

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
APRIL 4, 2006
(8:00 A.M.)**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, 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, Chairman
Cyndi Stevenson, District 1, Vice Chair
Karen R. Stern, District 2
Ben Rich, District 3
Bruce A. Maguire, District 4
Ben W. Adams, Jr., County Administrator
Dan Bosanko, County Attorney
Michael Hunt, Deputy County Attorney
Terry Bulla, Deputy Clerk

Absent: Bruce A. Maguire, District 4

(04/04/06 - 1 - 8:06 a.m.)

CALL TO ORDER OF SPECIAL MEETING BY CHAIR

Chairman Bryant called the special meeting to order.

(04/04/06 - 1 - 8:06 a.m.)

1. CLOSED SESSION - THIS IS A SPECIAL PRIVATE ATTORNEY/CLIENT MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN ACCORDANCE WITH SECTION 286.011(8), FLORIDA STATUTES. THE SPECIAL MEETING WILL BE CONFINED TO SETTLEMENT NEGOTIATIONS AND LITIGATION EXPENSE STRATEGY PERTAINING TO THE LAWSUIT BETWEEN FLORIDA HOME BUILDERS ASSOCIATION, ET AL. AND ST. JOHNS COUNTY, CASE NO.: CA 04-996, IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, IN AND FOR ST. JOHNS COUNTY. THE SPECIAL MEETING HAS BEEN ADVERTISED FOR 8:00 A.M. CONFERENCE ROOM A HAS BEEN RESERVED FOR THIS MEETING

Bryant announced that Maguire was absent, and all other members were present. Michael Hunt, Deputy County Attorney, asked for advice regarding the lawsuit. Bryant announced the names of the persons attending the meeting: James Bryant; Cyndi Stevenson; Karen Stern; Ben Rich; Ben Adams, County Administrator; Michael Hunt, Deputy County Attorney; Laura Barrow, Assistant County Attorney; Susan Erdelyi, Special Counsel; and Kathy Upchurch, Court Reporter. Bryant noted that Bruce Maguire was not present, but would join the meeting upon his arrival.

(8:43 a.m.) Chairman Bryant reconvened the special meeting with Rich, Bryant and Stern present. (8:45 a.m.) **Motion by Rich, seconded by Stern, carried 3/0 with Stevenson and Maguire absent, to close the special meeting.**

(04/04/06 - 1 - 9:06 a.m.)

Bryant called the regular meeting to order. Maguire joined the meeting.

(04/04/06 - 2 - 9:06 a.m.)

ROLL CALL

Bryant stated that all five commissioners were present.

(04/04/06 - 2 - 9:07)

Stern gave the invocation and Rich led the Pledge of Allegiance.

(04/04/06 - 2 - 9:08 a.m.)

PROCLAMATION DESIGNATING APRIL 2006 AS WOMEN OF THE CIVIL RIGHTS MOVEMENT MONTH

Stern read and presented the proclamation to Shirley Brice, David Nolan, Barbara Allen, Janie Price, Cora Tyson and Dr. Robert Haley. Nolan announced that there would be a special historic program that evening at St. Paul AME Church honoring the women of the Civil Rights Movement, and that the special guest speaker was Dora McDonald, who was private secretary to Dr. Martin Luther King, Jr., and later to Mrs. Coretta Scott King.

(04/04/06 - 2 - 9:17 a.m.)

PROCLAMATION DESIGNATING APRIL 2006 AS SEXUAL ASSAULT AWARENESS MONTH

Stevenson presented the proclamation to Beth Hughes, of the Betty Griffin House, who accepted the award.

(04/04/06 - 2 - 9:21 a.m.)

PROCLAMATION DESIGNATING APRIL 2006 AS PARLIAMENTARY EMPHASIS MONTH

Maguire presented the award to Carl Blessing, who accepted the award on behalf of parliamentarians everywhere.

(04/04/06 - 2 - 9:26 a.m.)

ACCEPTANCE OF PROCLAMATIONS

Motion by Maguire, seconded by Stern, carried 5/0, to accept the proclamations as presented.

(04/04/06 - 2 - 9:27 a.m.)

PUBLIC COMMENT

George McClure, 170 Malaga St., St. Augustine, spoke regarding the approval of an economic incentive for Bottle (FL) QRS-16-70, Inc. He asked it be pulled from the consent agenda to allow the tenant to make a presentation to provide educational information regarding LeNature's tenant who would operate the facility.

(04/04/06 - 2 - 9:29 a.m.)

DELETIONS TO CONSENT AGENDA

Rich asked that Consent Item 3 be placed on the Regular Agenda. Bryant said it would become A1 on the Regular Agenda. Adams asked that Consent Item 4 be pulled and rescheduled for a later date. Bosanko asked that Consent Item 15 be pulled and rescheduled for a later date.

Motion by Maguire, seconded by Rich, carried 5/0, to approve the consent agenda as amended.

1. Approval of the Cash Requirement Report
2. Sheriff's Office Bonds:
Cancel: Dana Davis Michael J. Spinelli
3. Motion to adopt a resolution approving the Economic Development Grant Agreement with Bottle (FL) QRS-16-70, Inc., and to authorize the County Administrator to execute the contract on behalf of the County

This item was moved to the Regular Agenda as Item A1.

4. Motion to approve the related capital project rescheduling, and the transfer of \$6,480,301 from Utility Services Capital Reserves [4444-4426-59927]

This item was pulled to be rescheduled for a later date.

5. Motion to adopt **Resolution No. 2006-97**, recognizing unanticipated revenue in the amount of \$134.53, and increasing the expenditure budget of the Supervisor of Elections State Grant Expenditure (0030-55305) in the same amount

RESOLUTION NO. 2006-97

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2006 GENERAL FUND TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE SUPERVISOR OF ELECTIONS

6. Motion to authorize and direct the County Attorney's Office and County Staff to prepare an adoptive ordinance, tailored for St. Johns County, pertaining to the International Property Maintenance Code
7. Motion to adopt **Resolution No. 2006-98**, adopting the GIS version of the Zoning Atlas as the County's Official Zoning Atlas

RESOLUTION NO. 2006-98

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ADOPTING AN IMPROVED GIS VERSION OF THE ZONING ATLAS AS THE COUNTY'S OFFICIAL ZONING ATLAS

8. Motion to approve the transfer of \$82,000 from Court Facilities Capital Outlay Reserve Fund (1301-59927) to Court Facilities Building Maintenance (1301-54600) for improving courthouse facilities and safety

9. Motion to adopt **Resolution No. 2006-99**, accepting a Deed of Dedication of property for additional right-of-way for the West King Street Improvement Project

