

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JULY 17, 2001
(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: Marc Jacalone, District 3, Chair
James E. Bryant, District 5, Vice Chair
Mary Kohnke, District 4
John Reardon, District 2
Nicholas Meiszer, District 1
Ben W. Adams, Jr., County Administrator
James Sisco, County Attorney
Doug Burnett, Assistant County Attorney
Judy Hamilton, Deputy Clerk

Also present: Dennis Hollingsworth, Tax Collector; Cheryl Strickland, Clerk of Courts;
Allen MacDonald, County Finance Director

(07/17/01 - 1 - 9:00 a.m.)
CALL TO ORDER

The meeting was called to order by Chair Jacalone.

(07/17/01 - 1 - 9:02 a.m.)
The Invocation was given by Reardon. The Pledge of Allegiance was led by Meiszer.

(07/17/01 - 1 - 9:03 a.m.)
ROLL CALL

The roll was called by the Deputy Clerk.

(07/17/01 - 1 - 9:06 a.m.)
PUBLIC COMMENT

(9:06 a.m.) Hamid Tabassian, 128 Sawmill Lakes Blvd., Ponte Vedra Beach, spoke on the speed limit and conditions in Ponte Vedra, including Micklers Blvd., CR 210, A1A, and proposed a workshop with the BCC. The Board responded to Tabassian's concerns about the 35 mph speed limit, roundabouts, and workshop consideration.

(9:12 a.m.) Doug Laidlaw, 120 Stokes Landing Rd., St. Augustine, spoke on a formal complaint filed by a County employee, with visual display.

(9:21 a.m.) William Jepson, 6336 Costanero Rd., St. Augustine, spoke on bike paths and routes. Staff will investigate the study done several years ago on the beach bike route. Brief discussion ensued on bike paths.

(9:32 a.m.) Tina Walker, 1665 Old Moultrie Rd., representing St. Augustine Humane Society, requested Staff to draft an ordinance regarding breeding facilities in general, because of the County pet population. Discussion was held on concerns about boarding

facilities, licensing, and inspections of breeding facilities. *It was the consensus of the Board to let the Zoning Department look into drafting an ordinance.*

(07/17/01 - 2 - 9:43 a.m.)

DELETIONS FROM CONSENT AGENDA

Burnett requested Item #5 be pulled from the Consent Agenda

(07/17/01 - 2 - 9:43 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Approval of Minutes:
04/26/01 - Joint Meeting of the BCC and SJC School Board
3. Motion to adopt **Resolution No. 2001-147**, allowing the County Administrator to execute the Revised Interlocal Agreement between the City of St. Augustine Beach and St. Johns County for Landscape Maintenance along A1A South

RESOLUTION NO. 2001-147

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF ST. AUGUSTINE BEACH FOR LANDSCAPE MAINTENANCE ALONG A1A SOUTH

4. Motion to adopt **Resolution No. 2001-148**, approving a Final Plat for Julington Creek Plantation Parcel 83 Phase I

RESOLUTION NO. 2001-148

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR JULINGTON CREEK PLANTATION PARCEL 83 PHASE 1

5. Motion to adopt a Resolution approving a Final Plat for Julington Creek Plantation Parcel 56 Phase I

This item was pulled from the agenda.

6. Proofs:
 - a. Proof, Notice of Meeting Rescheduling, SJC Water and Sewer Authority, July 11, 2001
 - b. Proof, Notice to Bidders, Bid No. 01-78
 - c. Proof, Notice to Bidders, Bid No. 01-73
 - d. Proof, Notice to Bidders, Bid No. 01-77
 - e. Proof, Notice to Bidders, Bid No. 01-75
 - f. Proof, Notice of Public Hearing, Intercoastal's Motion to Abate Documents, July 17, 2001

- g. Proof, Notice of Meeting, St. Johns County NE Florida Regional Planning Council, July 12, 2001

(07/17/01 - 3 - 9:45 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Jacalone requested the addition of Item A, Appointment to the Canvassing Board.

(07/17/01 - 3 - 9:45 a.m.)

