

**MINUTES OF SPECIAL MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
SEPTEMBER 25, 2002
(5:30 P.M.)**

Proceedings of a special meeting of the Board of County Commissioners of St. Johns County, Florida, began and held at the St. Johns County Ponte Vedra Branch Library, 101 Library Blvd., Ponte Vedra Beach, Florida.

Present were: James E. Bryant, District 5, Chair
Nicholas Meiszer, District 1, Vice Chair
Marc Jacalone, District 3
Mary Kohnke, District 4
Ben W. Adams, Jr., County Administrator
James Sisco, County Attorney
Margaret Chevalier, Clerks Office

Also present were: Joe Vonasek, Office of Management and Budget; John Schwab, Special Projects Manager; Michael Hunt, Assistant County Attorney; and Yvonne King, Deputy Clerk.

Commissioner John Reardon was not present.

(09/25/02 - 1 - 1.0001)

The meeting was called to order by Chair Bryant.

(09/25/02 - 1 - 1.0013)

The Invocation was given by Jacalone. The Pledge of Allegiance was led by Bryant.

(09/25/02 - 1 - 1.0100)

Bryant explained the purpose of the meeting. He explained that in 1997, the Ponte Vedra MSD engaged the engineering firm, Stone, Joca, & Mahoney, to determine why the water would not discharge properly through the Guana Basin. The findings were the nutrient loading by landscaping practices and failed septic tanks. Since then, St. Johns County passed a fertilizer ordinance in an effort to eliminate the nutrient loading by landscaping. The County also entered into an agreement with the St. Johns River Water Management District to do an initial cut of the cattails in the Guana so the water could flow properly. (1.0090) John Schwab, Special Projects Manager, introduced the County Staff Personnel, as well as the consultants that were involved in the project.

(09/25/02 - 1 - 1.0160)

1. PUBLIC HEARING TO ENACT A CAPITAL PROJECTS AND RELATED SERVICE ASSESSMENT ORDINANCE. ST. JOHNS COUNTY HAS JOINED WITH JEA UTILITIES IN DEVELOPING A WASTEWATER COLLECTIONS SYSTEM EXPANSION PROGRAM WITHIN A SPECIFIC AREA OF ST. JOHNS COUNTY. THIS IS THE FIRST OF TWO (2) PUBLIC HEARINGS OBLIGATED BY STATUTE TO INFORM, EXPLAIN AND RESPOND TO QUESTIONS WHICH DEAL WITH THE COUNTY'S RIGHT TO DEVELOP A CAPITAL IMPROVEMENT PROJECT AS WELL AS EXPOSING TO THE PUBLIC THE COSTS OF THE PROJECT, THE ASSESSMENT IMPOSED TO THE UNITS RECEIVING THE BENEFITS, ANY INTEREST, LENGTH OF REPAYMENT PLAN, COMPLETE PAYMENT TO AVOID AN ANNUAL ASSESSMENT AND OTHER RELATIVE FINANCIAL OBLIGATIONS. PRESENTED FOR YOUR

CONSIDERATION WILL BE AN ORDINANCE FOR THE CAPITAL PROJECT AND A RESOLUTION OUTLINING THE ESTIMATED COSTS OF THE CAPITAL PROJECT AND PROVIDING A METHOD TO ESTABLISH AND IMPOSE SPECIAL ASSESSMENTS FOR THE PROJECT

Proof of publication of the notice of public hearing on the proposed wastewater assessment project to enact a Capital Projects and Related Service Assessment Ordinance was received, having been published in the St. Augustine Record on September 11, 2002.

Agenda Items #1 and #2 were discussed simultaneously.

Chris Traber, Nabors, Giblin, & Nickerson, Special Assessment Counsel for this project, explained that the purpose of the ordinance is to allow the County to set up a cost efficient procedure to impose assessments and place those assessments on the tax bills. The revenue stream from those assessments could then be used for bank loans, bond issuances, etc. Traber then explained that the first step in doing this, is to adopt an initial assessment resolution, which explains the project, the geographical area, the rules for proportioning the cost among the various landowners. The resolution also sets the date for a public hearing and directs Staff to mail notices to each affected property owner as well as publish the notice of the public hearing 20 days in advance of that hearing.

(1.0280) Ted Lukawski, 45 Upper Lake Rd, Mahopac, NY, asked the Board which streets would be addressed first. (1.0335) Linda Williams, 58 Franklin Avenue, Ponte Vedra Beach, said she would waive her questions until after more discussion was held. (1.0345) Al Hollon, 551 LeMaster Drive, Ponte Vedra Beach, commented in favor of the sewer project. (1.0395) Don Poling, 37 Jefferson Avenue, Ponte Vedra Beach, commented in opposition to the assessment. (1.0445) Harry Graham, 223 Pablo Road, Ponte Vedra Beach, commented in favor of the sewer project. (1.0475) Jay Skelton, 196 San Juan Drive, commented in favor of the sewer project. (1.0495) Tom Bell, 226 Pablo Road, commented in favor of the sewer project. (1.0575) Douglas Hudson, 57 Solana Road, Ponte Vedra Beach, commented in opposition to the sewer project in its present form. (1.0640) Sam Veal, 16 Ponte Vedra Circle, expressed concerns with the cost of the sewer system. (1.0755) Earle Newton, 27 Solana Road, requested the Board reconsider the areas involved in the project. (1.0885) Doug Crane, 994 Ponte Vedra Blvd., Ponte Vedra Beach, expressed concerns with the cost of the project. (1.0965) Chuck Baxter, 508 Morningside Drive, expressed concerns over the water quality reports that were done, and the \$7 million from JEA.

