

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
AUGUST 19, 2003  
(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  
                              Karen Stern, District 2, Vice Chair  
                              Nicholas Meiszer, District 1  
                              Marc Jacalone, District 3  
                              Bruce Maguire, District 4  
                              Ben W. Adams, Jr., County Administrator  
                              Dan Bosanko, County Attorney  
                              Robin Platt, Deputy Clerk

Also present:           Cheryl Strickland, Clerk of Courts

(08/19/03 - 1 - 9:06 a.m.)

Chairman Bryant called the meeting to order.

(08/19/03 - 1 - 9:06 a.m.)

Meiszer gave the Invocation and Stern led the Pledge of Allegiance.

(08/19/03 - 1 - 9:07a.m.)

ROLL CALL

Bryant stated that all five Commissioners were present.

(08/19/03 - 1 - 9:07 a.m.)

PROCLAMATION DESIGNATING AUGUST 24 THROUGH AUGUST 30, 2003 AS ST. JOHNS COUNTY FIRE FIGHTER APPRECIATION WEEK

Bryant presented the Proclamation to Fire Chief Bobby Hall who introduced Susie Austin, from the MDA, who thanked others who helped with the Fill the Boot Campaign. Mike Dietrich, MDA Coordinator, also thanked others for their support.

(08/19/03 - 1 - 9:13 a.m.)

ACCEPTANCE OF PROCLAMATION

**Motion by Jacalone, seconded by Stern, carried 5/0, to adopt the previously read Proclamation.**

(08/19/03 - 1 - 9:13 a.m.)

PUBLIC COMMENT

There was none.

(08/19/03 - 1 - 9:13 a.m.)

DELETIONS TO CONSENT AGENDA

There were none.

(08/19/03 - 2 - 9:14 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Approval of Minutes:  
08/08/03 - BCC Special Meeting
3. Motion to approve a submerged lands easement for Riverdale Park
4. Motion to approve the transfer of \$4,300 from the Law Enforcement Trust Fund Reserve (1194-59920) to Equipment (1194-56400) for the purchase of specialized surveillance equipment by the Sheriff's Office
5. Motion to direct the Director of the Office of Management and Budget to execute the Department of Revenue Notification of Jurisdiction Change Form for Case Number: 000004911
6. Motion to adopt **Resolution No. 2003-152**, authorizing the Clerk of the Courts, under Section 95.361, Florida Statutes, to file the survey map for a part of Clay Street, claiming a vested interest in St. Johns County in the right-of-way described in this survey by prescriptive rights of the public in accord with the principles set forth in *Downing v. Bird*, 100 So. 2d 57 (Fla. 1958)

**RESOLUTION NO. 2003-152**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CLERK OF THE COURTS TO FILE THE SURVEY MAP FOR A PART OF CLAY STREET, FROM KING STREET EXTENSION AND BRUEN STREET, CLAIMING A VESTED INTEREST IN ST. JOHNS COUNTY IN THE RIGHTS-OF-WAY DESCRIBED IN THIS SURVEY BY PRESCRIPTIVE RIGHTS OF THE PUBLIC IN ACCORD WITH THE PRINCIPLES SET FORTH IN DOWNING V. BIRD, 100 SO.2D 57 (FLA. 1958)**

7. Motion to adopt **Resolution No. 2003-153**, approving the terms of a License Agreement authorizing use of a certain unimproved portion of West Pope Road to Runk Properties, Inc., to extend their property for parking and storage

**RESOLUTION NO. 2003-153**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF A LICENSE AGREEMENT AUTHORIZING USE OF CERTAIN PUBLIC RIGHTS-OF-WAY ON THE UNIMPROVED PORTION OF WEST POPE ROAD TO EXTEND THEIR PROPERTY FOR PARKING AND STORAGE**

8. Motion to adopt **Resolution No. 2003-154**, granting a License Agreement to Florida Power and Light Company, to provide electrical service to Sunset Point Subdivision

**RESOLUTION NO. 2003-154**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, GRANTING AN IRREVOCABLE LICENSE TO FLORIDA POWER AND LIGHT COMPANY TO PROVIDE ELECTRICAL SERVICE TO SUNSET POINT SUBDIVISION**

(08/19/03 - 3 - 9:14 a.m.)

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

Bryant moved Item 9 to A1, Bosanko added as Item 10A, a discussion of the Primary Care Center and the Hastings Clinic.

(08/19/03 - 3 - 9:15 a.m.)

APPROVAL OF THE REGULAR AGENDA

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

(08/19/03 - 3 - 9:16 a.m.)

- A1. CONSIDER A MOTION TO CONTRACT WITH FLAGLER HOSPITAL TO PROVIDE INDIGENT INPATIENT HOSPITALIZATION AND, IF AND WHERE POSSIBLE, TO ACCESS ANY STATE OR FEDERAL MATCHING FUNDS TO AUGMENT COUNTY FUNDS (*This item was moved from Item 9*)

Michael Hunt, Assistant County Attorney, entered the meeting.

Gloria Benischeck, Community Services Manager, explained that she and Flagler Hospital have been working together on the possibility of getting Federal funding to aid with the cost of care for indigent patients. She explained that there was a program, through the Agency for Health Care Administration in Tallahassee, which could help with acquiring that funding at a 17% increase. Bryant explained how the process would work. (9:18 a.m.) Jacalone questioned whether the County was required by law to fund indigent care. Benischeck responded no, but that the County does have to fund out of county hospital stays through the Healthcare Responsibility Act. She also stated that the County funded \$375,000 for indigent care this year, and that Flagler could not get the additional 17% without collaborating with the County. Discussion followed on the current funding of indigent care, how the grant would work and the need for more operating hours at the Primary Care Clinic. (9:27 a.m.) Meiszer strongly favored giving the hospital every opportunity to get the additional grant funds, as it would be in the County's best financial interest. Discussion followed on how indigent, or non-paying, patients affect hospital costs for paying patients. Jacalone questioned the comment about the hours at the Clinic and asked if the current contractor was breaking his agreement with the County. (9:31 a.m.) Bryant explained that the current provider is open 50 hours per week, which is in line with his contract.

