

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
DECEMBER 29, 2004
(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: Bruce Maguire, District 4, Chairman
 James E. Bryant, District 5 Vice Chair
 Cindi Stevenson, District 1
 Ben Rich, District 3
 Ted Zebrowsky, Assistant County Administrator
 Daniel Bosanko, County Attorney
 Lenora Newsome, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Courts; Allen MacDonald, Finance Director; Patrick McCormack, Assistant County Attorney

(12/29/04 - 1 - 9:05 a.m.)
Maguire called the meeting to order.

(12/29/04 - 1 - 9:05 a.m.)
Rich gave the Invocation and Bryant led the Pledge of Allegiance.

(12/29/04 - 1 - 9:06 a.m.)
ROLL CALL

Maguire announced that all the Commissioners were present except Stern.

(12/29/04 - 1 - 9:06 a.m.)
PUBLIC COMMENT

Victor Martinelli, 24 Carriage Lane, spoke on donating his time to the Office of Management and Budget for establishing a cost of accounting standards for them to follow. Rich mentioned to Martinelli that he appreciated him coming down, making an offer to donate his time and that he hoped the Board would take advantage of it.

(9:14 a.m.) David Bowen, Jr., 9349 Old A1A, spoke on the erosion problem, maintaining the road and not having water on Old A1A at Summerhaven. (9:19 a.m.) Laura Barrow, Assistant County Attorney, entered the meeting. Bosanko mentioned that this issue had been a continuing major issue for a long time and suggested placing it on an Agenda for discussion.

(9:20 a.m.) Joe Stephenson assured the Board that the County was aware of the situation and was working on it. He stated that they had a short-term plan to present to the Board for their review and approval on January 12th BCC Meeting and Staff was developing a long-range presentation to present to the Board in early February.

(9:22 a.m.) Ed Cowan, 244 Patrick Mill Circle, spoke on purchasing the utility.

(12/29/04 - 2 - 9:27 a.m.)
DELETIONS TO CONSENT AGENDA

There were no deletions to the Consent Agenda.

(12/29/04 - 2 - 9:27 a.m.)
APPROVAL OF CONSENT AGENDA

Motion by Bryant, seconded by Rich, carried 4/0 with Stern absent, to approve the Consent Agenda as submitted.

1. Approval of the Cash Requirement Report
2. Minutes:
11/30/04 - BCC Special Meeting
3. Sheriff Office Bonds:
Approve: Todd Boger Marsha Jagemann Christopher Pickle
 Ashley Lindsey Sandy Redden-Robinson Richard Langieri
 Barbara Jackson Sonia Jimenez-Quier Edward Martinez
 Debra Smith Matthew Skipper

Cancel: Robert Porter Elizabeth Chapman Paul Flowers
4. Motion to authorize the County Administrator or his designee to award Bid #05-36 Dredging of Butler Park West & Doug Crane Boat Ramps to Dredge America for a Total Lump Sum Bid of \$117,000.00 (See Attachment "A")
5. Motion to authorize the County Administrator, or his designee, to purchase five (5) 2005 Compact Trucks 4X4 from the responsive low bidder, Beck Auto Sales, in the amount of \$82,535.00 (See Attachment "B")
6. Motion to adopt **Resolution No. 2004-377**, approving a final Plat for Prairie Lakes Phase 2

RESOLUTION NO. 2004-377

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR PRAIRIE LAKES PHASE 2

7. Proofs:
 - a. Proof, Notice to Bidders, Bid No. 05-10
 - b. Proof, Notice to Bidders, Bid No. 05-30
 - c. Proof, Notice to Bidders, Bid No. 05-34
 - d. Proof, Notice to Bidders, Bid No. 05-37
 - e. Proof, Notice to Bidders, Bid No. 05-40
 - f. Proof, Notice to Bidders, Bid No. 05-41
 - g. Proof, Notice to Bidders, Bid No. 05-42
 - h. Proof, Notice to Bidders, Bid No. 05-43
 - i. Proof, Notice to Bidders, Bid No. 05-44
 - j. Proof, Notice to Bidders, Bid No. 05-45
 - k. Proof, Notice of Hearing, Junk Vehicle Ordinance, St. Johns County Board of County Commissioners, Wednesday, December 1, 2004 at 9:00 a.m.