APPROVAL OF REGULAR AGENDA

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

(07/17/01 - 3 - 9:46 a.m.)

A. APPOINTMENT TO THE CANVASSING BOARD

Jacalone appointed Reardon to the Canvassing Board with no objections.

(07/17/01 - 3 - 9:47)

1. PRESENTATION OF THE REPORT OF ERRORS AND INSOLVENCIES FOR THE 2000 AD VALOREM/NON-AD VALOREM TAX ROLL

Dennis Hollingsworth, Tax Collector, appeared before the Board, presenting a Report of Errors and Insolvencies for the 2000 St. Johns County Ad Valorem/Non-Ad Valorem Tax Roll. **Motion by Kohnke, seconded by Bryant, carried 4/0 with Reardon temporarily out of the auditorium, to approve the Report of Errors and Insolvencies for the 2000 St. Johns County Ad Valorem/Non-Ad Valorem Tax Roll as presented by Tax Collector Hollingsworth.**

(07/17/01 - 3 - 9:52 a.m.)

2. ADOPTION OF THE PROPOSED MILLAGE RATE

Joe Vonasek, Director of Management and Budget, addressed the Board, stating the Proposed Aggregate Millage Rate for FY 2002 was 6.6630. Reardon re-entered the meeting at 9:53 a.m. **Motion by Reardon, seconded by Bryant, carried 5/0, to authorize the completion and execution of the FY 2002 form DR-420's by the County Administrator and the establishment of September 4, 2001 at 5:30 p.m. in the County Auditorium as the first public hearing for the adoption of the Fiscal Year 2002 Annual Budget. *It was the consensus of the Board that a budget workshop be scheduled at 9:00 a.m. on August 3, 2001 with an overflow date of August 6, 2001 at 9:00 a.m.***

(07/17/01 - 3 - 9:56 a.m.)

3. CONSIDER A REQUEST BY THE PONTE VEDRA MUNICIPAL SERVICE DISTRICT FOR THE TEMPORARY REMOVAL OF THE 1% FRANCHISE FEE FOR ADDITIONAL WASTE SERVICE

John Schwab, Special Projects Manager, addressed the Board, speaking on this issue. Discussion was held on the 1% franchise fee waiver. Rob Becker, a trustee on the MSD, 32 Ponte Vedra Circle, spoke to the Board. Further discussion was held on various aspects of the proposed fee waiver and the area involved. **Motion by Bryant, seconded by Reardon, carried 5/0, to set a public hearing date to adopt a Resolution waiving the 1% residential franchise fee for the additional level of service for the entire Ponte Vedra area.** Staff was directed to prepare a resolution to cover all entities, waiving the franchise fee only on the extra service, and to investigate if anyone else was in the same dilemma.

The meeting recessed at 10:23 a.m. and reconvened at 10:34 a.m.

(07/17/01 - 4 - 10:34 a.m.)

4. CONSIDER A REQUEST TO AMEND THE FISCAL YEAR 2001 CAPITAL IMPROVEMENT PROGRAM

Dan Weimer, Director, Recreation and Parks Department, spoke on the FY 2001 CIP amendment request. Vivian Browning, 40 Beachcomber Way, Vilano Beach, spoke in favor of the amendment. **Motion by Reardon, seconded by Kohnke, carried 5/0, to adopt Resolution 2001-149, amending the fiscal year 2001 Capital Improvement Program for the project of "Shelters at Vilano Road," changing the title and scope of the project to the "Greenway/Boardwalk at Vilano Road," and funding amount and source to remain the same.**

RESOLUTION NO. 2001-149

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2001 CAPITAL IMPROVEMENT PROGRAM FOR THE PROJECT OF "SHELTERS AT VILANO ROAD;" CHANGING THE TITLE AND SCOPE OF THE PROJECT TO THE "GREENWAY/BOARDWALK AT VILANO ROAD;" FUNDING AMOUNT AND SOURCE TO REMAIN THE SAME

(07/17/01 - 4 - 10:39 a.m.)