(9:32 a.m.) Joe Gordy, President of Flagler Hospital, explained that Flagler Hospital is not a tax supported county hospital, nor is it financed by any funds left by Henry Flagler. He addressed how other hospitals in other counties in the state are funded and

he stated that Flagler Hospital would do \$10 million (in costs) in charity write-offs this year, and have a loss of \$600,000 at the end of this fiscal year. He also addressed the clinic and stated that it was hard to judge how the clinic affects patient load in the ER. He feels that the clinic works and stated that the hospital also put \$200,000 into the clinic. Discussion followed regarding uninsured workers, medically indigent patients, the hospital's charity write-offs, and funding for hospital expansions.

**(9:50 a.m.) Motion by Maguire, seconded by Meiszer, carried 5/0, to authorize the County Administrator, or his designee, to negotiate a contract with Flagler Hospital to provide indigent inpatient hospitalization and, if and where possible, to access any State or Federal matching funds to augment County funds.**

(08/19/03 - 4 - 9:51 a.m.)

1. PUBLIC HEARING - CONSIDER ENACTING A VEHICLE-FOR-HIRE DRIVER'S ORDINANCE FOR ST. JOHNS COUNTY, FLORIDA

Proof of publication regarding the Notice of Public Hearing for a Vehicle-for-Hire Drivers Ordinance was received, having been published in *The St. Augustine Record* on July 29, 2003.

Michael Hunt, Assistant County Attorney, presented the details of the proposed Ordinance, stating that the County Attorneys Office was instructed by the Board to come up with an Ordinance that would regulate vehicle-for-hire drivers. Hunt passed out a revised Ordinance and outlined the changes that were made.

(9:59 a.m.) Meiszer suggested having a limit on the number of permits or licenses that the County would issue and he stated that there was no mention of rates or fees in the proposed Ordinance. He also stated that there should be no reason that the application fee of \$25 should be waived. Hunt responded that the purpose of the Ordinance was to regulate drivers, not taxis or fares, but that could be included if the Board choose.

(10:03 a.m.) Jacalone questioned if the County Attorneys Office had worked with the City regarding the Ordinance. Hunt responded that they did talk with the City Attorney, Mr. Wilson, and they had a different vision of what they wanted to do with the regulation of vehicles-for-hire.

(10:04 a.m.) Jacalone stated that he was against this Ordinance, as it did not require that an applicant take a drug test. The applicant could just fill out the application and state that he or she did not have a drug dependency. Hunt stated that that was correct, but if it came to light that a driver did have a drug problem, the decal and license could be suspended. Jacalone stated the same would apply to the regulation against firearms. Hunt stated that the same revocation rules would apply to firearms as drugs. Jacalone also questioned the budgetary implications, Hunt replied that he did not address that issue. He also commented that it was typical to have a fee waiver in an Ordinance of this type for individuals who are in dire financial straits. Jacalone stated that there was not a provision in the Ordinance that addressed wrecker drivers, airport and hotel shuttles drivers.

(10:08 a.m.) Maguire stated that he would support the Ordinance, but that he did not like the idea of limiting the number of licenses, regulating fares, or of waiving the application fee and discussion followed regarding the decal and the breadth of the Ordinance.

(10:13 a.m.) Meiszer stated that he was not in favor of this Ordinance as written, but agreed that there did need to be some regulations. (10:15 a.m.) Stern stated that the

safety of the public needed to be insured, but this Ordinance has no provisions for background checks or drug test on the applicant. She suggested possibly regulating the taxi companies, as they are the ones who are hiring the drivers. Hunt stated that they did not want to intrude on the driver's privacy, but get enough information to make an informed decision. (10:19 a.m.) Bryant stated that this was a good start and that the Ordinance could be amended as issues arose.

(10:19 a.m.) Dan Bosanko, County Attorney, commented regarding the application fee, stating that another option could be to take the fee out of this Ordinance and add it to the yearly fee Resolution. He also commented that the Board could adopt this Ordinance today and make amendments to it later, but that adding things like drug tests would increase the cost of operating the program. (10:21 a.m.) Maguire questioned if any of these things were regulated by the State and Hunt outlined what the State requires and what the City would require.

(10:24 a.m.) Meiszer stated that he would like to see a fiscal impact for the enforcement of this Ordinance and said that it was typical for policing agencies to enforce these types of regulations. He further stated that the fees should be set high enough to cover the costs of administrating the process, as it should be self-supporting. Discussion followed regarding involving the City in the regulation process for uniformity.

(10:28 a.m.) Gregory Ross, 581 Remington Forest Dr., Jacksonville, stated that he discussed this Ordinance with his attorney yesterday, and said that the Ordinance would only apply to taxis and would omit seven other categories of vehicle-for-hire drivers within the County, which is discriminatory, and he stated other objections to requirements in the Ordinance. He commented that the City of St. Augustine already had an Ordinance in place and, per the Mayor and Mr. Wilson, they are happy with what they currently have. He requested this item be continued to allow for more discussion. He said that his insurance company screens all of his drivers. (10:35 a.m.) Jacalone commented that he was comfortable with the way this was currently being handled. Discussion followed regarding the screening requirements.

(10:39 a.m.) John Childres, 2011 Ryan Rd., stated that all that was needed to drive a taxi was a Class C driver's license, and that drug tests were a waste of time as they could be duped.

(10:40 a.m.) Hunt commented that not all felons would be prohibited from getting a permit.

(10:42 a.m.) **Motion by Maguire, seconded by Jacalone, carried 5/0, to continue this until after a review of the City's Ordinance.**

The meeting recessed at 10:42 a.m. and reconvened at 10:51 a.m. with Hunt leaving the meeting.

(08/19/03 - 5 - 10:51 a.m.)

2. CONSIDER A MOTION TO SET A DATE AND TIME FOR MEDIATION OF THE BOARD OF COUNTY COMMISSION'S DENIAL OF TRANSMITTAL OF THE WOLFE RANCH COMPREHENSIVE PLAN AMENDMENT (FILE # CPA 2002-10 WOLFE RANCH)

Dan Bosanko, County Attorney, presented the details of this item and asked that the Board select a date to expedite this matter and he requested that a Commissioner be appointed to attend the mediation. Discussion followed regarding the procedures for

the mediation and it was decided that Meiszer would represent the Board at the mediation.

**(10:58 a.m.) Motion by Jacalone, seconded by Maguire, to set the date for an informal mediation for August 25th at 9:00 a.m., with Commissioner Meiszer as the Board's representative.**

(11:00 a.m.) Kathryn Whittington, Pappas, Metcalf, Jenks & Miller, 2945 Kings Rd., requested that a certified professional mediator conduct the mediation, with the cost being split. It was decided that the mediation would be informal.

