

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
DECEMBER 4, 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
Nicholas Meiszer, District 1
John Reardon, District 2
Mary Kohnke, District 4
Ben W. Adams, Jr., County Administrator
James G. Sisco, County Attorney
Lenora Newsome, Deputy Clerk

Present also: Cheryl Strickland, Clerk of Courts

(12/04/01 - 1 - 9:02 a.m.)

The meeting was called to order by Chair Jacalone.

(12/04/01 - 1 - 9:03 a.m.)

VFW (VETERANS OF FOREIGN WARS) PRESENTATION OF COLORS IN REMEMBRANCE OF DECEMBER 7TH (ATTACK ON PEARL HARBOR)

Reardon introduced Jim Newton, who is the spokesperson for the VFW Post 2391 Honor Guard. Newton presented the Honor Guard.

(12/04/01 - 1 - 9:04 a.m.)

The Invocation was given by Reardon. Reardon introduced Warren Hewitt, 1941 Pearl Harbor Survivor. The Pledge of Allegiance was led by Hewitt. Newton had the Honor Guard post the flags and then dismissed the Honor Guard. Reardon explained that they just experienced the Honor Guard of the VFW Post 2391 and announced who they were:

Al Thorpe	USMC59-71		Viet Nam
Jim Sisk	USN	43-64	WW II - Korea
Bob Cuff	USAF	43-46	WW II
Jim Newton	USMC49-71		Korea - Viet Nam
Fred Chauvin	USN	42-46	WW II
Jim Bodman	USMC58-81		Viet Nam
Gus Mohrenne	USN	44-46	WW II

Reardon thanked Post Commander George McCrea for allowing the Honor Guard to come to the Board Meeting. He also gave a special thanks to Warren Hewitt, Pearl Harbor survivor.

(12/04/01 - 1 - 9:09 a.m.)

ROLL CALL

The roll was called by the Deputy Clerk.

(12/04/01 - 2 - 9:10 a.m.)

PUBLIC COMMENT

Daniel MacDonald, 24501 Deer Trace Drive, Ponte Vedra, representing the Ponte Vedra Beaches Coalition, spoke on beach access in the northern part of the County. He stated that the Ponte Vedra Beaches Coalition passed a Beach Access Resolution yesterday and he passed it out to the Board for consideration. Discussion followed on the Resolution passed by the Ponte Vedra Beaches Coalition, having a priority list drafted and provided to all the members of the delegation, and adding anything to that list. *It was the consensus of the Board, to add the Resolution to the delegation list.*

(9:21 a.m.) Sid Ansbacher, 780 North Ponce de Leon Blvd., spoke on the Summerhaven Subdivision, maintaining the Old A1A Road, and getting FEMA funding. (9:23 a.m.) Daniel Bosanko, Deputy County Attorney, entered the meeting.

(9:25 a.m.) Dr. David Bowen, 9349 Old A1A, spoke on the bad conditions of the road on A1A, and distributed a letter regarding lost revenue for failure to maintain Old A1A at Summerhaven. Discussion followed on maintaining the road.

(9:32 a.m.) Louise Thrower, 288 Orange Avenue, spoke on the NW Sector, September 11 ordeal, and saluting St. Augustine Record's newest Associate Editor, Margo Pope.

(12/04/01 - 2 - 9:37 a.m.)

DELETIONS TO CONSENT AGENDA

There were no deletions to the Consent Agenda.

(12/04/01 - 2 - 9:38 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Motion to adopt **Resolution No. 2001-227**, approving a Final Plat for Marsh Creek Unit Seventeen

RESOLUTION NO. 2001-227

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR MARSH CREEK UNIT 17

3. Motion to approve the transfer of \$170,000 from E-911 Capital Outlay Reserves (1168-59927) to E-911 Transfer to Officers (1168-59101 for the acquisition of Call-Taker hardware & software for E-911
4. Motion to accept the County's annual Group Health Insurance Actuarial Study for Fiscal Year 2000-2001 conducted by Wakely Consulting Group
5. Motion to adopt **Resolution No. 2001-228**, approving a Final Plat for Ponte Vedra East

RESOLUTION NO. 2001-228

RESOLUTION OF THE BOARD OF COUNTY

COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR PONTE VEDRA
EAST

6. Motion authorizing the County Administrator or his designee to execute the Florida Library Literacy Grant Agreement and receive and expend the grant funds