RESOLUTION NO. 2006-99

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION OF PROPERTY FOR ADDITIONAL RIGHT-OF-WAY FOR THE WEST KING STREET IMPROVEMENT PROJECT

10. Motion to adopt **Resolution No. 2006-100**, authorizing the Chairman of the Board to execute a County Deed to convey property to a property owner along Gaines Road, pursuant to the terms of a donation of property on Gaines Road to St. Johns County

RESOLUTION NO. 2006-100

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE A COUNTY DEED TO CONVEY PROPERTY TO A PROPERTY OWNER ALONG GAINES ROAD PURSUANT TO THE TERMS OF A DONATION OF PROPERTY ON GAINES ROAD TO ST. JOHNS COUNTY

11. Motion to adopt **Resolution No. 2006-101**, accepting a Grant of Easement for drainage purposes along County Road 13 South

RESOLUTION NO. 2006-101

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF EASEMENT FOR DRAINAGE PURPOSES ALONG COUNTY ROAD 13 SOUTH

12. Motion to adopt **Resolution No. 2006-102**, accepting an Easement for Utilities for water and sewer service to Marshall Creek Subdivision, Units MV-3, EV-5A, and EV-6, and accepting a bill of sale conveying all personal property associated with the water and sewer system

RESOLUTION NO. 2006-102

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO MARSHALL CREEK UNITS MV-3, EV-5A AND EV-6 SUBDIVISION AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM

13. Motion to adopt **Resolution No. 2006-103**, authorizing the proposed long-term lease of County property located on Old Moultrie Road to the Garden Club of St. Augustine, Inc., a Florida not-for-profit corporation

RESOLUTION NO. 2006-103

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE PROPOSED LONG TERM LEASE OF COUNTY PROPERTY LOCATED ON OLD MOULTRIE ROAD TO THE GARDEN CLUB OF ST. AUGUSTINE, INC., A FLORIDA NOT FOR PROFIT CORPORATION

14. Motion to adopt **Resolution No. 2006-104**, approving a Final Plat for Saint Johns Six Mile Creek West Unit 4

RESOLUTION NO. 2006-104

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR SAINT JOHNS SIX MILE CREEK WEST UNIT 4

15. Motion to adopt a resolution approving a final plat for Murabella, Unit Three

This item was pulled, to be rescheduled for a later date.

16. Motion to declare CV 535, a 1994 G#WD Gradall, surplus, and authorize the County Administrator, or his designee, to sell it to the Flagler Estates Water Control District in the amount of \$10,000.00
17. Motion to authorize the County Administrator, or his designee, to award a contract to the low bidder, McCurdy-Walden, Inc., in the amount of \$114,000.00 for Bid No. 06-92, Old Hastings Elementary School Gym Roof
18. Motion to authorize the County Administrator, or his designee, to purchase one four cubic yard concrete mixer including cab & chassis from Freightliner of Tampa, LLC, in accordance with Bid. No. 06-91, in the amount of \$93, 580.00
19. Motion to authorize the County Administrator, or his designee, to enter into a contract with Texas Aquatic Harvesting, Inc., for the T & M unit prices stated in the bid proposal, but not-to-exceed currently approved budgeted funds. Due to the specialized nature of the work, it is also recommended that the contract terms include an optional extension clause for two one-year terms based upon the need for the services, satisfactory performance by the contractor and the availability of funds
20. Motion to authorize the County Administrator, or his designee, to purchase one 4x4 walking mobile excavator from Great Southern Construction Equipment Co., in accordance with Bid No. 06-94, in the amount of \$259,179.00
21. Motion to authorize the Chairman to sign a cost share agreement with the St. Johns River Water Management District to seek funding in the amount of \$3,270,000.00 for fiscal years 2006 and 2007, for a total of \$6,540,000.00, for the

construction of the County's 8.0 MGD reverse osmosis water treatment plant, well field and raw water piping

RESOLUTION NO. 2006-108

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A COST SHARE AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, PURSUANT TO THE DISTRICT'S WATER PROTECTION AND SUSTANABILITY PROGRAM, AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

22. Motion to adopt **Resolution No. 2006-105**, approving the terms of an Interlocal Agreement between St. Johns County, Florida, and Jacksonville Electric Authority (JEA), authorizing the Chairman of the Board of County Commissioners of St. Johns County, Florida, to execute the Interlocal Agreement on behalf of the County, and instructing the Clerk of the Court to file the Interlocal Agreement in the County public records

RESOLUTION NO. 2006-105

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF AN INTERLOCAL AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND JACKSONVILLE ELECTRIC AUTHORITY (JEA), IN ORDER TO SHARE TOWER SITES FOR THE PLACEMENT OF COMMUNICATIONS EQUIPMENT TO EXPAND AND ENHANCE THEIR WIRELESS COMMUNICATIONS SYSTEMS FOR THE BENEFIT OF THE PUBLIC; AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO EXECUTE THE INTERLOCAL AGREEMENT ON BEHALF OF THE COUNTY; AND INSTRUCTING THE CLERK OF THE CIRCUIT COURT TO FILE THE INTERLOCAL AGREEMENT IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY

23. Proofs:
- a. Proof, Notice to Bidders, Bid No. 06-97
 - b. Proof, Notice to Bidders, RFP No. 06-78
 - c. Proof, Notice to Bidders, Bid No. 06-86
 - d. Proof, Notice of Meeting, Workshop between St. Johns County Board of County Commissioners and Clay County Board of County Commissioners, Monday March 6, 2006 at 6:00pm
 - e. Proof, Notice to Bidders, Bid No. 06-96
 - f. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Wednesday, March 22, 2006 at 9:00am

- g. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Monday, March 20, 2006 at 9:00am
- h. Proof, Notice to Bidders, Bid No. 06-50
- i. Proof, Public Notice, Applications for Special Magistrates for the 2006 St. Johns County Value Adjustment Board
- j. Proof, Notice to Bidders, Bid No. 06-95
- k. Proof, Notice of Meeting, St. Johns County Community Redevelopment Agency, March 21, 2006 at 9:00am

(04/04/06 - 7 - 9:30 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Rich requested to bring the vote in reference to hiring the County Attorney back before the Board. He suggested they address it with Item 4, addressing the County Attorney's contract. Bryant said that could be handled under Item 4.

(04/04/06 - 7 - 9:31 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Stern, seconded by Maguire, carried 5/0, to approve the regular agenda as amended.

(04/04/06 - 7 - 9:31 a.m.)

- A1. MOTION TO ADOPT A RESOLUTION APPROVING THE ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH BOTTLE (FL) QRS-16-70, INC.; AND TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE CONTRACT ON BEHALF OF THE COUNTY (*Formerly Consent Agenda Item No. 3*)

George McClure gave an introduction regarding the company and introduced John Potlucky, COO of the company. He explained the operation and what it represented to St. Johns County, and gave a PowerPoint presentation.