ST. JOHNS COUNTY
 BID TABULATION

Consent #4
 12/09/04

BID TITLE
 DREDGING OF BUTLER PARK
 WEST & DOUG CRANE
 BOAT RAMPS
 BID NO. 05-36
 OPENING DATE/TIME
 December 1, 2004 3:00 P.M.
 POSTING TIME/DATE
 12/01/2004 4:00 PM

UNTIL
 12/06/2004 4:00 PM

ANY BIDDER AFFECTED ADVERSELY BY AN
 INTENDED DECISION WITH RESPECT TO THE
 AWARD OF ANY BID, SHALL FILE WITH THE
 PURCHASING DEPARTMENT FOR ST. JOHNS
 COUNTY, A WRITTEN NOTICE OF INTENT TO FILE
 A PROTEST NOT LATER THAN SEVENTY-TWO (72)
 HOURS (EXCLUDING SATURDAY, SUNDAY AND
 LEGAL HOLIDAYS) AFTER THE POSTING OF THE
 BID TABULATION. PROTEST PROCEDURES MAY
 BE OBTAINED IN THE PURCHASING
 DEPARTMENT.

OPENED BY
 LEIGH DANIELS
 TABULATED BY
 ELLEN FREEMAN
 VERIFIED BY
 PAGE (S) 1 OF 1 PAGE (S)

Attachment #1

BIDDERS	BID ITEM # 1 PRICE BUTLER PARK WEST	BID ITEM # 2 DOUG CRANE PARK WEST	TOTAL LUMP-SUM BID PRICE	UNIT PRICE PER CUBIC YARD OF DREDGING & DISPOSAL	BID BOND	ADDEMDUM # 1	ADDEMDUM # 2	ADDEMDUM # 3
ENERGY RESOURCES	\$126,000.00	\$84,000.00	\$210,000.00	\$28.00	YES	X	X	X
DREDGE AMERICA	\$76,000.00	\$41,000.00	\$117,000.00	\$17.50	YES	X	X	X
SANTA CRUZ CONSTRUCTION INC	\$143,997.00	\$96,000.00	\$239,997.00	\$31.99	YES	X	X	NO
S.E. CLINE CONSTRUCTION	\$137,025.00	\$94,140.00	\$231,165.00	\$27.25	YES	X	X	X
THE LOWENTHOL GROUP INC	\$126,500.00	\$124,000.00	\$250,500.00	\$25.94	NO LETTER FROM INSURANCE UNDERWRITERS	X	X	X

BID AWARD DATE - _____



**ST. JOHNS COUNTY
BID TABULATION**



LEIGH DANIELS
ELLEN FREEMAN

OPENED BY
TABULATED BY
VERIFIED BY

PAGE (S) 1 OF 1 PAGE(S)

BID TITLE PURCHASE OF FIVE (5) 2005
COMPACT PICKUP TRUCKS 4X4
BID NO. 05-43
OPENING DATE/TIME December 1, 2004 3:00 P.M.
POSTING TIME/DATE 12/01/2004 4:00 PM

ANY BIDDER AFFECTED ADVERSELY BY AN INTENDED DECISION WITH RESPECT TO THE AWARD OF ANY BID, SHALL FILE WITH THE PURCHASING DEPARTMENT FOR ST. JOHNS COUNTY, A WRITTEN NOTICE OF INTENT TO FILE A PROTEST NOT LATER THAN SEVENTY TWO (72) HOURS (EXCLUDING SATURDAY, SUNDAY AND LEGAL HOLIDAYS) AFTER THE POSTING OF THE BID TABULATION. PROTEST PROCEDURES MAY BE OBTAINED IN THE PURCHASING DEPARTMENT.

Consent #5
12/29/04

BIDDERS	TOTAL PACKAGE BID	DELIVERY DATE	MAKE/MODEL			
BECK AUTO SALES	\$82,535.00	60-90 ARO	DODGE DAKOTA CLUB CAB 4X4			
MIKE DAVIDSON FORD	\$79,800.00	60 DAYS	FORD RANGER R15			
MIKE DAVIDSON FORD	\$86,110.00	60 DAYS	FORD F-150 X14			
ALVIN DODGE	\$87,890.00	60-90 DAYS	DODGE DAKOTA CLUB CAB 4X4			
ORVILLE BECKFORD/ MILTON FORD	\$84,695.00	45-60 ARO	FORD RANGER			

Attachment "B"