5. CONSIDER ENTERING INTO A CONTRACT WITH THE LOW BIDDER FOR THE VILANO BEACH WATERFRONTS FLORIDA NATURE BOARDWALK

Mike Rubin, Construction Services Director, addressed the Board, advising that Schippers Marine was the low bidder at \$75,810. Discussion was held on bids and grants received. Vivian Browning, 40 Beachcomber Way, Vilano Beach, spoke in favor of the contract and the Vilano Beach Boardwalk. **Motion by Reardon, seconded by Kohnke, carried 5/0, to allow the County Administrator, or his designee, to enter into a contract with Schippers Marine, at the bid price of \$75,810, for construction of pilings, bents and stringers for the Vilano Beach Waterfronts Florida Nature Boardwalk. (See Attachment "A.")**

(07/17/01 - 4 - 10:55 a.m.)

6. CONSIDER THE CONSTRUCTION AND FUNDING OPTIONS FOR A MULTIPURPOSE PATH FROM THE NORTH END OF THE MATANZAS INLET BRIDGE TO TREASURE BEACH ROAD

Vickie Renna made a presentation to the Board and explained options to help fund this project. Discussion was held on funding, enhancement dollars, no shoulders on A1A, and rights-of-way, along with various other issues of the proposed multipurpose path. Strickland left the meeting at 11:05 a.m. Bill Jepson, 6336 Costanero Rd., St. Augustine, spoke in favor of the issue. Vonasek spoke on revenue sources. Further discussion was held on the proposed path and funding of same. (11:31 a.m.) **Motion by Jacalone, seconded by Reardon, carried 5/0, to relay to DOT that the County wants DOT to incorporate this into their rehab project and the County will absorb the cost of it that is represented to them, up to \$346,000 as stated in DOT letter of June 28, 2001 from Jim Pitman, District Roadway Design Engineer, and the County will do their best to pursue grants identified by Staff.** Staff was directed to prepare a resolution, with DOT's assistance, to bring back to the Board.

(07/17/01 - 5 - 11:37 a.m.)
BCC COMMITTEE ASSIGNMENTS

Jacalone stated he wanted to do a thorough review of committees. He stated he thought the TV Committee had served its purpose and recommended that the Government TV Committee be done away with. **Motion by Jacalone, seconded by Meiszer, carried 4/1 with Kohnke dissenting, to do away with the Government TV Committee.**

(07/17/01 - 5 - 11:41 a.m.)

7. APPOINTMENT TO THE GOVERNMENT CHANNEL ADVISORY COMMITTEE

No action was taken per previous abolishment by the Board.

(07/17/01 - 5 - 11:41 a.m.)

8. APPOINTMENTS TO THE SCENIC HIGHWAY A1A COMMITTEE

Patsy Heiss, Assistant to the Administrator, addressed the Board, stating terms for several members would expire this month and those members sought reappointment. She also asked that terms be staggered. (11:44 a.m.) **Motion by Reardon, seconded by Kohnke, carried 5/0, to approve Staff's recommended reappointments: Dr. Michael L. Greenberg, District 5, for a four year term, expiring in 2005; Patrick Hamilton, District 3, for a four year term, expiring in 2005; Jean Ellen Fitzpatrick, District 3, for a three year term, expiring in 2004; Christine Newman, District 4, for a three year term, expiring in 2004; Ralph DePasquale, District 5, for a two year term, expiring in 2003; and, Keith Clarke, District 4, for a two year term, expiring in 2003.**

(07/17/01 - 5 - 11:45 a.m.)

9. APPOINTMENT TO THE CHILDREN'S COMMISSION

Heiss presented this appointment to the Board for their consideration. **Motion by Reardon, seconded by Jacalone, carried 5/0, to appoint Kathy Drake to the District 3 position on the Children's Commission to complete a term scheduled to expire April 27, 2003.**

(07/17/01 - 5 - 11:46 a.m.)