(9:39 a.m.) Rich questioned the wage scale and asked if there would be a large number of employees under the median \$17 per hour. Potlucky said at least 60% would be at or above the \$17 average. He said they invested in high-tech employees. McClure explained that they had eliminated employees at the high end of the scale when they came up with the average. McClure said their desire was to clear up miscommunication that had spread through the community.

(9:46 a.m.) Stern said she had received a lot of questions from the community and she read an e-mail from Marshall Caitlin into the record. He asked why we were on water restrictions with irrigation and were entertaining a bottling plant. Potlucky said the intent was to prevent waste. He said their use was not high when compared to other industries, such as agriculture.

(9:53 a.m.) Stevenson commented that it was important that we not send a message of scarcity to the community. She said they were not going to put a well in the aquifer and the water was to be pasteurized. She asked them to address truck traffic. Potlucky said they had cut the truck traffic in half by making their own bottles. He said all traffic would be outbound.

(9:57 a.m.) Henry Dean, 201 Owens Ave., St. Augustine, said he was there only to report and not to give an opinion. He observed in 1991 that the SJRWM adopted a district wide rule for lawn watering because over 50 percent of water use was for lawn

irrigation. He said midday watering was lost to evaporation, and the rule had been adopted to limit lawn watering to two days a week because it made good sense, as that was all a good lawn required and over-watering would damage the lawn. He said it was not based on scarcity but on good sensible water conservation.

(10:05 a.m.) Ken Bryan, 126 Oyster Catcher Circle, spoke on his concerns regarding being placed on water restrictions while the County was giving incentives to a water bottling plant to take millions of gallons a week from the aquifer. He questioned the workforce and the salary projections for the new plant as well as the environmental impacts.

(10:11 a.m.) Paul Fletcher, owner of the land being sold to the plant, said the Florida aquifer was the largest in North America, the impact would be minimal and there would be no impact upon the Florida aquifer. He said it was a very clean industry and would significantly enhance the tax base for the County, which was desperately needed.

(10:15 a.m.) Jim Wheeler, 4240 Leaping Deer Lane, said he was there as a citizen but also as Vice Chairman of the Economic Development Council. He said the World Golf Village development area had been planned and approved, and this was the type of business that was supposed to go there, and it was important to bring good clean industry that provided hundreds of jobs to the County.

(10:27 a.m.) Bryant said the super majority of the Board had voted to enact the amount of the incentives and what they were currently doing was paperwork, switching it from one entity to the other. He said it was the same company coming in and there was no change in anything other than the paperwork.

(10:27 a.m.) Motion by Bryant, seconded by Stevenson, to adopt Resolution No. 2006-106, approving the Economic Development Grant agreement with Bottle (FL) QRS-16-70, Inc., and to authorize the County Administrator to execute the contract on behalf of the County.

(10:28 a.m.) Rich said the issue that was at hand, was that the economic incentives put a severe strain on the General Fund and the taxpayers. He said he did not believe in incentives, as incentives and bribes were really no different. He said it was a philosophical issue involving incentives and whether or not they should be spending public funds to bring business into St. Johns County. He said he could not support \$3.5 million plus incentive that was being offered today.

(10:31 a.m.) The motion carried 3/2 with Rich and Maguire dissenting.

RESOLUTION NO. 2006-106

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE ECONOMIC DEVELOPMENT AGENCY CONTRACT WITH BOTTLE (FL) QRS-16-70, INC. ON BEHALF OF ST. JOHNS COUNTY, AND PROVIDING FOR AN EFFECTIVE DATE

The meeting recessed at 10:32 a.m. and reconvened at 10:36 a.m.

(04/04/06 - 9 - 10:36 a.m.)

1. MID-SESSION LEGISLATIVE BRIEFING

Henry Dean, 201 Owens Ave., St. Augustine, gave a mid-session report. He talked briefly about St. Johns County Day, and noted that the commissioners had met with various legislators. He said he and Marty Shand were continuing to monitor Senate Bill 1020 and House Bill 683 relating to growth management. He said appropriations bills would be heard this week and cited figures for the House and Senate budgets. He reviewed legislation designed to stimulate workforce and affordable housing in high cost areas of the state, particularly for essential service personnel. Commissioner Bryant said he was concerned about the way the State was going about their budget this year. He said it was going to increase the unfunded mandates on local governments next year, and that stopping the State and the actions they have taken needed to be a priority next year. Stevenson agreed and said it seemed to be an unfriendly session for local governments, with shifting of responsibility and pulling back on the resources for those responsibilities. Stern commented she was concerned about the impact on local governments as well, and asked what they could do to encourage them to wait until they get the report next year. Dean said he could take that message directly to Rep. Brummer, Chairman of the House Finance and Taxation Committee, who was a good friend.

(04/04/06 - 9 - 10:47 a.m.)

2. INTERCOASTAL UTILITIES, INC. ACQUISITION PROCEEDINGS

Bill Young, County Utility Director, commented on the water bottling plant and said they would be glad to address the issues and educate the public if they felt it was necessary. Young stated he was there to request that the Board approve the attached resolution, authorizing the County Attorney to initiate "slow take" eminent domain procedures to acquire all real and personal property of Intercoastal Utilities. He said he thought this approach would be very successful in the acquisition for the County. He stated it would allow a 12 person jury to determine a fair price if both parties could not agree, and would enable the County to unilaterally halt acquisition at any time. He explained the timeline for the process.

(10:51 a.m.) Rich asked if they could back out at any time. Young responded that the County could withdraw at any time. He introduced Joel Settembrini, Special Counsel to the County, who confirmed that the County could, subject to payment of attorney fees to the landowner's side, but the landowner could not unilaterally withdraw from the process.

(10:53 a.m.) Daniel McDonald, 24501 Deer Trace Drive, Ponte Vedra Beach, spoke against the process and said it was the next thing to condemnation mediation. He said it allowed the purchase price to be determined outside of the County, and that was not good for the public or the customers.

(10:55 a.m.) Marcy Silkenbaken, 1145 Neck Rd., expressed concern about the proposal and was not happy that no one on the Board had talked directly with members of the community who were going to be directly affected by the eminent domain procedure. She said they were the people who would foot the bill and they were the people the Board was representing, and yet none of them could take time to go to Ponte Vedra and discuss the issue. She was deeply disappointed with how the process had started.

(10:57 a.m.) Mark Arnold, Esquire, 1301 Riverplace Blvd., Suite 1500, spoke on behalf of Intracoastal Utilities. He explained that the County would not lose control of the

purchase price, and the County had ultimate control after an orderly process had been completed.