(1.1092) Virginia Simpson, 37 Ramona Street, Ponte Vedra Beach, requested that some of the \$7 million be used for the sewer project. (1.1165) Rob Becker, 32 Ponte Vedra Circle, spoke in favor of the sewer project and expressed concern with the cost to the residents for the project. (1.1245) Judy Moss, 49 Valencia Street, Ponte Vedra, expressed concerns with the cost to the residents for the project. (1.1305) Mary Spence, 339 Ponte Vedra Blvd., spoke on the cost of the sewer system and expressed concern over the amount each homeowner would be assessed. (1.1350) Sterling Carroll, 3561 SW Coco Palm Drive, Stuart, FL, spoke on alternative sewer systems. (1.1490) Bob Cameron, 10 Lake Terrace, Ponte Vedra Beach, spoke in favor of the project. (1.1525) Heather Wood, 525 Rutile Drive, expressed concern with the cost to the residents for the project. (1.1620) Cameron Lacy, 558 LeMaster Drive, Ponte Vedra, commented in favor of the sewer system. (1.1828) John Pawlick, 40 Solana Road, Ponte Vedra Beach, commented in favor of the sewer system. (1.1947) Ashley Rea, 37 Monterey St., Ponte Vedra, expressed concerns with the cost to the residents for the sewer project. (1.2012) Leona Yonge, 38 Alhambra Street, questioned whether the sewer project would correct the

drainage problems. (1.2173) Susie Kelley, 467 Golf View Circle, Ponte Vedra Beach, commented in favor of the sewer project. (1.2275) Wendy Drennon, 56 Phillips Avenue, expressed concerns with the cost to the residents for the sewer project. (1.2335) Sandy Becker, 32 Ponte Vedra Circle, requested the Board choose the system carefully for quality and cost. (1.2395) Coy Holaway, 509 Rutile Drive, Ponte Vedra Beach, expressed concerns with the cost to the residents for the sewer project. (1.2575) John Veal, 541 Ponte Vedra Blvd., Ponte Vedra Beach, reported on some water samples he had done. (1.3225) Bryant, Staff, and the Consultants, responded to the questions raised by the public during their comments. (2.0030) Laura McKinley, Government Services Group, explained that the cost to the residents would be an estimated maximum cost of \$716.24 annually over a 20-year period at 3.52%. (2.0794) **Motion by Kohnke, seconded by Jacalone, carried 4/0 with Reardon absent, to enact Ordinance No. 2002-55 relating to the special assessments to fund capital improvements and related services providing special benefits to local areas within the county.**

ORDINANCE NO. 2002-55

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, RELATING TO CAPITAL IMPROVEMENTS AND RELATED SERVICES PROVIDING A SPECIAL BENEFIT TO LOCAL AREAS WITHIN THE COUNTY; AUTHORIZING THE IMPOSITION AND COLLECTION OF SPECIAL ASSESSMENTS TO FUND THE COST OF CAPITAL IMPROVEMENTS AND RELATED SERVICES PROVIDING A SPECIAL BENEFIT TO LOCAL AREAS WITHIN THE COUNTY; PROVIDING DEFINITIONS; MAKING FINDINGS; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF ASSESSMENT ROLLS AND FOR CORRECTION OF ERRORS AND OMISSIONS; PROVIDING THAT ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE ASSESSMENT ROLLS; AUTHORIZING THE ISSUANCE OF OBLIGATIONS SECURED BY ASSESSMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

(09/25/02 - 3 - 1.0160)

2. PUBLIC HEARING TO ADOPT A RESOLUTION OUTLINING THE PROJECT COST, PROPERTIES IMPACTED AND ASSESSMENT RATES (PVMSD). THIS RESOLUTION RELATES TO THE CONSTRUCTION OF WASTEWATER COLLECTION FACILITIES AND THE IMPOSITION OF SPECIAL ASSESSMENTS WITHIN THE PROPOSED PONTE VEDRA WASTEWATER ASSESSMENT AREA

Agenda Items #1 and #2 were discussed simultaneously. See Item #1 for the discussion. (2.0806) **Motion by Kohnke, seconded by Jacalone, carried 4/0 with Reardon absent, to adopt Resolution No. 2002-199, relating to the construction of wastewater collection facilities and the imposition of special assessments within the proposed Ponte Vedra Wastewater Assessment Area; and the recognition of Ordinance No. 2002-55 be included in the Resolution.**

RESOLUTION NO. 2002-199

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, RELATING TO THE CONSTRUCTION OF WASTEWATER COLLECTION FACILITIES WITHIN THE PROPOSED PONTE VEDRA WASTEWATER ASSESSMENT AREA; ESTABLISHING THE TERMS AND CONDITIONS OF PROPOSED SPECIAL ASSESSMENTS TO FUND THE WASTEWATER COLLECTION FACILITIES; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED ASSESSMENTS AND THE METHOD OF THEIR COLLECTION; DIRECTING THE PROVISION OF NOTICE; AND PROVIDING AN EFFECTIVE DATE

There being no further business to come before the Board, the meeting adjourned at 8:05 p.m.

Approved _____ October 15 _____, 2002

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

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

ATTEST: CHERYL STRICKLAND, CLERK

By: Yvonne King
Deputy Clerk