BID AWARD DATE - _____

- l. Proof, Notice of Hearing, Leverage Formula, St. Johns County Water & Sewer Authority, December 14, 2004 at 9:00 a.m.
- m. Proof, Notice of Special Meeting, Possible Acquisition of St. Johns Service Company, St. Johns Board of County Commissioners, Tuesday, November 30, 2004 at 9:00 a.m.
- n. Proof, Notice of Canceled Meeting, Intergovernmental Relations Committee, December 3, 2004 at 3:00 p.m.
- o. Proof, Notice of Special Meeting, St. Johns Service Company Workshop, St. Johns County Board of County Commissioners, Wednesday, December 8, 2004 at 6:00 p.m., Rawlings Elementary School
- p. Proof, Notice of Special/Private Meeting, St. Johns County Board of County Commissioners, Wednesday, December 1, 2004 at 8:00 a.m.
- q. Proof, Certificate of Liability Insurance, Tanner Industries, Inc.

(12/29/04 - 3 - 9:28 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Bryant requested to add the following Items: 1) emergency payment to the Army Corps of Engineers for beach re-nourishment, 2) a Public Official Bond for elected Sheriff David Shoar, and 3) a proposed resolution for Sheriff Perry for his retirement party on January 8, 2005.

Rich asked Bosanko about raising the issue regarding the positions that were voted on for the PZA at the last meeting. Bosanko responded that a Board member did have the discretion to readdress the appointments, and that it should be placed on an Agenda and the people in office should be notified of who was going to be reconsidered, so that they could speak if they wanted to. He recommended making a motion to place readdressing the appointments on the next agenda and that all Board positions could be reconsidered except for School Board positions. (9:33 a.m.) *Motion by Rich, seconded by Stevenson, to have Staff bring back to the BCC all of the appointments that were made to the PZA as well as all of the people presently sitting upon the Board for reconsideration at the next BCC Meeting.* Maguire requested to hold this motion until the agenda had been completed and then bring it back under Commissioners' comments. Rich stated that it was fine and so did the second.

Bosanko requested to add, 4) a minor change to the Dalrymple Lawsuit Settlement Agreement for Board approval and 5) the issue of the preparation of an Interlocal Agreement with the CRA.

(12/29/04 - 3 - 9:38 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Bryant, seconded by Stevenson, carried 4/0 with Stern absent, to approve the Regular Agenda, as amended.

(12/29/04 - 3 - 9:39 a.m.)

OTHER BUSINESS

1. BEACH RENOURISHMENT

Bryant stated that the Federal Government to the Army Corp of Engineers was asking for a deposit by January 12th. Bosanko explained with the moving of the re-nourishment project up in time, the County's contribution would be necessary immediately. The proposal of Staff was to make the contribution in January using borrow money from the Commercial Paper Program and repay it from the TDC funds.

Bosanko mentioned that all they were asking for was the Board's permission to put together the package on an expedited basis and bring it back to the Board to make an actual decision on January 12th. (9:42 a.m.) **Motion by Bryant, seconded by Stevenson, carried 4/0 with Stern absent, to direct the County Attorney's Office to work with the Bond Counsel, Ms. Mangu, to put together the Commercial Paper package to bring back to the Board on January 12th.**

(12/29/04 - 4 - 9:43 a.m.)

2. BOND FOR SHERIFF ELECT DAVID SHOAR

Bryant stated that all elected officials have to have public official bonds and this was the bond for Sheriff Elect David Shoar. **Motion by Bryant, seconded by Rich, carried 4/0 with Stern absent, to approve the public official bonds for Sheriff Elect David Shoar.**

(12/29/04 - 4 - 9:44 a.m.)

3. RESOLUTION FOR RETIRING SHERIFF PERRY

Bryant mentioned that Sheriff Perry was retiring and having a retirement party January 8th. He suggested that the Board recognize the accomplishments and the services that Sheriff Perry had provided to St. Johns County in his tenure here. He thought it would be a good jester to do a resolution stating those facts and having the Chairman present it at his retirement party. Bryant stated that there was not a resolution prepared. (9:44 a.m.) **Motion by Bryant, seconded by Stevenson, carried 4/0 with Stern absent, to approve a resolution to be drafted in general terms in recognition of Sheriff Perry's services and accomplishments to St. Johns County and to be presented by the Chairman at his retirement party.**

(12/29/04 - 4 - 9:45 a.m.)