(11:00 a.m.) Maguire commented that they could back out at any time if the price or product was not satisfactory. He said the purchase was predicated on buying the whole system in order to control the full service in the northwest part of the county. He explained that they were too early in the process to take the plan to the community, but they would in due time. He said the vote today was simply to begin the process, and they would get citizen input.

(11:08 a.m.) There was general discussion by the Board regarding previous disclosure of the intent to purchase the Utility, the selection of the jury pool, what could be done better in this process, selection of independent evaluators, and how to prevent the appearance of profit motivation on the part of the County. There was discussion about Settembrini's role and responsibilities in representing the County on the issue.

(11:19 a.m.) **Motion by Maguire, seconded by Rich, carried 5/0, to approve Resolution No. 2006-107, authorizing the County Attorney to initiate "slow take" eminent domain procedures to acquire all real and personal property of Intercoastal Utilities.**

RESOLUTION No. 2006-107

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA DECLARING THE PUBLIC PURPOSE OF AND PUBLIC NECESSITY FOR EXERCISING THE RIGHT AND POWER OF EMINENT DOMAN TO ACQUIRE THE PROPERTY OF INTERCOASTAL UTILITIES, INC. FOR THE OPERATION OF A COUNTY UTILITY; AUTHORIZING THE COUNTY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS

(11:20 a.m.) Adams stated they were looking at all the utilities in that area and he had talked with them. He said the County hoped to own all of them eventually, dependent upon the Board's approval.

The meeting recessed at 1:21 p.m. and reconvened at 2:08 p.m. with all five commissioners, Adams, Bosanko, Hunt and Deputy Clerk Lenora Newsome present.

(04/04/06 - 10 - 2:09 p.m.)

3. CONSIDER THE ADDITION OF FOUR FULL TIME EMPLOYEES TO THE UTILITY DEPARTMENT

Bill Young, Utility Director, reviewed this item, asking to hire four new employees. (2:11 p.m.) **Motion by Maguire, seconded by Stern, carried 5/0, to authorize the County Administrator, or his designee, to approve the addition of four FTEs to the present Fiscal Year 2006. Motion by Maguire, seconded by Stern, carried 5/0, to authorize the County Administrator, or his designee, to transfer \$130,400 from the Utility Reserve Fund (4426-59920) to the Utility Administrative Fund (4409).**

(04/04/06 - 10 - 2:11 p.m.)

4. COUNTY ATTORNEY CONTRACT

Rich stated that he wanted to exercise his ability to change his vote from the last vote they had on the matter of County Attorney. Bosanko responded that the procedure would be for Rich to make a motion to reconsider the previous vote to see if he got a

second, and if he did, then there would be a vote on the motion to reconsider, with discussion following on the selection of a prospective County Attorney. (2:13 p.m.) **Motion by Rich, seconded by Stevenson, to reconsider the issue regarding the position of County Attorney.**

Roll Call Vote:

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| Stern | nay |
| Rich | aye |
| Maguire | aye |
| Bryant | nay |
| Stevenson | aye |

The motion carried 3/2, by roll call vote, with Stern and Bryant opposed.

(2:15 p.m.) Rich stated that his desire was for the Board to reconsider the method by which they attempted to select the County Attorney. He stated that he was opposed to the in-house selection process, and recommended to his fellow Board members to endorse a motion to go outside of the in-house selection process to allow their attorneys, and anyone else who was a qualified candidate, based upon the criteria, to participate in the selection process in the competition for the position of County Attorney. Bryant stated that he didn't support that position. Maguire asked how to handle this issue. Bosanko replied, stating there was more than one way to handle this and he explained. (2:20 p.m.) *Motion by Rich, seconded by Stevenson, to use the other process that was available to them, as far as making the widest pool of qualified candidates available for selection for this position.* Stevenson spoke on looking at everyone before making a decision on County Attorney. Bryant stated that he was a firm believer in hiring from within. Hunt mentioned that he would like to address the Board and give his point of view. Stern spoke on all views being presented at the time of the application.

(2:25 p.m.) Hunt stated that he was going to deconstruct the whole process so the Board understood exactly what happened, how it appeared and how it really affected him as a person. He stated that he spoke with each commissioner and told him or her that he wanted the County Attorney position when it came open. He gave his references and experience. He believed that he was deserving of the position. Stevenson stated that the level of protection that Hunt was requesting in this contract was unacceptable to her, and that she could not find it in the public interest to approve it. She explained, in detail, her concerns with the contract. Bryant stated that Hunt had gone to each commissioner and reviewed the contract with them. Lengthy discussion followed on the concerns mentioned by Stevenson. Rich repeated the motion that he made earlier. (2:36 p.m.) **Motion by Rich, seconded by Stevenson, to abandon the previous method of selection from within house, and go out onto the floor to market, to allow fair and equal competition for this particular position.** Stern mentioned that this item should have been discussed before today. Bryant mentioned that he didn't approve of the way that this was breached to the Board.

Roll Call Vote:

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|------------------|------------|
| Rich | aye |
| Maguire | aye |
| Bryant | nay |
| Stevenson | aye |
| Stern | nay |

The motion carried 3/2, by roll call vote, with Bryant and Stern opposed.

(2:43 p.m.) **Motion by Stevenson, seconded by Rich, carried 3/2 with Bryant and Stern opposed, to reject the contract presented to the Board by Mr. Hunt.** Hunt left the meeting.

(04/04/06 - 12 - 2:43 p.m.)

5. CONSIDER BID #06-48, ALPINE GROVES PARK PHASE II

Joe Burch, St. Johns County Purchasing Manager, reviewed this item, stating that the funding in the account for this project was short. He recommended transferring funds. Stern asked if the money that was requested would be paid back: Adams responded.

The meeting moved to Item 6.

(3:27 p.m.) Subsequently, Doug Timms, Office of Management and Budget, spoke on the funding and stated that the \$200,000 would be available in the budget next year.

(3:29 p.m.) **Motion by Stevenson, seconded by Maguire, carried 5/0, to approve the transfer of \$200,000 from (0079-56301-0401-56301), plus \$90,000 from (1195-59920), for a total of \$290,000 to Park Restoration Account (3314-56301-0405-56301) for the Alpine Groves Phase II project. Motion by Stevenson, seconded by Maguire, carried 5/0, to authorize the County Administrator, or his designee, to award a contract to BNC, Inc., in the amount of \$1,091,000 for Bid No. 06-48, Alpine Groves Park Phase II.**

The meeting recessed at 3:31 p.m. and reconvened at 3:40 p.m. Maguire had not returned to the meeting.

The meeting returned to Item 12.

(04/04/06 - 12 - 2:49 p.m.)