(11:03 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. S., Fruit Cove, stated that she understood that just because the mediation was requested, did not mean that the request had to be granted and she proposed not granting the mediation.

**(11:05 a.m.) The motion carried 5/0.**

(08/19/03 - 6 - 11:05 a.m.)

**3. CONSIDER APPOINTMENTS TO THE LIBRARY ADVISORY BOARD**

Melissa Lundquist, Administrative Coordinator, presented the details of this item.

**Motion by Bryant, seconded by Jacalone, to nominate Billie Pruitt for the District 5 reappointment.**

**Motion by Stern, seconded by Jacalone, to appoint William C. Napper for the District 2 vacancy.**

**Motion by Maguire, seconded by Stern, to nominate Gwen Reichert to the District 3 seat, and Jan Pearce for the At Large.**

**(11:07 a.m.) The motions carried 5/0.**

(08/19/03 - 6 - 11:07 a.m.)

**4. CONSIDER AN APPOINTMENT TO THE INDUSTRIAL DEVELOPMENT AUTHORITY**

Melissa Lundquist, Administrative Coordinator, presented the details of this item.

**Motion by Maguire, seconded by Jacalone, carried 5/0, to nominate Jim Browning from District 4 for the IDA.**

(08/19/03 - 6 - 11:08 a.m.)

**5. CONSIDER A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE WAIVER OF SEWER CONNECTION FEES FOR EXISTING ST. AUGUSTINE BY THE SEA PROPERTY OWNERS FOR 90 DAYS FROM PASSAGE**

Hunt returned to the meeting.

Bill Young, County Sewer Department, displayed a map of St. Augustine by the Sea, Exhibit A, to illustrate the subdivision. He reviewed the history of the construction project where a centralized vacuum sewer system, water lines and hydrants were installed at a cost of \$636,000. He outlined other costs and funding relating to the project. He stated that each owner in the subdivision was notified that they had 365 days to connect to the new sewer system and to date all but ten homes have been tied

into the new system. Young said that the Board could bring those residents before the Code Enforcement Board, or could enact a new Resolution that would extend the waiver of unit connection fees for another 90 days to give the ten property owners one last chance to avoid Code Enforcement action and the payment of the unit connect fee. Discussion followed regarding the waiver of the fee and notifying the residents that this was their last chance to have this done at no cost.

(11:13 a.m.) Maguire stated that he could not support this Resolution as the residents have already had a year to connect for free and Meiszer concurred. Maguire suggested giving them only two days to agree to connect.

(11:16 a.m.) Bryant commented that the Board should do this to show a good faith effort and said he would support the Resolution. Jacalone agreed and stated that a possible reason these residents have not connected is due to costs, as they would have some expenses related to connecting. Stern agreed and supported Bryant and Jacalone's comments.

**(11:19 a.m.) Motion by Stern, seconded by Jacalone, to approve Resolution No. 2003-155, which authorizes the waiver of sewer connection fees for existing St. Augustine by the Sea property owners for 90 days from passage.**

(11:19 a.m.) Meiszer questioned why these residents have to have their arms twisted to accept a free connection.

(11:20 a.m.) Maguire stated that most people wait until the last minute to make decisions and he felt that if they gave the residents 90 days to commit they would not do so until the last two weeks. **Maguire made an amended motion, seconded by Meiszer, carried 5/0, to allow the residents three weeks to commit, with 90 days to connect. The motion, as amended, carried 5/0.**

#### RESOLUTION NO. 2003-155

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, PROMOTING CONSUMER CONNECTION TO THE COUNTY'S WASTEWATER SYSTEM; PROVIDING AN ADDITIONAL 90 DAYS FOR WAIVING SEWER UNIT CONNECTION FEES IN THE ST. AUGUSTINE BY THE SEA SUBDIVISION FOR EXISTING SINGLE-FAMILY RESIDENCES; PROVIDING ENFORCEMENT ACTION; AND PROVIDING AN EFFECTIVE DATE**

(08/19/03 - 7 - 11:23 a.m.)

6. CONSIDER A BUDGET TRANSFER REQUEST FOR WEST AUGUSTINE HOUSING DEMOLITION

Tom Crawford, Housing and Community Services Director, gave a brief history of the Housing Demolition Program and stated that he was requesting a transfer of \$14,000 to enable the program to continue. Maguire, Stern and Jacalone stated their support for this program.

(11:26 a.m.) Benjamin Coney, Housing and Community Services, outlined the benefits of the program, and reported that to date eight substandard structures have been demolished and three new homes have been constructed. This transfer would allow the demolition of an additional six structures and the construction of five additional new homes.

(11:29 a.m.) **Motion by Stern, seconded by Jacalone, carried 5/0, to approve Resolution 2003-156.**

**RESOLUTION NO. 2003-156**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, INCREASING FUNDING FOR A DEMONSTRATION PROJECT PREVIOUSLY ESTABLISHED BY RESOLUTION 2002-240, FOR REMOVING / DEMOLISHING CERTAIN VACANT, SUBSTANDARD, BLIGHTED, OR HAZARDOUS STRUCTURES LOCATED WITHIN ST. JOHNS COUNTY; PROVIDING FOR FINDINGS; PROVIDING FOR A WAIVER OF COUNTY DEMOLITION PERMIT FEES AND LIENS; PROVIDING FOR A PUBLIC PURPOSE; PROVIDING FOR AUTHORIZATION OF EXPENDITURE OF AN ADDITIONAL \$14,000 THROUGH A BUDGET TRANSFER FROM HOUSING AND COMMUNITY SERVICES TO CODE ENFORCEMENT; PROVIDING FOR ELIGIBILITY; PROVIDING FOR ASSISTING NON-PROFIT ORGANIZATIONS AND LOW INCOME PROPERTY OWNERS WITH REMOVAL OF SUBSTANDARD HAZARDOUS STRUCTURES; PROVIDING FOR REQUIRED DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE**

(08/19/03 - 8 - 11:30 a.m.)

7. **CONSIDER A MOTION TO APPROVE A RESOLUTION AND MODIFIED SUBORDINATION AGREEMENT FORM TO REPLACE AND SUPERCEDE RESOLUTION NO. 98-215**

Laura Barrow, Assistant County Attorney, joined the meeting.