RESOLUTION NO. 2001-229

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2002 GENERAL FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY PUBLIC LIBRARY SYSTEM FOR A FLORIDA LIBRARY LITERACY GRANT

7. Motion to adopt **Resolution No. 2001-230**, authorizing an exchange of real property, pursuant to Section 125.37, Florida Statutes, for the relocation of a portion of the Anastasia Island Wastewater Treatment Plant Effluent Outfall Pipeline Easement

RESOLUTION NO. 2001-230

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING AN EXCHANGE OF REAL PROPERTY, PURSUANT TO SECTION 125.37, FLORIDA STATUTES, FOR THE RELOCATION OF A PORTION OF THE ANASTASIA ISLAND WASTEWATER TREATMENT PLANT EFFLUENT OUTFALL PIPELINE EASEMENT

8. Motion to approve the transfer of \$6,000 from State Attorney Reserves (1132-59920) to Computer Equipment (1132-56403) to purchase three laptop computers
9. Proofs:
 - a. Proof, Notice to Bidders, Bid No. 02-26
 - b. Proof, Notice to Bidders, Bid No. 02-28
 - c. Proof, Notice to Bidders, Bid No. 02-29
 - d. Proof, Notice of Meeting, Economic Development Committee, November 8, 2001
 - e. Proof, Certificate of Liability Insurance, Star Environmental Services, LLC
 - f. Proof, Certificate of Insurance, Bessent, Hammack & Ruckman, Inc.
 - g. Proof, Certificate of Liability Insurance, Bessent Hammack & Ruckman, Inc., Northeast Florida Surveyors & BHR Planning Group

(12/04/01 - 3 - 9:38 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Kohnke requested to add as item 2a, Holiday Schedule Review. Jacalone requested to add as item 2b, Strategic Planning Steering Committee Appointment Consideration. Bosanko requested to add as item 2c and to be placed at 1:30 p.m., Real Estate Easement.

(12/04/01 - 3 - 9:40 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Kohnke, seconded by Reardon, carried 5/0, to approve the Regular Agenda as amended. Bosanko left the meeting.

(12/04/01 - 4 - 9:40 a.m.)

1. CONSIDER A REQUEST FOR THE FREE USE OF THE ST. JOHNS COUNTY CONVENTION CENTER BY ST. AUGUSTINE HIGH SCHOOL

Dena Masters, Tourist Development Council, reviewed this item, stating that the St. Augustine High School has requested free use of the County Convention Center to hold the Superintendent's Honor Band Performance. Al Dodd, St. Augustine High School Band Leader, explained what the Superintendent's Honor Band Performance was. **Motion by Reardon, seconded by Bryant, carried 5/0, to grant free use of the St. Johns County Convention Center to St. Augustine High School to have the Superintendent's Honor Band Performance on February 14, 2002.**

(12/04/01 - 4 - 9:42 a.m.)

2. DISCUSSION OF A DRAFTED RESOLUTION THAT WILL SUPPORT THE WILLIAM BARTRAM SCENIC HIGHWAY BY PRESERVING NATURAL AND HISTORIC RESOURCES

Mary Cornwell reviewed a drafted resolution concerning the William Bartram Scenic Highway. Meiszer commented on the scenic appearance of Highway 13 and asked the Board to authorize the next step. Kohnke suggested to have Donna Godfrey, Teresa Bishop, Georgia Katz, and Joe Stephenson review this draft of the proposed County ordinance and bring it back before the Board. Bryant voiced concern on criteria for designation, and archaeological structures. Discussion followed on the draft resolution and draft ordinance, and Staff working on the draft ordinance and bringing it back before the Board for adoption.

(10:03 a.m.) Louise Thrower, 288 Orange Ave, spoke in favor of the proposed ordinance.

(12/04/01 - 4 - 10:04 a.m.)

- 2a. HOLIDAY SCHEDULE REVIEW

Kohnke requested to go back and revisit the Holiday Schedule and make December 31 a holiday and explained why. **Motion by Kohnke, seconded by Bryant, carried 5/0, that the Board observe December 31, 2001, as a holiday.**

(12/04/01 - 4 - 10:07 a.m.)

- 2b. STRATEGIC STEERING PLANNING COMMITTEE APPOINTMENT

Jacalone explained that one of his appointees had reconsidered and declined to serve, so he submitted another applicant. **Motion by Reardon, seconded by Bryant, carried 5/0, to approve John Hewins as Jacalone's appointment to the Board.**

(12/04/01 - 4 - 10:07 a.m.)