10. CONSIDER AN APPOINTMENT TO THE CATEGORY II ARTS/GRANTS FUNDING PANEL

Heiss addressed the Board, asking them to consider the appointment to the Category II Arts/Grants Funding Panel. **Motion by Kohnke, seconded by Reardon, carried 5/0, to appoint Joanne Sweeney to the District 4 position on the Category II Arts/Grants Funding Panel for a term scheduled to expire September 30, 2003, and to extend the terms of TDC representatives Brenda Bushell and Bill Puckett to September 30, 2004.**

(07/17/01 - 5 - 11:47 a.m.)

11. CONSIDER AN APPOINTMENT OF ST. AUGUSTINE BEACH REPRESENTATIVE TO THE TOURIST DEVELOPMENT COUNCIL

Patsy Heiss, Assistant to the Administrator, brought this appointment to the Board for their consideration. **Motion by Meiszer, seconded by Reardon, carried 5/0, to appoint Commissioner Al Holmberg as the City of St. Augustine Beach's representative to the Tourist Development Council.**

(07/17/01 - 6 - 11:48 a.m.)

12. CONSIDER APPOINTMENTS TO THE ECONOMIC DEVELOPMENT COMMITTEE

Heiss requested the Board to reappoint District 1 and District 2 positions on the Economic Development Committee. **Motion by Jacalone, seconded by Reardon, carried 5/0, to appoint Tom Costeira to the District 2 position on the Economic Development Committee to complete a term scheduled to expire June 22, 2003. Motion by Kohnke, seconded by Meiszer, carried 5/0, to reappoint Don Beattie to the District 1 position on the Economic Development Committee for a four-year term, scheduled to expire July 17, 2005.**

(07/17/01 - 6 - 11:49 a.m.)

COMMISSIONERS' REPORTS

Commissioner Meiszer:

No report.

Commissioner Bryant:

Bryant stated tracking of grant funding needed to be done by the Budget Office.

Commissioner Reardon:

Reardon commented on the redevelopment of the Cecil Field area and recommended the Economic Development Committee keep a close watch on Cecil Field's attraction to prospective clients. He stated Ring Power was eyeing a piece of property on CR 210 for a large complex and was being courted by the Cecil Field project as well. Reardon asked that the developers of the Cecil Field project be asked to give a presentation to the Board.

Commissioner Kohnke:

Kohnke spoke on a meeting Joe Stephenson, Public Works Director, and she would be attending at Sawmill Lakes Association tonight regarding four-lane bridge on 210. Meiszer said he would be attending that meeting. Jacalone said he got an invitation also. Reardon said he planned on attending.

Commissioner Jacalone:

Jacalone asked that the County Administrator's contract be put on the agenda for Board consideration.

(07/17/01 - 6 - 11:59 a.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams commented on attendance at the Summit; environmental issues next year; and reminded Board members of the upcoming Redistricting meetings with the School Board.

(07/17/01 - 6 - 12:00 p.m.)

COUNTY ATTORNEY'S REPORT

No report.

(07/17/01 - 7 - 12:00 p.m.)

CLERK OF COURT'S REPORT

No report.

The meeting recessed at 12:00 p.m. for lunch and reconvened at 1:30 p.m. with Jacalone, Bryant, Meiszer, Reardon, Kohnke, Adams, Burnett, and Deputy Clerk Lenora Newsome present.

(07/17/01 - 7 - 1:32 p.m.)

1. PUBLIC HEARING - REZ- 2001-03 - KELLY ESTATES REZONING. THE SUBJECT IS LOCATED AT 101 KELLY ROAD AND 3 KELLY ROAD. THIS REQUEST SEEKS TO REZONE APPROXIMATELY ONE ACRE OF LAND FROM OPEN RURAL (OR) TO RESIDENTIAL SINGLE FAMILY RS-2 TO ALLOW THE CREATION OF TWO SINGLE FAMILY RESIDENTIAL LOTS, EACH LOT BEING APPROXIMATELY 1/2 ACRE IN SIZE. THE SUBJECT PROPERTY IS DESIGNATED AS RESIDENTIAL C ON THE FUTURE LAND USE MAP. THE REQUESTED REZONING TO RS-2 AND THE PROPOSED USE ARE CONSISTENT WITH THE COMPREHENSIVE PLAN. THE ZONING CHANGE TO RS-2 IS ALSO CONSISTENT WITH THE SURROUNDING DEVELOPMENT. AT THE TIME DEVELOPMENT PERMITS ARE SOUGHT FOR THE TWO NEW LOTS, COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THE LAND DEVELOPMENT CODE SHALL BE REQUIRED. THE PLANNING AND ZONING AGENCY UNANIMOUSLY APPROVED THIS APPLICATION AT THE MEETING HELD ON JUNE 21, 2001