6. CONSIDER APPOINTMENT TO THE INDUSTRIAL DEVELOPMENT AUTHORITY

Melissa Lundquist, Administrative Coordinator, reviewed this item. **Motion by Maguire, seconded by Stern, carried 5/0, to reappoint John Bacon to the Industrial Development Authority for a four-year term, scheduled to expire January 15, 2010.**

(04/04/06 - 12 - 11:20 a.m.)

7. CONSIDER AN APPEAL TO THE ISSUANCE OF A DEVELOPMENT PERMIT FOR QUADRILLE PROJECT FILED BY MARSH LANDING AT SAWGRASS MASTER ASSOCIATION, INC.

Bosanko said there were some important issues regarding a disagreement between staff and a group of representative citizens, and it was his opinion that staff needed legal representation to help them present their side of the case. He said Patrick McCormack, Assistant County Attorney, would be representing staff. He noted that Attorneys Barry Ansbacher and Terrell Arline, who were unable to appear at that meeting, would represent Marsh Landing at Sawgrass Master Association, Inc. Bosanko gave a history of what had transpired eight years ago. He said there were some Planned Unit Development ordinances, which provided for the County to enforce private covenants and restrictions, and it was a crime to violate most of those requirements. He explained there were proper rules and a procedure that had to be followed before they could ask the County to enforce the covenants and restrictions.

Bosanko stated that he had asked for and received an opinion from the Attorney General (Attachment A), and read part of it into the record: "... the architectural review

board (ARB) of a homeowners' association (HOA) is subject to the Government in the Sunshine Law and the Public Records Law where that committee, pursuant to county ordinance, must review and approve applications for county building permits... Meetings of such architectural committees to consider such applications must be noticed and open to the public at large and not merely to members of the homeowners' association."

Staff's position was that, "The approved recorded documents pertaining to this site do not require HOA approval prior to use, is not in violation by granting the use of stockpiling of soils, and has been reviewed and approved by the appropriate County Departments with no outstanding issues, other than the condition of fencing and height of the pile. Therefore it is staff's opinion that the appeal is not justified and should be denied."

(11:33 a.m.) Ansbacher agreed to let staff present their case first. McCormack introduced Rosemary Yeoman, Zoning Manager Development Services, and asked her experience. She said she had been with the County for 33 years. McCormack asked questions to which Yeoman responded. He presented several documents to be included in the public record. (11:53 a.m.) McCormack asked Teresa Bishop, Planning Director, questions to which she responded. (11:56 a.m.) Ansbacher and McCormack continued questioning both Yeoman and Bishop and offered redirect questions for both individuals. Ansbacher referred to a letter dated February 9, 2004, and asked Bishop whether she remembered being asked whether the ARB approval applied, and she said she had answered that it did, and was included in that letter. He asked that the letter be made a part of the official record. McCormack clarified that the letter was regarding a building permit, which was not subject to the hearing that day.

(12:05 p.m.) Ansbacher said the question regarded a chain link fence, not in keeping with their neighborhood or with other neighborhoods in the area. He said they would present testimony of several of the Architectural Review Board members, who would testify that it was inconsistent with other fencing within Marsh Landing, and that the documents presented supported their appeal. He provided maps and photographs that showed the location and state of the site. He said it was not just a question of whether they should have gotten ARB approval, but whether they should have been given a permit that was inconsistent with the fencing in existence with other fencing in Marsh landing. He stated that alone warranted their appeal.

(12:20 p.m.) Ansbacher presented documents to the Board, which he said supported their appeal in the permitting process. He asked the Board to revoke permit NDR CSTPL 2005-158 for Quadrille Stockpile Site. He said the residents of Marsh Landing were looking to the Commission to protect their community.

(12:21 p.m.) Bryant asked Bosanko about the documents that had been presented by Ansbacher. Including the application and the permit, the HOA criteria for fencing. He asked if it applied to the fencing around the stockpile. Bosanko said it would if they came to the conclusion that it was the intent of the Board to include those covenants and restrictions into the class of requirements that the Board would enforce. He said that was the crucial question. Bryant stated that he did not think that staff had made an erroneous decision. Bosanko said it was a judgment call for the Board, and there was no clear right or wrong answer. Bryant asked what they were trying to accomplish. Ansbacher said it was fine for them to stockpile dirt, but they needed to buffer it and landscape it so as to hide the dirt and to present itself esthetically to the community.

(12:23 p.m.) Bosanko asked McCormack if the applicant had been noticed. Ansbacher said the applicant was aware of the hearing but would not be present. Bosanko asked

McCormack said he had called Kathryn Whittington with Papas Metcalf, attorney for the applicant, to see if they were going to attend. She said they referred him to Eric Billich. Billich told him that they would not be attending.

(12:25 p.m.) Stevenson asked if this was a quasi-judicial hearing. Bosanko said it was. Stevenson disclosed ex parte communication with community members. She asked if a representative from Quadrille was present and referred to e-mail messages that she had received. She asked if they had met with Quadrille and tried to settle the disagreements. She noted the large amount of information they had been asked to digest and questioned some of the terminology used.

(12:27 p.m.) Ansbacher commented on history. He said the developer was not present and they had no one with whom to discuss the issue.

(12:33 p.m.) Joseph Auditorio, 24492 Harbor View Drive, Ponte Vedra, President of the Master Association, which represents their community of about 1,100 homes. He presented photographs of the fenced in area and the dirt. He said they would still like to negotiate with Quadrille Partners, but asked the Board to pull the permit to allow them to sit down and negotiate.

(12:37 p.m.) Katherine Duergherty, 116 Bristol Place, Marsh Landing, Chairman of the Architectural Review Board and the Land Use Committee, appeared at the request of Ansbacher. She gave the fencing requirements, the history of the soil stockpile, and then asked the commissioners to protect their ARB process.

(12:41 p.m.) McCormack said he had read her letter of 2003, and asked about advertising to the public. She responded that they used letter boards inside and outside of their gates, but they did not place ads in newspapers. She responded to questions regarding the Sunshine Law. McCormack said he was trying to establish how knowledgeable they were.

(12:44 p.m.) Karen Arfland, employee of Marsh Landing Management Co., said she had been the ARB administrator for approximately six years. She said it was her job to coordinate everything that came in and went out, and one of her jobs was to ensure that all plans were stamped with their approval before the builder or the contractor brought them to the County for permitting. She stated the chain link fences were not allowed in Marsh Landing, but aluminum, wrought iron, and open style picket fences, heavily landscaped were allowed. She said the chain link fence would never have been approved.

(12:47 p.m.) Ansbacher asked that all the exhibits he had presented be included for evidence. He asked that a comment from John Howard, President of the Sawgrass Player's Club Homeowners' Inc., who wasn't able to stay for the hearing, be included.