COMMISSIONERS' REPORTS

Commissioner Kohnke:

Kohnke endorsed Adams for the length of the agenda today.

Kohnke stated that she attended the First Tee Inauguration last Friday at 2:30 p.m. and spoke on it.

Kohnke spoke on the Regional Planning Reception for the Elected Officials, Friday night, being nice.

(10:09 a.m.)

Commissioner Reardon:

No report.

(10:09 a.m.)

Commissioner Bryant:

Bryant introduced Abdus Raof, engineer, from an engineering and consulting firm in Atlanta as being an asset to the County.

(10:10 a.m.)

Commissioner Meiszer:

Meiszer expressed concern on the process by which the NW Sector Plan is going to be considered and work its way through adoption. He stated that the Board needed a workshop session to discuss it. Discussion followed.

(10:20 a.m.)

Commissioner Jacalone:

Jacalone mentioned a letter written by Warren and Heather Michael regarding using a lot and have Adams forward this letter to the Recreation Advisory Committee.

Jacalone mentioned there being questions about what the new Strategic Planning Steering Committee requirements are going to be pertaining to the Sunshine Law. He suggested having a workshop as soon as it can be organized and brought to the Board, on the Sunshine Law. He explained the laws regarding committees. Jacalone stated that the Board needed to decide the makeup of this Steering Committee and what their mission is. He stated that he would like to get some opinions from the Attorney's Office on whether the Steering Committee has to comply or not comply with the Sunshine Law and to ask the Attorney's Office to schedule a workshop for the Board on the major requirements of the Sunshine Law. (10:26 a.m.) Bosanko entered the meeting.

(12/04/01 - 5 - 10:29 a.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams mentioned clearing a date with the Board on the Joint School Board Meeting of January 17 at 9:00 a.m. at the County Health Center. Jacalone asked if it was necessary to have a meeting when they don't have items to discuss. Kohnke stated that January 17 wouldn't work for her because she had a doctor's appointment that she had to make six months ago and could not cancel. Adams suggested January 24 as the next date available. The Board agreed to it, if there were items to discuss.

(12/04/01 - 5 - 10:31 a.m.)

COUNTY ATTORNEY'S REPORT

No report.

(12/04/01 - 5 - 10:31 a.m.)

CLERK OF COURT'S REPORT

No report.

The meeting recessed for lunch at 10:31 a.m. and reconvened at 1:30 p.m. with Jacalone,

Bryant, Meiszer, Reardon, Kohnke, Adams, Deputy County Attorney Daniel Bosanko, and Deputy Clerk Yvonne King present.

(12/04/01 - 6 - 1:33 p.m.)

- 2c. ADOPTION OF A RESOLUTION ACCEPTING AN EASEMENT FOR ACCESS TO AND MAINTENANCE OF A SEWER FORCE MAIN LOCATED ALONG THE SOUTH SIDE OF STATE ROAD NO. 312

Bosanko explained the purpose of the easement. Discussion followed. (1:37 p.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to adopt Resolution No. 2001-231, accepting an easement for access to and maintenance of a sewer force main located along the South side of State Road No. 312.**

RESOLUTION NO. 2001-231

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, ACCEPTING AN EASEMENT FOR ACCESS TO AND MAINTENANCE OF A SEWER FORCE MAIN LOCATED ALONG THE SOUTH SIDE OF STATE ROAD NO. 312

(12/04/01 - 6 - 1:40 p.m.)

3. PUBLIC HEARING - ORDINANCE FOR THE WEST AUGUSTINE REDEVELOPMENT TIF FUND. ON SEPTEMBER 26, 2000, THE BOARD OF COUNTY COMMISSIONERS ESTABLISHED THE WEST AUGUSTINE COMMUNITY REDEVELOPMENT AGENCY (RESOLUTION 2000-146). THE RESOLUTION REQUIRES THAT STAFF DEVELOP A COMPREHENSIVE COMMUNITY REDEVELOPMENT PLAN (THE PLAN) IN ACCORDANCE WITH CHAPTER 163, PART III OF THE FLORIDA STATUTES. STRATEGIC DEVELOPMENT INITIATIVES, INC. HAS COMPLETED THE PLAN. THE PLAN WAS APPROVED BY THE PZA AND FOUND TO BE IN COMPLIANCE WITH THE COMPREHENSIVE PLAN AT THEIR MEETING ON NOVEMBER 15TH. THE COMMUNITY REDEVELOPMENT AGENCY AND THE BCC APPROVED THE COMMUNITY REDEVELOPMENT PLAN ON NOVEMBER 27TH. THE PLAN CALLS FOR ESTABLISHING A REDEVELOPMENT TRUST FUND THROUGH TAX INCREMENT FINANCING (TIF) FOR THE PURPOSE OF CORRECTING THE DEFICIENCIES AND IMPLEMENTING THE STRATEGIES CONTAINED IN THE WEST AUGUSTINE COMMUNITY REDEVELOPMENT PLAN. THE PROPOSED ORDINANCE IS FOR THE PURPOSE OF ESTABLISHING THE WEST AUGUSTINE REDEVELOPMENT TRUST FUND