Proof of publication of notice of public hearing on Kelly Estates REZ 2001-03, was received having been published in The St. Augustine Record on July 2, 2001.

Teresa Bishop, AICP, Planning Director, reviewed this item. Jacalone questioned Bishop, on if she was aware of the status of the access road. Bishop replied that they are not requesting any waivers now, but if they do need waivers, they will come back before the Board for review.

(1:34 p.m.) Stan Reigger, 1095 Anastasia Blvd., representing the applicant, reviewed the lot, using visual display. **Motion by Reardon, seconded by Bryant, carried 5/0, to enact Ordinance 2001-45, known as Kelly Estates Rezoning (REZ-2001-03), adopting Findings of Fact 1 through 4, to support the motion.**

ORDINANCE NO. 2001-45

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 RESIDENTIAL, SINGLE FAMILY (RS-2); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(07/17/01 - 7 - 1:36 a.m.)

2. PUBLIC HEARING - REZ-2001-07 OLD TYME ACRES REZONING. THE SUBJECT PROPERTY IS LOCATED AT 1955 OLD TYME AVENUE. THIS REQUEST SEEKS TO REZONE 26.55 ACRES OF LAND FROM RESIDENTIAL MANUFACTURED/MOBILE HOME (RMH) WITH CONDITIONS TO RMH. THE SUBJECT PROPERTY IS DESIGNATED AS B-RESIDENTIAL ON THE FUTURE LAND USE MAP. THE PLANNING AND ZONING AGENCY RECOMMENDED

APPROVAL OF THIS APPLICATION UNANIMOUSLY AT THEIR MEETING
HELD JUNE 21, 2001

Proof of publication of notice of public hearing on Old Tyme REZ 2001-07, was received having been published in The St. Augustine Record on July 2, 2001.

Bishop reviewed this item, using visual display. Kohnke spoke on the size of land needed for placing septic tanks. Discussion followed on taking out the conditions and not limiting the size of the lots for placing septic tanks, the Board having the decision whether to disallow septic tanks or not, and the actual conditions that the applicant wants removed.

(1:47 p.m.) James Dimsdale, 4257 Oak Lane, the applicant, spoke on the issue. Reardon spoke on the roads being paved in that area. Dimsdale gave his presentation. Reardon questioned, if the Board approved this issue, how does the diagram that is included in the packet come into play. Bishop explained that the diagram was part of the packet and if it is approved, it will go through the platting process. She suggested for the Board not to consider approving a plat or sketch like this, so it can go through the proper procedures. Reardon mentioned that 26 acres of the property is wetlands.

(2:07 p.m.) Dante Salamone, 5225 Datil Pepper Road, voiced surprise that someone can come before the Board without having an engineering plan of the property.

(2:11 p.m.) Jeanne Switzer, 206 Dartmouth Road, spoke in opposition of this rezoning.