(12:47 p.m.) Maguire revealed ex parte with the applicant and said he had received many e-mails. He said staff had done what they were supposed to do and were enforcing the regulations. He was concerned about the ARB opinion and suggested a training program for their members regarding Sunshine Laws. He said he believed the intent was to include it in the ARB, and they should give the group the ability to go back to the developer and allow them to work things out with a quick solution.

(12:50 p.m.) Bosanko recommended they continued this item for 30 days in order to achieve that end. (12:51 p.m.) Bryant said he would support Maguire, and suggested that if they couldn't get it resolved in 30 days that they revoke the permit. Ansbacher

said the situation was unusual in that the other party was not present, and suggested that the effective date could be delayed.

(12:53 p.m.) Bosanko said they could delay but it would be new ground for the County. He said it would be better to leave the decision open until they could get together for negotiations.

(12:54 p.m.) Rich asked if Metcalf was going to speak on behalf of Quadrille. John Metcalf, attorney, 45 Riverside, Jacksonville, said that generally speaking they did represent Quadrille in land use matters, but they had not received formal notice of the hearing. He said he became aware of the hearing when he was checking the agenda for another matter, saw the item and called the client. He said there was a substantial amount of confusion in their minds, but they had not specifically asked him to represent them that day. He said they had not withdrawn from the negotiation process, but he couldn't get into the details, as he had not been asked to do so.

(12:58 p.m.) Bosanko said they knew about the hearing, but it was unusual that a written notice had not been issued. He said this was another reason to continue for 30 days. He said they were not required to be present.

(1:01 p.m.) General discussion ensued regarding whether the issue should be continued and what the intent had been. Concern was expressed on Quadrille not appearing at the hearing.

(1:05 p.m.) Ansbacher said there were two separate issues: one was if it was the resolution of the BCC that the ARB was incorporated by reference into the Marsh Landing PUD; and the second issue was revocation of the permit. He said there were four or more bases to revoke the permit. He said their ability to negotiate was limited by there being a willing partner to negotiate on the other side. He expressed frustration because they had been unable to get them to the table.

(1:12 p.m.) Bosanko said an expedited copy of an official transcript could be sent to Quadrille via express mail. He said the legal staff also needed to check into the question of notification and whether it was required to either or both parties, and that continuing both issues would be best.

(1:13 p.m.) McCormack cautioned that staff needed to look for specific language about ARB requirements.

(1:14 p.m.) Bosanko said the County Attorney's office needed to work on an ordinance to provide general direction as to how the process should work. He said currently it was dependent upon different language in different FDPs.

Several speakers waived their right to speak.

(1:16 p.m.) Dan McDonald, 24501 Deer Trace Drive, read a statement prepared by the Executive Committee of the Ponte Vedra Beaches Coalition, who went on record in support of the Marsh Landing Master Association. He read a letter into the record, and added his own observations.

(1:20 p.m.) Motion by Maguire, seconded by Bryant, carried 5/0, to continue the issue of the appeal to request to deny or approve until May 2, to allow them to meet with Quadrille to work out a solution.

(04/04/06 - 16 - 2:50 p.m.)

8. CONSIDER A MOTION TO ADOPT A RESOLUTION APPROVING AN IMPACT FEE CREDIT AGREEMENT FOR THE AMOUNT OF \$45,000.00 FOR FUTURE RIGHT-OF-WAY ON OLD MOULTRIE ROAD, AS CONTAINED IN FILE NO. IFA 2005-05

Teresa Bishop, Planning Director, reviewed this item. **Motion by Maguire, seconded by Stevenson, carried 5/0, to adopt Resolution No. 2006-109, approving an Impact Fee Credit Agreement in the amount of \$45,000 for future right-of-way on Old Moultrie Road, as contained in File No. IFA 2005-05.**

RESOLUTION NO. 2006-109

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE CREDIT AGREEMENT WITH OLD MOULTRIE, LLC

(04/04/06 - 16 - 2:51 p.m.)

9. PUBLIC HEARING - REZ 2005-67, KING STREET PROJECT REZONING - THIS IS A REQUEST TO REZONE .38 ACRES FROM RESIDENTIAL SINGLE FAMILY (RS-3) AND COMMERCIAL GENERAL (CG) TO RESIDENTIAL GENERAL MULTI-FAMILY (RG-2) FOR A FOUR UNIT APARTMENT BUILDING. THE PROPERTY IS CURRENTLY VACANT. THE PARCEL IS LOCATED ON THE NORTH SIDE OF WEST KING ST., APPROXIMATELY ½ MILE EAST OF NORTH VOLUSIA ST. AND IS IN RESIDENTIAL-D (D) LAND USE AREA, AS DEPICTED ON THE 2015 FUTURE LAND USE MAP. WATER IS BEING PROVIDED BY THE CITY OF ST. AUGUSTINE AND SEWER IS BEING PROVIDED BY SEPTIC TANK. ADJACENT ZONINGS ARE RESIDENTIAL SINGLE FAMILY (RS-3). THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR MARCH 2, 2006 HEARING BY A VOTE OF 6/0

Proof of publication of the notice of public hearing on REZ 2005-67, King Street, was received, having been published in *The St. Augustine Record* on March 21, 2006.

Bruce Ford, Chief Planner, reviewed this item, stating that they had received 14 Adjacent Property Notices in favor of this rezoning. **Motion by Maguire, seconded by Rich, carried 5/0, to enact Ordinance No. 2006-35, known as REZ 2005-67, King Street Project, adopting findings of fact to support the motion.**

ORDINANCE NO. 2006-35

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL SINGLE FAMILY (RS-3) AND COMMERCIAL GENERAL (CG) TO RESIDENTIAL GENERAL MULTI-FAMILY (RG-2 MF); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(04/04/06 - 17 - 2:54 p.m.)

10. PUBLIC HEARING - CDD AMD 2006-01, BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT EXPANSION - THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT (CDD) WAS INITIALLY ESTABLISHED ON JUNE 10, 2003, PURSUANT TO ORDINANCE 2003-53 AND COVERS APPROXIMATELY 248.4 ACRES OF LAND LOCATED APPROXIMATELY TWO MILES WEST OF I-95 ON THE SOUTH SIDE OF C.R. 210. THE BRANDY CREEK CDD COVERS THE RESIDENTIAL PORTION OF THE JOHNS CREEK PUD, WHICH WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 13, 1999, PURSUANT TO ORDINANCE 99-28. JOHNS CREEK WAS ORIGINALLY APPROVED FOR APPROXIMATELY 400 RESIDENTIAL UNITS ALONG WITH A COMMERCIAL COMPONENT. PHASE II OF JOHNS CREEK WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON FEBRUARY 8, 2006, AND ADDED 92.6 ACRES AND 183 SINGLE FAMILY DWELLING UNITS AT THE SOUTH END OF JOHNS CREEK. THIS PETITION WILL EXPAND THE ORIGINAL CDD BOUNDARY BY APPROXIMATELY 92.62 ACRES, FOR A TOTAL OF 341.1 ACRES, AND WILL INCLUDE ALL THE LANDS ADDED AS PART OF THE RECENTLY APPROVED PHASE II OF JOHNS CREEK PUD

Proof of publication of the notice of public hearing on the Brandy Creek Community Development District was received, having been published in *The St. Augustine Record* on March 10, 17, 24, and 31, 2006.