Dana Hunt, SHIP Administrator, explained the current lien that is imposed by SHIP as a ten-year lien that is forgiven at 10% per year, which would allow for refinancing to lower mortgage payments, but did not take into consideration the term of the loan. She explained that the new Resolution would also allow closing costs to be financed as part of the total mortgage.

(11:33 a.m.) **Motion by Stern, seconded by Jacalone, carried 5/0, to approve Resolution 2003-157, and modified Subordination Agreement Form to replace and supercede Resolution 98-215.** Discussion followed regarding other debt, i.e. credit card consolidation, not being financed in with the new mortgage and the 10% debt forgiveness rate. (11:36 a.m.) **The motion carried 5/0.**

**RESOLUTION NO. 2003-157**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA; MODIFYING THE FORM OF PREVIOUSLY APPROVED SUBORDINATION AGREEMENTS FOR THE STATED HOUSING INITIATIVES PARTNERSHIP (SHIP) HOME BUYER PROGRAM; REAFFIRMING AUTHORIZATION OF THE COUNTY ADMINISTRATOR TO SIGN SAID**



**AGREEMENTS; SUPERCEDING AND REPLACING  
RESOLUTION 98-125; AND SETTING AN EFFECTIVE  
DATE**

*The meeting moved to Item 10.*

(08/19/03 - 9 - 11:43 a.m.)

8. PRESENTATION AND WORKSHOP OFFERING AN OVERVIEW OF COUNTY BRIDGES

Hunt returned to the meeting.

Joe Stephenson, Public Works Director, gave an overview of the 35 bridges that the County maintains, the life expectancy and construction of the bridges, and the sufficiency rating scale. He outlined the four bridges in the County that needed immediate action, and their plan of action to repair or replace those bridges. He stated further that some of the repairs would be done by the FDOT and that bond funds would be used to pay for others. (11:58 a.m.) Jacalone stated that he was glad to see that there were not that many bridges that were in critical need of repair, and of the ones that were, he was glad to see that there was a financial plan and schedule in place to replace them. Stephenson commented that they have an annual CIP called County Wide Bridge Maintenance that allows them to get ahead of some of the problems and keeps them from getting worse. (11:59 a.m.) Maguire clarified which bridges were FDOT eligible.

*The meeting then moved to Item 10A.*

9. CONSIDER A MOTION TO CONTRACT WITH FLAGLER HOSPITAL TO PROVIDE INDIGENT INPATIENT HOSPITALIZATION AND, IF AND WHERE POSSIBLE, TO ACCESS ANY STATE OR FEDERAL MATCHING FUNDS TO AUGMENT COUNTY FUNDS

*This Item was moved to Item A1.*

(08/19/03 - 9 - 11:36 a.m.)

10. CONSIDER A RECOMMENDATION TO TRANSFER \$13,825 FROM THE BEACH FUND RESERVE (1139-59920) TO BEACH SERVICES TO COVER INCREASED WASTE COLLECTION AND DISPOSAL SERVICE LEVELS FOR THE REMAINDER OF THE FISCAL YEAR

Dave Williams, Aquatics Superintendent, stated that so far this year there has been an additional 12,000 daily passes sold over what was sold in 2002, and that overflow parking has also been at maximum capacity. He also addressed the increased expenses related to the increase in trash pick-up and lifeguard services due to the additional traffic on the beach. (11:40 a.m.) **Motion by Jacalone, seconded by Stern, to approve the transfer of \$13,825 from the Beach Fund Reserves (1139-59920) to Beach Services, to cover those increased costs.** Discussion followed regarding the need for the transfer request and Joe Vonasek, Budget Director, explained that reserves were not a part of appropriated funds. (11:43 a.m.) **The motion carried 5/0.**

*The meeting proceeded to Item 8.*

(08/19/03 - 9 - 12:00 p.m.)

- 10A. DISCUSSION OF THE PRIMARY CARE CENTER AND THE HASTINGS CLINIC

Dan Bosanko, County Attorney, recommended that the County Administrator, or his designee, issue an RFP for providing medical services at the clinics on or about October 1, 2003. He also suggested setting a Special Meeting at 9:00 a.m. on Thursday, September 4, 2003, to hear responses to the RFP. He also stated that a letter should be sent to the current provider inviting his application for continued services. (12:03 p.m.) **Motion by Jacalone, seconded by Bryant, carried 5/0, to schedule the hearing for that item on Thursday, September 4, at 9:00 a.m., and to issue the RFP and the letter.**

The meeting recessed at 12:04 p.m., with all Reports being moved to the end of the day, and reconvened at 1:36 p.m. with Bryant, Stern, Meiszer, Adams, Laura Barrow, Assistant County Attorney and Cecelia Aldrich, Deputy Clerk present. Bryant noted that Maguire and Jacalone had not yet returned from lunch.

(08/19/03 - 10 - 1:36 p.m.)

11. PUBLIC HEARING - NZVAR 03-002 WALTER TAYLOR - THE APPLICANT, MR. WALTER TAYLOR, IS THE OWNER OF TRACT 19, IN UNIT 3 OF ST. AUGUSTINE HEIGHTS SUBDIVISION. THE APPLICANT DESIRES TO DEVELOP AN AREA OF APPROXIMATELY 1.06 ACRES AT THE SOUTHERNMOST BOUNDARY OF TRACT 19 AS A SINGLE LOT, AND ACCESS THE LOT VIA A PROPOSED 30-FOOT WIDE EASEMENT ALONG THE WESTERNMOST BOUNDARY OF TRACT 19 FROM EXISTING POINSETTIA ROAD TO THE PROPOSED NEW LOT, A DISTANCE OF APPROXIMATELY 490 FEET. THE APPLICANT IS SEEKING A VARIANCE FROM THE FOLLOWING SECTIONS OF THE LAND DEVELOPMENT CODE: SECTION 5.01.01 REQUIRES RE-PLATTING OF TRACT 19 DUE TO THE ADDITION OF A NEW LOT. SECTION 6.04.07 REQUIRES AN EASEMENT SIXTY FEET IN WIDTH. POINSETTIA ROAD IS CURRENTLY AN ASPHALT ROAD OPENED FROM ITS INTERSECTION WITH SAN JUAN STREET ON THE WEST TO A POINT, APPROXIMATELY AT THE EASTERNMOST BOUNDARY, OF THE APPLICANT'S PROPERTY. POINSETTIA ROAD IS UNOPENED FROM THE EASTERNMOST EDGE OF THE APPLICANT'S PROPERTY TO ITS PLATTED INTERSECTION WITH KINGS ROAD

Richard Tomich, Chief Engineer, Development Services, reviewed the background of the request and stated the position that Staff has developed. Tomich noted that the right-of-way width had been resolved.

