, dated August 3, 2000

Approved September 12, 2000

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: \_\_\_\_\_  
James E. Bryant, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: \_\_\_\_\_  
Deputy Clerk