4. MINOR CHANGE TO DALRYMPLE LAWSUIT

Bosanko stated that a glitch came up in the Dalrymple Lawsuit Settlement relating to the amount that the Board approved a short time ago. The changes that it dealt with were the withholding. It had been adjusted to allow for a lesser rate of withholding taxes from the settlement amount. There was actually two settlement amounts; 1) was for moving expenses and 2) was for amount paid for lost wages. The withholding had been reduced to approximately 10 percent from 25 percent. There was no objection from the Clerk's Office. (9:47 a.m.) **Motion by Maguire, seconded by Bryant, carried 4/0 with Stern absent, to support the Addendum To Settlement Agreement and General Release for the Dalrymple case.**

(12/29/04 - 4 - 9:47 a.m.)

5. INTERLOCAL AGREEMENT WITH CRA

Bosanko stated that this issue related to some financial documentation necessary to support the loan that the County had processed to assist Flagler Estates in their road-building project that was approved at the Board meeting several weeks ago. He stated that they needed for the CRA to be authorized to enter into an Interlocal Agreement with the County to allow for the payment of the CRA salaries from the County. He asked them to approve preparing the Interlocal Agreement and bring it before the Board for approval on the January 12th meeting. (9:49 a.m.) **Motion by Maguire, seconded by Bryant, carried 4/0 with Stern absent, to approve preparing the Interlocal Agreement.**

(12/29/04 - 4 -9:49 a.m.)

COMMISSIONER REPORTS

Commissioner Stevenson:

No report.

(9:50 a.m.)

Commissioner Maguire:

Maguire spoke on political signs and sending out notices from Code Enforcement.

(9:50 a.m.)

Commissioner Bryant:

Bryant asked about the status on the proposed Dead Tree Ordinance. Bosanko responded that the Dead Tree Ordinance had not been brought back to the Board because Administration had asked the County Attorney's Office to hold up on bringing it back. There was concern regarding a dead tree that was in a conservation area that possibly had a protected species in it. Bosanko suggested that the Board consider the proposed Dead Tree Ordinance again. Bryant suggested scheduling a workshop to discuss it. Maguire asked to readdress it. Zebrowsky scheduled it for February 9th. Stevenson suggested addressing whose responsibility it was for dead trees or damaged trees in public easements. Bosanko replied that it could be listed as a topic on the agenda.

(9:54 a.m.)

Commissioner Rich:

Motion by Rich, seconded by Stevenson, carried 3/1 with Bryant opposed and Stern absent, to bring back all the appointments that were made to the PZA and have them reviewed.

Rich stated that he would like to see an agenda item regarding the basic overall policy statement regarding acquisition of utilities by the Utility Department. Maguire replied that the Utility Department would prepare a draft policy statement to the Board for discussion only on January 12th and would be brought back to the Board on January 26th for discussion and approval. He stated that the proposed draft that Young developed would be placed on the Internet as soon as it was completed.

(12/29/04 - 5 - 9:58 a.m.)

COUNTY ADMINISTRATOR REPORT

Zebrowsky mentioned that the Health and Human Services Workshop was rescheduled from January 12th at 1:30 p.m. to January 26th at 1:30 p.m.

(12/29/04 - 5 - 9:59 a.m.)

COUNTY ATTORNEY'S REPORT

Bosanko commented on reports of billboards being damaged in a recent storm. McCormack spoke on the rules and regulations of unsafe signs. McCormack stated that the Staff would move forward with checking the damaged billboards out.

(12/29/04 - 5 - 10:03 a.m.)

CLERK OF COURTS REPORT

No report.

Maguire mentioned that he had requested that Elaine Brown, President of the City Council of Jacksonville, to speak on January 26th about Jacksonville and their relationship with St. Johns County.

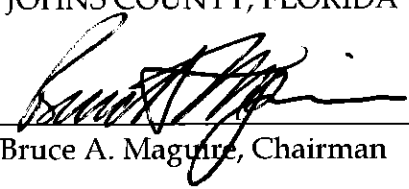
Motion by Bryant, seconded by Rich, carried 4/0 to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 10:04 a.m.

REPORTS:

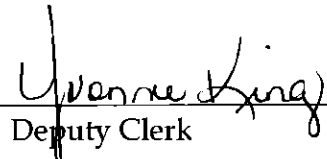
1. St. Johns County Board of County Commissioners Check Register, Check No. 361139 through 361637, totaling \$2,797,963.31 (12/15/04)
2. St. Johns County Board of County Commissioners Check Register, Check No. 361638 totaling \$3,110.00 (12/15/04)

Approved January 12, 2005

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Bruce A. Maguire, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