Proof of publication of the notice of public hearing on the ordinance on the West Augustine Redevelopment Trust Fund was received having been published in The St. Augustine Record on November 21, 2001.

James Argrett, Jr., Community Development Manager, explained the Redevelopment Trust Fund. (1:45 p.m.) Rev. Eugene Israel, Jr., Pastor of Mt. Carmel Primitive Baptist Church, asked questions regarding the administration of the trust fund. Israel also addressed the old dilapidated homes in the West Augustine area. (1:57 p.m.) Tom Crawford, Director of Housing and Community Services, commented on how the houses are chosen to be abated. Discussion followed regarding the dilapidated homes. (2:06 p.m.) **Motion by Reardon, seconded by Bryant, carried 5/0, to enact Ordinance No. 2001-70, establishing the West Augustine Redevelopment Trust Fund.**

ORDINANCE NO. 2001-70

AN ORDINANCE OF THE BOARD OF COUNTY

COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, RELATING TO REDEVELOPMENT; CREATING THE WEST AUGUSTINE REDEVELOPMENT TRUST FUND TO FINANCE THE WEST AUGUSTINE REDEVELOPMENT PLAN; PROVIDING FOR APPROPRIATION OF TAX INCREMENT REVENUES AND EXPENDITURES OF MONIES IN THE TRUST FUND; DELEGATING AUTHORITY TO THE WEST AUGUSTINE REDEVELOPMENT AGENCY TO ADMINISTER THE TRUST FUND; REQUIRING ANNUAL INDEPENDENT FINANCIAL AUDIT OF THE TRUST FUND; PROVIDING FOR SEVERABILITY, ORDINANCES IN CONFLICT, AN EFFECTIVE DATE

(12/04/01 - 7 - 2:07 p.m.)

4. PUBLIC HEARING - CPA-00-0006 - DAVIS INDUSTRIAL PARK COMPREHENSIVE PLAN AMENDMENT. FILE #CPA-00-006 IS A PROPOSED SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE COUNTY'S FUTURE LAND USE MAP. A SMALL SCALE AMENDMENT IS SUBMITTED TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND THE REGIONAL PLANNING COUNCIL FOLLOWING ITS ADOPTION BY THE LOCAL GOVERNMENT. THE SUBJECT PROPERTIES ARE LOCATED AT THE END OF NORTHWOOD DRIVE, ABOUT 3,000 FEET WEST OF SOUTH HOLMES BOULEVARD, ACROSS FROM DAVIS PRE-CAST COMPANY. THE APPLICANT IS ASKING TO CHANGE THE FUTURE LAND USE MAP FROM RESIDENTIAL DENSITY "C" TO INDUSTRIAL (I). THE SUBJECT PROPERTIES TOGETHER MEASURE APPROXIMATELY 3.78 ACRES. CHAIN LINK FENCING BOUNDS THE PERIMETER OF THE PROPERTIES, AND THE EAST COAST WELL AND PUMP COMPANY IS LOCATED ON THE FIRST PORTION. THE SECOND PORTION OF THE PROPERTY INCLUDES A VACANT MOBILE UNIT; A CONCRETE STRUCTURE PREVIOUSLY USED FOR A SEPTAGE HOLDING TANK; AND VARIOUS PARTS OF MOBILE UNITS, TRUCKS, BOATS, ETC. THIS AREA HAS BEEN USED FOR SPREADING TREATED SEPTAGE IN ACCORDANCE WITH FDEP REQUIREMENTS. AT ITS MEETING ON NOVEMBER 15TH, THE PLANNING AND ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL OF THE REQUEST

Proof of publication of the notice of public hearing for File #CPA-00-006, Davis Industrial Park, was received having been published in The St. Augustine Record on November 19, 2001.