(2:12 p.m.) Discussion followed on denying this item and the conditions to use. Motion by Kohnke to deny the rezoning and not to remove the condition of one unit per acre due to the fact that there are a lot of wetlands and this would reduce the size of the lots beneath where they should be, and this is not in keeping with the rest of the neighborhood. Motion died for lack of a second. Meiszer questioned why the restrictions are being removed. Bishop replied that Residential B does allow for two units to an acre, which could allow for half acre lots to occur. Bryant stated that the applicant's request is consistent with the Comp Plan and he supports the rezoning. Reardon requested clarification on, if approved, the applicant still has to comply with all of the land development regulations. Bishop responded yes. Reardon stated that it was fine to make smaller lots to encourage affordable housing. Kohnke voiced concern about the applicant being exempt from sewer and water on one acre. **Motion by Bryant, seconded by Reardon, carried 4/1 with Kohnke opposed, to enact Ordinance 2001-46, known as Old Tyme Acres (REZ-2001-07), adopting Findings of Fact 1 through 4, to support the motion.**

ORDINANCE NO. 2001-46

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS DESCRIBED
HEREINAFTER FROM THE PRESENT ZONING
CLASSIFICATION OF RESIDENTIAL,
MANUFACTURED/MOBILE HOME (RMH) WITH
CONDITIONS TO RESIDENTIAL,
MANUFACTURED/MOBILE HOME (RMH); MAKING
FINDINGS OF FACT; REQUIRING RECORDATION; AND
PROVIDING AN EFFECTIVE DATE**

(07/17/01 - 8 - 2:22 p.m.)

3. PUBLIC HEARING - PUD 2001-02 - ANCIENT CITY PLAZA PLANNED UNIT DEVELOPMENT. THIS REQUEST SEEKS TO REZONE 6.0 ACRES FROM OPEN RURAL (OR) AND RESIDENTIAL MANUFACTURED/MOBILE HOME (RMH) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW FOR THE

DEVELOPMENT OF A 9,716 SF OFFICE/RETAIL CENTER, 43,958 SF OPEN (COVERED) OUTDOOR STORAGE FACILITY, 8,000 SF MINI-WAREHOUSE STORAGE FACILITY, 16,000 SF WAREHOUSE (INCLUDING OFFICE) MOVING AND STORAGE BUSINESS, AND ONE (1) ANCILLARY CARETAKER/SECURITY RESIDENTIAL UNIT. IT IS STAFF'S OPINION THAT THE REQUESTED REZONING AND THE PROPOSED PLAN OF DEVELOPMENT COMPLY WITH THE COMPREHENSIVE PLAN AND THE FUTURE LAND USE DESIGNATION OF MIXED USE DISTRICT (MD). THIS REQUEST SUPPORTS THE GOALS AND POLICIES OF THE FUTURE LAND USE ELEMENT AND THE MIXED-USE DEVELOPMENT PROVISIONS OF THE COMPREHENSIVE PLAN, SPECIFICALLY RELATED TO THE PROVISION OF A MIXTURE OF LAND USES AND RESIDENTIAL DENSITIES, WHICH DISCOURAGE URBAN SPRAWL AND PROVIDE FOR DIVERSE LIVING OPPORTUNITIES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT ITS MAY 17, 2001 MEETING WITH A 4-1 VOTE

Proof of publication of notice of public hearing on Ancient City Plaza PUD 2001-02, was received having been published in The St. Augustine Record on June 28, 2001.

Bishop reviewed this item, stating that this property is located in the mixed use future land use designation. Jacalone questioned the status of their concurrency. Bishop replied that they do have a certificate of concurrency.

(2:25 p.m.) Karen Taylor, on behalf of the applicant, clarified a few issues and gave a little background of some things that came up at the initial meeting. She explained an aerial photograph of the land, using visual display. Kohnke questioned an area being all trees and on where the buffers were located. She explained the site plan with photographs regarding the buffers, the mini storage, signage, and an alternative secondary driveway. She reviewed the requirements of the LDC and stated that the traffic concurrency indicates a low amount. (2:41 p.m.) Allen MacDonald, Finance Director, entered the meeting. Discussion followed on speaking with all the adjacent property owners, the space between the proposed driveway and Mariner's driveway on U.S. 1, Mariner's driveway being a private driveway, getting the County to accept Mariner's driveway as a public road, the type of fence around the property being a wooden fence, the variance buffer on the northwest portion of the property being currently zoned RMH and requesting a waiver from that short section from 20 to 10 feet, and coming out of the mentioned property and turning right only.