Cathy Upchurch, Court Reporter, was present.

Bruce Ford, Chief Planner, reviewed this item, stating that Chapter 190, F.S., established six factors that the Board of County Commissioners shall consider in making a determination to grant or deny a petition to expand an existing CDD: he reviewed them.

(2:58 p.m.) Cheryl Stuart, Hopping Green & Sams, mentioned everything they provided to the Board today. Rich asked what was the affordable housing component that was included in the Brandy Creek Community. Stuart replied that there were no requirements for that as part of the rezoning of this piece of property. Maguire spoke on there being certain conditions on the community projects when this came up for rezoning, and asked if those were reflected at all. Ford replied that those conditions were added to the PUD text prior to being recorded. (3:02 p.m.) **Motion by Stern, seconded by Maguire, carried 4/1 with Rich opposed, to enact Ordinance No. 2006-36, known as CDD 2006-01, Brandy Creek CDD Expansion, adopting findings of fact 1 through 3 to support the motion.**

ORDINANCE NO. 2006-36

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, EXPANDING THE BRANDY CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2005); DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT EXPANSION AREA; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

(04/04/06 - 18 - 3:03 p.m.)

11. PUBLIC HEARING - MAJMOD 2005-35, NORTHRIDGE LAKES PUD - CONTINUED FROM THE MARCH 21, 2006 BCC MEETING - THIS REQUEST SEEKS TO MODIFY THE APPROVED PUD LOCATED ON WOODLAWN ROAD, PRIMARILY TO REDUCE THE TOTAL UNITS FROM 665 TO 632 AS A RESULT OF ADDING THREE SINGLE-FAMILY UNITS AND REMOVING 36 MULTI-FAMILY UNITS. THE MODIFICATION WILL ALSO REDUCE THE PERCENTAGE OF AFFORDABLE UNITS FROM 68% (452 UNITS) TO 18% (114 UNITS). THERE WILL BE A TOTAL OF 518 MARKET RATE UNITS AND 114 AFFORDABLE UNITS. THE APPLICANT HAS STATED THAT DUE TO UNFORESEEN CIRCUMSTANCES FOLLOWING APPROVAL OF THE ORIGINAL PUD, THE ABILITY TO PROVIDE 452 OR 68% AFFORDABLE UNITS IS NO LONGER FINANCIALLY POSSIBLE. THE APPLICANTS HAVE FACED DELAYS DUE TO A NUMBER OF ISSUES INCLUDING PROVISION AND TIMING OF WATER AND SEWER SERVICE FROM THE CITY OF ST. AUGUSTINE, WETLANDS IDENTIFICATION AND PERMITTING, LEGAL CHALLENGES TO THE PUD AND INCREASED COSTS OVER TIME. THE PLANNING AND ZONING AGENCY MADE A RECOMMENDATION TO APPROVE THIS MODIFICATION AT ITS MARCH 2, 2006 MEETING BY A VOTE OF 7 TO 0

Proof of publication of the notice of public hearing on Major Modification 2005-02, Northridge Lake PUD, was received, having been published in *The St. Augustine Record* on March 6 and 23, 2006.

Cathy Upchurch, Court Reporter, was present.

Bruce Ford, Chief Planner, reviewed this item, summarizing the project. He stated that the project was expected to generate 284 school age children, that water and sewer would be provided by the City of St. Augustine, and he reviewed the setbacks. Stern disclosed exparte communication with John Wood and John Chapman regarding the additional units and the history of the project. Rich disclosed exparte communication with John Wood regarding his understanding of the project. Bryant disclosed exparte communication with John Wood regarding the additional affordable housing. Stevenson disclosed exparte communication regarding affordable housing, the time line and the history of the project. Maguire disclosed exparte communication with Chapman and Wood regarding affordable housing. Stern asked to address the water issue.

(3:20 p.m.) Tom Crawford, Director of Housing and Community Services, responded to the water issue.

(3:22 p.m.) John Wood, 1 Avista Circle, stated that Mike Pullium would address the water issues.

(3:22 p.m.) Mike Pullium, 3000 North Ponce de Leon Blvd., spoke on the water issues. Patrick McCormack, Assistant County Attorney, stated that he had reviewed the recently distributed changes. (3:26 p.m.) **Motion by Stern, seconded by Maguire, carried 5/0, to enact Ordinance No. 2006-37, known as MAJMOD 2005-35, Northridge Lakes PUD, adopting findings of fact 1 through 6 to support the motion.**

ORDINANCE NO. 2006-37

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, APPROVING A MAJOR

**MODIFICATION TO THE NORTHRIDGE LAKES
PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE
NUMBER 2002-60, MAKING FINDINGS OF FACT;
REQUIRING RECORDATION; AND PROVIDING FOR
AN EFFECTIVE DATE**

The meeting returned to Item 5.

[\(04/04/06 - 19 - 3:41 p.m.\)](#)

12. PUBLIC HEARING – CPA(SS)-2005-07, RANCH ROAD AT CR 210 EAST - APPLICATION NO. CPA(SS)-2005-07, KNOWN AS RANCH ROAD AT COUNTY ROAD 210 EAST, IS A PROPOSED SMALL SCALE COMPREHENSIVE PLAN AMENDMENT PROPOSED TO THE 2015 COMPREHENSIVE PLAN FOR APPROXIMATELY FIVE ACRES OF LAND CURRENTLY DEVELOPED AS A SINGLE-FAMILY HOME SITE, LOCATED AT THE SOUTHWEST CORNER OF COUNTY ROAD 210 EAST (PALM VALLEY ROAD) AND RANCH ROAD. THE PROPOSED AMENDMENT TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO RESIDENTIAL DENSITY - C WOULD PROVIDE FOR THE DEVELOPMENT OF APPROXIMATELY 30 DWELLING UNITS, 60,000 SQUARE FEET OF COMMUNITY COMMERCIAL USES THROUGH A PUD ZONING, OR A MIXTURE OF BOTH RESIDENTIAL AND COMMERCIAL USES THROUGH A PUD ZONING. THE APPLICANT PROPOSES 50,000 SQUARE FEET OF COMMERCIAL DEVELOPMENT AND A PUD WILL BE FILED IN THE FUTURE; HOWEVER, THE APPLICANT HAS NOT ELIMINATED THE POTENTIAL FOR A RESIDENTIAL OR MIXED-USE DEVELOPMENT. STAFF IS OF THE OPINION THAT THE SIZE OF THE SUBJECT PROPERTY WILL MAKE IT DIFFICULT TO COMPLETE A MIXED USE PROJECT

Proof of publication of the notice of public hearing on CPA (SS) 2005-07, Ranch Road at CR210, was received, having been published in *The St. Augustine Record* on March 4, 2006.