Donna Godfrey, AICP, Senior Planner, explained the comp plan amendment. Discussion followed on the surrounding zoning uses. (2:23 p.m.) Richard Davis, Owner of Davis Precast, commented on the surrounding zoning uses. (2:22 p.m.) **Motion by Reardon, seconded by Bryant, carried 5/0, to enact Ordinance No. 2001-71, adopting CPA-00-006, Davis Industrial Park, amending the Future Land Use Map, adopting Findings of Fact to support the motion, as provided in Section 1 of the attached Ordinance.**

ORDINANCE NO. 2001-71

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, AMENDING THE FUTURE LAND USE MAP, FROM RESIDENTIAL DENSITY ZONE "C" TO INDUSTRIAL (I) AND PROVIDING FOR

SEVERABILITY AND AN EFFECTIVE DATE

(12/04/01 - 8 - 2:28 p.m.)

OTHER BUSINESS:

Bryant requested permission for the attorneys office to commence drafting an ordinance regarding derelict housing. (2:31 p.m.) *It was the consensus of the Board to direct the County Attorney's Office to commence drafting an ordinance regarding derelict housing.*

(2:31 p.m.) Adams said that confirmation for the FCT grant should be received in writing very soon. Adams said the Vail Property costs \$2,590,153.80. The FCT grant will be \$1,942,615.35. After the grant, the cost the County had to pay for the property was \$647,538.45.

(2:31 p.m.) **Motion by Kohnke, seconded by Bryant, carried 5/0, to adjourn the meeting.** There being no further business to come before the Board, the meeting adjourned at 2:32 p.m.

CORRESPONDENCE:

1. Memo from the Supervisor of Elections indicating whether George Hamilton III, Gordon Lohman, Ann Comisky, Roger O'Steen, and Brian Wilson are registered to vote in St. Johns County (11/20/01)
2. Letter to Denise Bunnewith, Transportation Planning Division Chief, with enclosed FY 2001/2001 Joint Participation Agreement between the First Coast Metropolitan Planning Organization and SJC (11/27/01)
3. Letter to the Department of Revenue filing Certificates of the 2001 Value Adjustment Board (11/28/01)
4. Letter to the Secretary of State enclosing the Affidavits with the official signature of Marc A. Jacalone as Chairman and James E. Bryant as Vice Chairman of the Board of County Commissioners (11/28/01)
5. Letter to Edward Underhill, Jr. informing him of his appointment to the Mid Anastasia Overlay District Design Review Board (12/03/01)
6. Letter to Dr. Hugh Balboni informing him of his appointment to the Strategic Plan Steering Committee (12/03/01)
7. Letter to Matt Jeffs informing him of his appointment to the Strategic Plan Steering Committee (12/03/01)
8. Letter to Jeff Sneed informing him of his appointment to the Strategic Plan Steering Committee (12/03/01)
9. Letter to Otis Mason informing him of his appointment to the Strategic Plan Steering Committee (12/03/01)
10. Letter to Marcy Silkebaken informing her of her appointment to the Strategic Plan Steering Committee (12/03/01)
11. Letter to William Robinson informing him of his appointment to the Strategic Plan Steering Committee (12/03/01)
12. Letter to Carol Ann Sacha Martin informing her of her appointment to the Strategic Plan Steering Committee (12/03/01)
13. Letter to Jerry Cameron informing him of his appointment to the Strategic Plan Steering Committee (12/03/01)
14. Letter to George Jacunski informing him of his appointment to the Strategic Plan Steering Committee (12/03/01)
15. Letter to Deloris Batson informing her of her appointment to the Strategic Plan Steering Committee (12/03/01)
16. Letter to Steve Blalock informing him of his appointment to the Strategic Plan Steering Committee (12/03/01)
17. Letter to Bruce Lucker informing him of his appointment to the Strategic Plan Steering Committee (12/03/01)

- Steering Committee (12/03/01)
18. Letter to the Secretary of State enclosing Ordinances No. 2001-68 & 69 (12/04/01)

REPORTS:

1. St. Johns County Check Register, Disbursement Fund, checks 311903 through 312374 totaling \$3,342,461.72 (11/27/01)
2. St. Johns County Check Register, Disbursement Fund, checks 312375 through 312392 totaling \$37,563.97 (11/29/01)
3. St. Johns County Check Register, Disbursement Fund, checks 312393 through 312393 totaling \$2,905.03 (12/03/01)

Approved December 11, 2001

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Marc A. Jacalone, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____
Deputy Clerk