(2:49 p.m.) Dante Salamone, 5225 Datil Pepper Road, spoke on the possibility of increasing more traffic hazards fronting the Shores.

(2:56 p.m.) Jean Switzer, 206 Dartmouth Road, spoke in opposition of this item.

(2:58 p.m.) Jacalone questioned if the ordinance contains the waivers to the buffer requirements also. Bishop stated that the ordinance adopts the PUD, which the waivers are in that section of the PUD. Kohnke questioned how this fits the compatibility index for Mariners. Bishop replied that it fits. Kohnke stated that she didn't think that there would much traffic and that she was not concerned about the traffic in and out of the mentioned property. Meiszer questioned the applicant if they were going to operate 24 hours a day. (3:01 p.m.) Michael Piesco, 655 Lena Drive, the applicant, replied that there would be a security gate that will be locked after 5:00 p.m., so it would only be open during business hours 8 to 5 basically. Discussion followed on placing a deceleration lane at Mariner's driveway, the number of trips being a very low traffic generator according to the study, the business hours, and the size of the buffers. **Motion by Kohnke, seconded by Bryant, carried 5/0, to enact Ordinance No. 2001-47, known as the Ancient City Plaza PUD (PUD 2001-02), adopting Findings of Fact 1 through 6 to support the motion. Meiszer offered**

the amendment of the waiver to that section be deleted, Reardon seconded the amendment. Jacalone questioned Burnett, if the request, to rezone some waivers to the County buffer requirement can be altered by the Board without the consent of the applicant. Burnett replied since the buffers are in the PUD, if the applicant does not consent to considering this PUD without that specified 10 foot buffer in that section, then the Board has to approve or deny the PUD based on that language. Piesco stated that they will conform to the buffer requirement for that section. Reardon withdrew his second to the amendment. Amendment dies. Jacalone stated that the offer would be altering the text to the PUD to not include that portion of the property for a variance from the buffer requirement of 121 feet on the northwest boundary of the property. Burnett left the meeting and James Sisco, County Attorney, entered the meeting.

ORDINANCE NO 2001-47

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OR (OPEN RURAL) AND RMH (RESIDENTIAL MANUFACTURED/MOBILE HOME) WITH CONDITIONS TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

The meeting recessed at 3:17 p.m. and reconvened at 3:25 p.m.

(07/17/01 - 10 - 3:26 p.m.)

4. PUBLIC HEARING - INTERCOASTAL UTILITIES, INC. MOTIONS TO ABATE DOCKET 2000-0007-0004 - APPLICATION BY INTERCOASTAL UTILITIES, INC. FOR A RATE INCREASE AND DOCKET 2001-0007-0023 - INVESTIGATION OF POSSIBLE OVEREARNINGS INTERCOASTAL UTILITIES, INC.

Proof of publication of notice of public hearing on Motion to Abate Dockets on Intercoastal Utilities, was received, having been published in The St. Augustine Record on July 2, 2001.

George Flint, Executive Director, Water and Sewer Authority, stated that the parties involved with the issues addressing the public hearing scheduled for this afternoon have all been negotiating on a proposed settlement of the issues and have agreed to request that the Board continue the public hearing until next Tuesday at 1:30 p.m. **Motion by Reardon, seconded by Kohnke, carried 5/0, to continue this item to next Tuesday at 1:30 p.m.**

Motion by Kohnke, seconded by Reardon, carried 5/0, to adjourn the meeting. There being no further business to come before the Board, the meeting adjourned at 3:28 p.m.