(1:39 p.m.) Stern indicated that she had no problem with the request and said she thought it was a good thing. **Motion by Stern, seconded by Meiszer, carried 3/0, with Jacalone and Maguire absent, to approve NZVAR 2003-002, based upon the evidence provided for in all of the five Findings of Fact.**

(08/19/03 - 10 - 1:40 p.m.)

12. PUBLIC HEARING - NZVAR 03-008 ALVAREZ - THE APPLICANT IS SEEKING A NON-ZONING VARIANCE TO SECTION 5.01.01.C (PLATTING) OF THE LAND DEVELOPMENT CODE. THE SUBJECT PROPERTY IS THE SOUTHEAST QUARTER OF LOT 12, ESTES & ERWIN SUBDIVISION, LOCATED AT THE INTERSECTION OF REID PACKINGHOUSE ROAD AND CRACKER SWAMP ROAD. THE PROPERTY CONTAINS APPROXIMATELY 9.63 ACRES AND MR. AND MRS. ALVAREZ WISH TO DEED A 4.81-ACRE PORTION OF THE PROPERTY TO THEIR DAUGHTER. THE ESTES & ERWIN SUBDIVISION WAS PLATTED IN THE 1920'S AS 40-ACRE LOTS. SECTION 5.01.01.C OF THE LAND DEVELOPMENT CODE REQUIRES A REPLAT TO INCREASE THE NUMBER OF LOTS IN A PLATTED SUBDIVISION. EACH OF

THE LOTS ARE OF SUFFICIENT SIZE AND WOULD HAVE ADEQUATE FRONTAGE ON COUNTY MAINTAINED ROADS TO MEET THE ZONING REQUIREMENTS. THE APPLICANTS WILL BE REQUIRED TO FILE A FAMILY FARM AFFIDAVIT WITH THE PLANNING DEPARTMENT PRIOR TO PERMITTING. IT SHOULD BE NOTED THERE IS A NON-CONFORMITY EXISTING ON THE PARENT PARCEL; HOWEVER, THIS DIVISION DOES NOT INCREASE, NOR INTENSIFY, THAT NON-CONFORMITY

Kathy Nielsen, Applications Review Coordinator, reviewed the details of the application. (1:41 p.m.) Bryant asked if a tracking system was ever instituted for this type of lot. Nielsen said it pretty much tracks itself, as it would have to come back before the Board as a non-zoning variance. (1:42 p.m.) **Motion by Stern, seconded by Bryant, carried 3/0, with Jacalone and Maguire absent, to approve NZVAR 2003-008, based upon the evidence provided for in all of the five Findings of Fact.**

(08/19/03 - 11 - 1:43 p.m.)

13. PUBLIC HEARING - CONSIDER A RESOLUTION APPROVING THE VACATION OF A PORTION OF THE PLAT OF THE TOWN OF ELKTON. ALAN SIMPSON, AS OWNER, HAS FILED A PETITION TO VACATE A PORTION OF THE PLAT FOR THE TOWN OF ELKTON, AS DEPICTED ON MAP BOOK 1, PAGE 54, LOCATED OFF STATE ROAD 207 AT THE INTERSECTION WITH C.R. 305. THIS REQUEST IS FOR THAT PORTION OF THE PLAT CONTAINING LOTS 6 THROUGH 9, BLOCK B, ALL OF BLOCKS C AND D, AND THE ADJACENT UNOPENED RIGHTS-OF-WAY FOR PINE STREET, BETWEEN BLOCKS C AND D AND PALM STREET, BETWEEN BLOCKS B AND C. THE APPLICANT WISHES TO VACATE THIS PORTION OF THE OLD PLAT IN ORDER TO ACCOMMODATE EXPANSION OF AN EXISTING PUD ON BLOCK D FOR ELKTON CONCRETE CASTING. THE LOTS AND RIGHTS-OF-WAY INCLUDED IN THIS REQUEST WILL BE INCORPORATED INTO A LARGER PARCEL WITH A UNIFIED DEVELOPMENT PLAN, AS THIS PARTIAL PLAT VACATION EFFECTIVELY REDUCES THE NUMBER OF NON-CONFORMING LOTS IN THIS AREA, AND WILL PROVIDE A CONTIGUOUS PARCEL FOR EXPANSION, STAFF IS RECOMMENDING APPROVAL. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL AT THE JULY 17, 2003 MEETING

Kathy Nielsen, Development Review Coordinator, apologized that the map included in the meeting packet had a discrepancy in the zoning designations and noted a revised map was distributed. Nielsen explained the request. There was discussion about the map entitled "Town of Elkton" and that it had no legal significance other than the legal name on the plat. (1:45 p.m.) Meiszer noted that he had received some complaints from neighbors that the cement plant had failed to comply with some of the conditions. Nielsen said she had also received some phone calls. (1:45 p.m.) Stern said she had also received some complaints and asked if buffering would be continued around the existing PUD, if the streets were vacated. Nielsen said any further development would come before the Board and that this request is strictly for vacating the plat. Discussion followed on which zoning would apply to the vacated streets. It was noted that State statute dictates that vacated streets go to abutters. (1:48 p.m.) Isabelle Lopez, Assistant County Attorney, noted that all roads are currently zoned OR. She said she did not think the zoning would change, and it would have to be included in the PUD. (1:49 p.m.) Barrow said that County Attorney Bosanko asked her to point out that when a plat is vacated it automatically vacates any roads therein. She read part of the Statute pertaining to vacating plats.

(1:50 p.m.) Karen Taylor, 3070 Harbor Drive, representing the applicant, located the blocks being vacated and portions of adjacent roads on Exhibit A. She pointed out the PUD and Commercial Districts. She talked about the zoning designations and how the vacated roads might be included. Taylor said Mr. Simpson's plan was to include this as an overall PUD. She continued to explain the owner's intent and talked about accesses from various directions. Taylor referred to the drainage issue and noted that the County would retain the right to use 30 feet of both of the vacated roads. She presented a map showing drainage patterns, Exhibit B. (1:57 p.m.) Bryant asked how far the Rural Commercial zoning extends, in light of being in the process of administrative rezonings to make the Future Land Use Map compatible with zoning. (1:59 p.m.) Bishop responded that there might be some areas inside this that might be potential rezonings. Bryant raised the issue of the County retaining rights-of-way for drainage in this scenario, as there was discussion recently about not opening rights-of-way to construct roads in the Vermont Heights area. Lopez commented that these are not that kind of road, the subject roads are platted County roads. (2:00 p.m.) Stern agreed with Bryant and said that the roads in Vermont Heights were platted but unopened. (2:02 p.m.) Meiszer noted that, in the past, developers frequently recorded plats with roadways designated as public roadways, and that it did not necessarily mean that it was accepted by the County. (2:03 p.m.) Stern talked about the buffer wall between property owners and the existing business. (2:05 p.m.) Bishop referred to the Future Land Use Map and noted that it shows the Simpson business as being in the Mixed Use Zone, on the north side of CR 207. Bryant noted that the south side was in the Rural Commercial District.

(2:07 p.m.) Kipling Case, 4096 Rose St., Elkton, asked for and received confirmation that any zoning changes would have to come back before the Board.

(2:08 p.m.) Bill Kline, 5730, 5780, and 3500 CR 305 and St. Ambrose Church Road, said that a few misstatements had been made. He commented that in the PUD, it stated that the applicant agreed not to seek a vacation of Maple Street. He said there was also an Agreement in the PUD to put up three walls and landscaping, along Maple St., St. Ambrose Church Rd., and CR 305. Kline said it was done on only two sides. He said Olive Street was not open and there was not access to Lots 8 and 9. He also talked about a problem with the direction of the drainage and commented that all the requirements of the PUD should be met. (2:09 p.m.) Maguire arrived at the meeting. Kline said he would seek compliance of the PUD through the County. (2:12 p.m.) Jacalone returned. Kline expressed concern that there was no watchdog, or follow-up by the County, to ensure compliance. Bryant expressed confidence that Staff would provide follow-up.

(2:14 p.m.) Taylor referred to an exhibit in the meeting packet that related to the drainage that Kline talked about. She said there was no plan to open Maple Street.

(2:16 p.m.) Bryant recommended that Mr. Simpson voluntarily comply with the requirements of the PUD. Taylor said she would verify what has been done. Bryant noted that a little communication would go a long way. Stern mentioned that she received calls regarding the high noise level. Taylor stated that Simpson's operation of making the docks is all conducted inside the building. It was noted that this meeting related only to road vacations. (2:19 p.m.) **Motion by Jacalone, seconded by Bryant, carried 5/0, to approve Resolution 2003-158.** Bryant stated that any violations of the PUD must be reconciled before anything else comes before the Board.

#### RESOLUTION NO. 2003-158

#### RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ST. JOHNS,

**STATE OF FLORIDA, VACATING A PORTION OF THE  
PLAT OF THE TOWN OF ELKTON**

(08/19/03 - 13 - 2:20 p.m.)

14. PUBLIC HEARING - REZ 2003-01 SCOTTY AUTO BODY - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 1.86 ACRES LOCATED AT 2325 DOBBS ROAD FROM IW (INDUSTRIAL WAREHOUSING) TO CI (COMMERCIAL INTENSIVE) TO ALLOW THE OPERATION OF AN AUTOMOTIVE REPAIR, DETAILING AND SALES FACILITY. THE SUBJECT PROPERTY IS LOCATED WITHIN THE MIXED USE DISTRICT (MD) FUTURE LAND USE DESIGNATION. A FINAL CERTIFICATE OF CONCURRENCY (CONMIN 2003-05) HAS BEEN APPROVED FOR A 2,496 SQUARE FOOT AUTO REPAIR/DETAILING CENTER

Nicole Clayton, AICP, Planner III, reviewed the request, provided the location and the intent.

(2:22 p.m.) George McClure, 170 Malaga Street, stated that he represents the client, Scott Hazel, who has been a body shop employee for 23 years and was now opening up his own business on Dobbs Road. He reviewed the rationale for the rezoning.

(2:23 p.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to move Ordinance No. 2003-65, adopting Findings contained within the packet to support the motion.**

**ORDINANCE NO. 2003-65**

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,  
STATE OF FLORIDA, REZONING LANDS AS  
DESCRIBED HEREINAFTER FROM THE PRESENT  
ZONING CLASSIFICATION OF INDUSTRIAL  
WAREHOUSING (IW) TO COMMERCIAL INTENSIVE  
(CI); MAKING FINDINGS OF FACT; REQUIRING  
RECORDATION; AND PROVIDING AN EFFECTIVE  
DATE**

(08/19/03 - 13 - 2:23 p.m.)

15. PUBLIC HEARING - REZ 2003-05 LIGHTHOUSE TOYOTA - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 9.17 ACRES LOCATED AT 2295 US HIGHWAY ONE SOUTH, FROM PLANNED SPECIAL DEVELOPMENT (PSD) TO COMMERCIAL INTENSIVE (CI) AND OFFICE AND PROFESSIONAL (OP) TO ALLOW FOR THE EXPANSION OF THE DEALERSHIP, RELOCATION OF THE SERVICE FACILITIES AND FOR PROFESSIONAL OFFICES. CONMAJ 2003-13 WAS HEARD BEFORE THE CONCURRENCY REVIEW COMMITTEE ON JUNE 25, 2003, WHERE THE PROJECT RECEIVED APPROVAL FOR 28,320 SQUARE FEET OF SHOPPING CENTER SPACE IN PHASE I (JUNE 25, 2003 - JUNE 25, 2005) AND 13,080 SQUARE FEET OF GENERAL OFFICE SPACE IN PHASE II (JUNE 25, 2005 - JUNE 25, 2007)

Danielle Mayoros, Planner II, reviewed the rezoning request and concluded that it was recommended for approval by the Planning and Zoning Agency.

(2:25 p.m.) Bryant received confirmation that the property was currently zoned Planned Special Development (PSD), and would remain within the same boundaries. (2:26 p.m.) Jacalone questioned why it had to be rezoned. Mayoros responded that part of Phase II had decreased in size to expand a portion of the dealership. (2:27 p.m.) Bryant asked

about the buffering, as there have been complaints from the neighboring medical park. Mayoros said the buffering would actually be increased. (2:28 p.m.) In relation to complaints, Maguire asked about noise levels.