REPORTS:

1. Sampson Creek Community Development District Proposed Budget Fiscal Year 2002 (05/16/2001)
2. Sampson Creek Community Development District Minutes of January 11, 2001
3. Sampson Creek Community Development District Proposed Budget Fiscal Year 2000/01 (08/08/2000)
4. Sampson Creek Community Development District Minutes of March 10, 2000
5. Sampson Creek Community Development District Minutes of March 17, 2000
6. Sampson Creek Community Development District Minutes of March 24, 2000
7. Sampson Creek Community Development District Minutes of March 31, 2000
8. Sampson Creek Community Development District Minutes of April 7, 2000

CORRESPONDENCE:

- A. Letter dated October 18, 2000 to Mr. Jonathan T. Johnson from Daniel Bosanko regarding the upcoming bond validation hearing for the Sampson Creek CDD
- B. Letter dated September 25, 2000 to Mr. Jonathan T. Johnson from Teresa Bishop regarding Sampson Creek CDD Resolution No. 2000-117
- C. Letter dated August 28, 2000 to Mr. Jonathan T. Johnson from Teresa Bishop regarding notifying him that the proposed Resolution of the Board of County Commissioners, Consenting to the Exercise of Powers Pursuant to Section 190.012(2)(A), Florida Statutes, is scheduled before the Board on 09/12/2000 at 9:00 a.m.
- D. Letter dated July 11, 2000 to Teresa Bishop from Jonathan T. Johnson regarding establishment of Sampson Creek CDD and granting of Consent Pursuant to Section 190.012, Florida Statutes
- E. Letter dated August 22, 2000 to Teresa Bishop from Jonathan T. Johnson regarding Sampson Creek CDD - Granting of Consent Pursuant to Section 190.012, Florida Statutes
- F. Fax dated June 27, 2000 to Teresa Bishop from Jonathan Johnson regarding establishment of Sampson Creek CDD and Granting of Consent Pursuant to Section 190.012, Florida Statutes
- G. Fax dated July 20, 2000 to Teresa Bishop from Jonathan T. Johnson regarding establishment of Sampson Creek CDD and Granting of Consent Pursuant to Section 190.012, Florida Statutes
- H. Redi-letter dated July 18, 2000 to Teresa Bishop from Jonathan T. Johnson regarding establishment of Sampson Creek CDD and Granting of Consent Pursuant to Section 190.012, Florida Statutes
- I. Fax dated June 27, 2000 to Scott Clem from Jonathan Johnson regarding establishment of Sampson Creek CDD and Granting of Consent Pursuant to Section 190.012, Florida Statutes
- J. Letter dated May 8, 2000 to Scott Clem from Jonathan T. Johnson regarding petition to establish the Sampson Creek CDD
- K. Memo dated April 10, 2000 to Administrative Law Judge, Diane Cleavinger from St. Johns County Sampson Creek CDD Processing Group regarding the Sampson Creek CDD Petition
- L. E-mail dated February 8, 2000 to Jenna McCrea regarding giving copies to everyone on the Sampson Creek CDD Petition
- M. Memo dated February 10, 2000 to Sampson Creek CDD Processing Group regarding Sampson Creek CDD Petition
- N. Letter dated Febraury 3, 2000 to Dan Bosanko from Jonathan T. Johnson regarding five copies of the St. Joe/ Arvida Company's petition to establish the Sampson Creek CDD for the project known also as St. Johns Golf and Country Club
- O. Letter dated March 7, 2000 to Donna Arduin, Florida Land and Water Adjudicatory Commission; from Bob Cambric, Growth Management Administrator, regarding Sampson Creek CDD (FLWAC Case No. CDD-00-001)
- P. Letter dated March 16, 2000 to Teresa Bishop from Jonathan T. Johnson regarding the Petition to Establish the Sampson Creek CDD
- Q. Fax dated February 28, 2000 to Teresa Bishop and Dan Bosanko from Jonathan T. Johnson regarding the Petition to Establish the Sampson Creek CDD
- R. Letter dated February 28, 2000 to Teresa Bishop from Jonathan T. Johnson regarding the Petition to Establish the Sampson Creek CDD
- S. Letter dated February 22, 2000 to Teresa Bishop from Jonathan T. Johnson regarding the Petition to Establish the Sampson Creek CDD

T. Letter dated February 7, 2000 to Dan Bosanko from Jonathan T. Johnson regarding revised Exhibit 3 on Sampson Creek CDD

Approved, August 7, 2001

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Marc A. Jacalone, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____
Deputy Clerk