(2:29 p.m.) Taylor noted that Mr. Miller, the General Manager was not able to be present due to an obligatory district meeting he had to attend. She stated that Miller has been making an effort to keep the neighbors happy. Taylor referred to the Lighthouse Toyota rezoning map, Exhibit A, and outlined the proposed change. She noted that there would be a little more flexibility to do the CI (Commercial Intensive) and OP (Office and Professional). She said the buffering requirements were more intense under the current Land Development Code regulations noted that a Certificate of Concurrency had been issued. She addressed the neighbor issue and indicated that the situation should be improved. There was discussion regarding the noise from a PA system used at the dealership.

(2:38 p.m.) Arnold Graham, Graham Construction Company, stated that he was the General Contractor for the project. He noted that it is the owners desire to upgrade the dealership and part of that process will be to change from a PA system to a cell phone system. Graham said he could not commit for the owner, but that it was the owner's intent. Discussion followed on the truck unloading area being moved to the rear. (2:42 p.m.) Jacalone noted that it would be a good show of faith to upgrade and do away with the PA system as soon as possible. (2:43 p.m.) Taylor said the construction plans have been filed and are in the process of being approved.

(2:44 p.m.) Henry Hull, 169 Heron's Nest Lane, said he owns the property across U.S. 1, and spoke in support of the request.

**(2:45 p.m.) Motion by Jacalone, seconded by Stern, carried 5/0, to approve Ordinance 2003-66, adopting Findings contained within the packet, one through four, to support the motion.**

#### **ORDINANCE NO. 2003-66**

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,  
STATE OF FLORIDA, REZONING LANDS AS  
DESCRIBED HEREINAFTER FROM THE PRESENT  
ZONING CLASSIFICATION OF PLANNED SPECIAL  
DEVELOPMENT (PSD) TO COMMERCIAL INTENSIVE  
(CI) AND OFFICE AND PROFESSIONAL (OP); MAKING  
FINDINGS OF FACT; REQUIRING RECORDATION;  
AND PROVIDING AN EFFECTIVE DATE**

(2:45 p.m.) Bryant called a break and the meeting reconvened at 2:53 p.m. Isabelle Lopez was the presiding attorney after the break.

(08/19/03 - 14 - 2:53 p.m.)

16. PUBLIC HEARING - PUD 2003-03 SANDY CREEK - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 498.78 ACRES, LOCATED AT 9700 KOA ROAD, SOUTHEAST OF THE I-95/CR 210 WEST INTERCHANGE, FROM OR (OPEN RURAL) TO PUD (PLANNED UNIT DEVELOPMENT) FOR THE DEVELOPMENT OF UP TO 818 RESIDENTIAL UNITS CONSISTING OF UP TO 442 SINGLE FAMILY AND UP TO 376 MULTI-FAMILY UNITS, UP TO 487,000 S.F. OF LIGHT INDUSTRIAL USES, AS WELL AS ASSOCIATED RECREATION AND INFRASTRUCTURE. THE PROJECT WILL INITIALLY HAVE ONE ENTRANCE/EXIT ROAD TO THE RESIDENTIAL AREA USING

KOA ROAD AT CR 210. KOA ROAD WILL BE LIMITED TO A RIGHT-IN/RIGHT-OUT ACCESS ONLY AND UP TO 409 RESIDENTIAL UNITS CAN BE APPROVED AND CONSTRUCTED USING THIS SINGLE ACCESS. A RIGHT TURN LANE WILL BE CONSTRUCTED BY THE DEVELOPER AT CR 210 ONTO THE SOUTHBOUND LANE OF KOA ROAD. PRIOR TO APPROVAL OF CONSTRUCTION PLANS FOR GREATER THAN 409 RESIDENTIAL UNITS OR FOR ANY OF THE INDUSTRIAL DEVELOPMENT, AND PRIOR TO ISSUANCE OF RELATED RESIDENTIAL OR INDUSTRIAL CERTIFICATES OF OCCUPANCY, A SECOND ACCESS WILL HAVE TO BE PROVIDED BY THE DEVELOPER AND APPROVED BY ST. JOHNS COUNTY AS A MODIFICATION TO THE PUD

Bruce Ford, Chief Planner, explained the request and talked about the usage. He noted that the proposed development would be built in two, five-year phases and described the location. Ford explained that there had been previous meetings relating to traffic concerns and as a result of those meetings, the applicant proposes to limit the maximum number of residential units to 409. Before any additional units, or the industrial component, could be built a second access must be provided. He said the applicant was also going to provide a right turn lane on CR 210. Ford said 368 school children are projected. He reviewed the two waivers being requested and stated that the final Certificate of Concurrency was issued in February of this year.

(2:57 p.m.) Jacalone said he was uncomfortable with the waiver for the detail on the Master Development Plan Map and suggested that the Board have a workshop on that section. He said he didn't think an applicant would be able to supply the level of detail that is required. Jacalone questioned how the Board would know if wetland impacts would be reduced, by allowing them to reduce the setback from the buffer. (2:59 p.m.) Meiszer asked if the second access is likely to come out on Wilson Road. Ford said that two alternate routes have been discussed. It was noted that if Wilson Road were to be used, it would have to be paved to CR 210. Meiszer questioned adjusting a setback requirement more than 50%. (3:02 p.m.) Stern disclosed ex parte communication with the developer. She questioned the figure used for the student count. (3:03 p.m.) Bishop noted that school populations are now a School District function. She said they considered the schools that were in those planning districts and did an average of the amount of students based on the 2000 population census. (3:04 p.m.) Maguire talked about the setback and Ford clarified that it would not affect the wetlands buffer. (3:05 p.m.) Jacalone disclosed ex parte communication regarding the project. Meiszer reported that, at a meeting of the Civic Round Table, the County was criticized for the numbers being used for school statistical purposes. Meiszer said he thought it a valid concern and noted that there is a major study currently being conducted. Discussion followed about school-aged children statistical counts and studies that have been completed. (3:10 p.m.) Maguire disclosed ex parte communication.

(3:10 p.m.) George McClure, introduced his client, Sandy Semanik, the Principal of the construction company. McClure noted that this application has been pending for several years and expressed thanks to members of County Staff. McClure referred to the overhead map and identified the areas of development, Exhibit A. He explained the plans to build the residential and not the commercial/industrial component until there is a second access. The second access is yet to be determined. McClure reviewed the two waivers being requested, as well as the wetlands impact. Discussion followed on the setback reductions and it was noted that just uplands would be used as buffers. McClure noted that none of the industrial site could be used until the alternative access is provided, which would necessitate a request to amend the PUD. (3:23 p.m.) Jacalone asked if the waiver being requested of the setback requirement would be limited to the commercial development. McClure said it is not limited to the commercial and some of

the residential lots may have some impacts. Jacalone talked about shrinking the size of the building to comply. McClure reviewed some requirements dealing with wetland impacts and what could be filled. (3:26 p.m.) Meiszer stated that he had heard from homeowners at the RV park just to the north, who were concerned about the right only turn. McClure said it would be somewhat inconvenient until there is an alternate access. Discussion followed on the traffic situation. In regard to the schools, McClure said he talked to Dr. Balboni, the former Superintendent of Schools, and Balboni said students have to be planned for anyway. He suggested various ways to work with the demographics of different areas. McClure said it is ultimately the School Board that has to assess these things and referred to the relative Statute. (3:34 p.m.) Jacalone mentioned that lots of kids go to private schools, and a lot are not of school age, and he said he felt confident that the School Board would take those issues into account. (3:35 p.m.) Stern agreed that an excellent job is being done of projecting student population. (3:36 p.m.) **Motion by Maguire, seconded by Stern, carried 5/0, to enact Ordinance No. 2003-67, known as PUD 2003-03, Sandy Creek PUD, adopting Findings of Fact to support the motion.**

#### ORDINANCE NO. 2003-67

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,  
STATE OF FLORIDA, REZONING LANDS AS  
DESCRIBED HEREINAFTER FROM OR (OPEN RURAL)  
TO PUD (PLANNED UNIT DEVELOPMENT);  
PROVIDING FINDINGS OF FACT; PROVIDING A  
SAVINGS CLAUSE; REQUIRING RECORDATION; AND  
PROVIDING AN EFFECTIVE DATE**

(08/19/03 -16 - 3:36 p.m.)  
COMMISSIONERS' REPORTS

(3:36 p.m.)

Commissioner Maguire:

Maguire said he would be going to Nassau County next Monday night for a presentation on the MPO (Metropolitan Planning Organization). He reported that the Salvation Army had scheduled a dinner on Thursday evening recognizing John "Jack" Wilson. Maguire noted that the IDA met on Monday and approved a contract with Enterprise North Florida, to become a Board member of the Enterprise North Florida Organization. He talked about tax revision and rising taxes and made a formal request of Adams to review the existing taxing structure of the County and see if there is a more equitable mix of taxing.

(3:38 p.m.)

Commissioner Jacalone:

Jacalone said he supported that and that it had been done about five times. He said it comes down to making a decision whether to implement taxes. He added that this year the proposal was to raise the County's millage rate for the first time. Jacalone said he was uncomfortable with the number of complaints he has received regarding the new garbage hauler in the South. (3:39 p.m.) Adams said he hadn't received any complaints. Jacalone said he had heard from several residents and businesses about pick-up times and other schedule issues.

(3:41 p.m.)

Commissioner Stern:

Stern said she had received calls about the early hours and it was being resolved. In light of the recent blackout in the northeast, she commented that she was impressed to



receive a notice from the Northeast Florida Regional Planning Council that they are having a statewide energy plan workshop on September 4th from 1:00 p.m. to 4:00 p.m. and the public is invited. Stern also talked about the St. Johns Vision Group, mentioned that it needs support and asked Adams to put it on an upcoming agenda. (3:45 p.m.) Discussion followed on some of the issues having been implemented, including affordable housing. Jacalone agreed to put it on the agenda, but was not interested in having the County support the Vision effort with any more funding. He said when it first came to the Board it was for one-time seed funding. There was consensus to put it on an Agenda.

(3:50 p.m.)

Commissioner Meiszer:

Meiszer mentioned the Sales Tax, as an option to look at in reference to raising money, and he highly endorsed a workshop on the subject.

(08/19/03 - 17 - 3:52 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams commented on the Holmes Boulevard project and said he thought it would be completed soon after the first of the year. (Lopez left the meeting and Bosanko arrived.) Regarding the Vilano Beach boat ramp, he said some of the equipment had been moved out and the paving would begin in a couple of weeks. He reported that two budget hearings have been set for September 16<sup>th</sup> and 23<sup>rd</sup> and if the Board agreed, financing possibilities could be discussed following that. Adams suggested a workshop after October 1<sup>st</sup> on the expansion of the County Complex. He stated that Judge Mathis suggested using the auditorium building for the Court system. Adams noted that he had received calls on drainage problems from the severe rains. He said a budget review was scheduled for August 26<sup>th</sup>.

(3:57 p.m.) Jacalone said there might be a need for modification to this building and the judicial building, but he is very hesitant to support expanding this facility unless it was absolutely necessary.

(08/19/03 - 17 - 3:59 p.m.)

COUNTY ATTORNEY'S REPORT

Bosanko reported that there was a favorable summary judgment by a Federal District Court Judge in the case with the National Association for the Mentally Ill. Credit was given to the contract attorney and Dr. Colavito for their contributions. Bosanko also mentioned another litigation in which the Department of Community Affairs could play an important role. Bosanko indicated he would like to see better cooperation and suggested the possibility of using a lobbyist in that endeavor. He noted that Stern had suggested someone who may be able to help and asked the Commissioners if they wanted to pursue that. (4:02 p.m.) Stern commented on the lobbyist. (4:04 p.m.) Bryant provided some background, and Jacalone said he felt the County's case is strong in that its buffer regulations are some of the most stringent in the State. Discussion followed on the use of a lobbyist and speculation on how the case could go. (4:08 p.m.) Stern noted that there is a new leader at the DCA who may not be as strong on the County's position and it might be beneficial to have someone working for the County. Meiszer said he thinks lobbying administrative departments is a losing battle.

(08/19/03 - 17 - 4:12 p.m.)

CLERK OF COURT'S REPORT

There was no report.

(4:12 p.m.) Motion by Jacalone, seconded by Maguire, carried 5/0, to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 4:12 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 338562 through 338563 totaling \$6,922.02 (08/12/03)
2. St. Johns County Board of County Commissioners Check Register, Check No. 338564 through 338961 totaling \$1,535,023.54 (08/12/03)

Approved September 16, 2003

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

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

ATTEST: CHERYL STRICKLAND, CLERK

By: Wenne King  
Deputy Clerk