Teresa Bishop, Planning Director, reviewed this item, stating that the Planning and Zoning Agency recommended approval. Stevenson asked what was actually in the new town designation that was adjacent to this property. Bishop replied that a master development plan had not been filed in this particular area yet, but the town center was in this vicinity, as well as a part of Duval County Town Center in Nocatee. (3:43 p.m.) Maguire entered the meeting. Bishop spoke on the road realignment and buffering.

(3:45 p.m.) Susan Green, 200 First Street, Suite B, Neptune Beach, reviewed this item, distributing handouts and maps. She reviewed the realignment.

(3:49 p.m.) Judy Tenbroeck, 510 Ranch Road, spoke in opposition to the zoning change to Residential C; she asked to keep the community Rural/Silvicultural.

(3:56 p.m.) Barbara Baker, 420 Ranch Road, read a note from Debbie Blackshear, regarding the reconsideration of the zoning change request.

(4:03 p.m.) William August Martin, 255 Ranch Road, stated that he was not opposed to the change, but was concerned about the townhouses.

(4:04 p.m.) Anthony Florio, 485 Ranch Road, voiced concern about the changing of land use.

(4:12 p.m.) Kandi Florio, 485 Ranch Road, spoke in opposition to this change.

(4:15 p.m.) Jackie Woloscheck, 355 Ranch Road, spoke in opposition of this change.

(4:19 p.m.) Deputy Clerk Yvonne King entered the meeting; Deputy Clerk Lenora Newsome left the meeting.

(4:19 p.m.) Tammy Romanczuk, 299 Ranch Road, commented for herself and also for Tom and Lorraine Short, of 275 Ranch Road, in opposition to the change to the future land use map designation.

(4:25 p.m.) Eric Romanczuk, 299 Ranch Road, commented in opposition to the comp plan amendment.

(4:31 p.m.) Chris Beladi, 208 Ponte Vedra Park Drive, commented on the comp plan amendment.

(4:50 p.m.) **Motion by Stevenson, seconded by Stern, to deny Application No. CPA(SS) 2005-07; there was no demonstrated need, and the timing and compatibility with the surrounding area, and existing uses, would not maintain a sustainable situation for the other property owners.** (4:52 p.m.) Rich offered an amendment to the motion to include references that this does not prevent the overcrowding of land, and avoid undue concentrations of population, in violation of Title 11, Chapter 163.3161(3) along with the same section that deals with this use of land at this time being inconsistent with the public interest in general. Stevenson accepted the amendment to the motion. Discussion followed regarding the amended motion. (4:59 p.m.) The motion carried 5/0.

(04/04/06 - 20 - 4:59 p.m.)

13. PUBLIC HEARING - COMPAMD-2005-07, STATE ROAD 16 PROPERTY - APPLICATION NO. COMPAMD-2005-07, KNOWN AS THE STATE ROAD 16 PROPERTY, IS A PROPOSED AMENDMENT TO THE 2015 COMPREHENSIVE PLAN FOR APPROXIMATELY 42.8 ACRES OF WOODED AND UNDEVELOPED LAND LOCATED ON THE NORTHEAST SIDE OF STATE ROAD 16, ABOUT 1.25 MILES NORTHWEST OF I-95, JUST BEYOND THE ST. AUGUSTINE FACTORY OUTLET AND WHISPER RIDGE. THIS PROPOSED APPLICATION INVOLVES THE BCC'S CONSIDERATION OF THREE RELATED REQUESTS, AS FOLLOWS: AMEND THE COUNTY'S 2015 FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO RESIDENTIAL DENSITY-B; ADD TO THE GOALS, OBJECTIVES AND POLICIES DOCUMENT A POLICY TO THE FUTURE LAND USE ELEMENT TO LIMIT THE NUMBER OF DWELLING UNITS; AND APPROVE THE DEVELOPMENT AGREEMENT PROPOSED BY HOWARD AND HAROLD O'STEEN TO PAY A FAIRSHARE AMOUNT PER DWELLING UNIT TO CONTRIBUTE TO THE COST OF TRANSPORTATION IMPROVEMENTS WITHIN THE AREA IMPACTED BY THE PROPOSED DEVELOPMENT, IN CONJUNCTION WITH THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS. AT ITS MEETING ON THURSDAY, MARCH 16TH, THE PLANNING & ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL OF THE PROPOSED FLUM AND TEXT AMENDMENTS ASSOCIATED WITH APPLICATION NO. COMPAMD-2005-07

Proof of publication of the notice of public hearing on COMPAMD 2005-07, State Road 16 Property, was received, having been published in *The St. Augustine Record* on February 27, 2006.

Donna Godfrey, Senior Planner, announced that Citizen Courtesy Information Sheets were available on the back table for all those wishing to be notified by the Department of Community Affairs on any issues being transmitted. Godfrey then explained the comp plan amendment regarding the State Road 16 property. Discussion followed regarding the development agreement. (5:10 p.m.) Doug Burnett, 170 Malaga Street, addressed language in the developer agreement regarding concurrency and schools. (5:19 p.m.) **Motion by Maguire, seconded by Bryant, carried 5/0, to continue until May 2, 2006 at 9:00 a.m., consideration of Application No. COMPAMD-2005-07, to: (1) amend the County's 2015 Comprehensive Plan to: (a) change the Future Land Use Map Designation from Rural Silviculture (R/S) to Residential Density-B, and (b) add to the Goals, Objectives and Policies document a policy to the Future Land Use Element to limit the number of dwelling units; and (2) hold the second hearing to approve the related development agreement to pay the cost of transportation and water and sewer improvements within the area impacted by the proposed development, in conjunction with the proposed Comprehensive Plan Amendments.**

The meeting recessed at 5:21 p.m. and reconvened at 5:29 p.m.

(04/04/06 - 21 - 5:29 p.m.)

14. PUBLIC HEARING - COMPAMD-2005-09, MILL CREEK RANCH, LLC - APPLICATION NO. COMPAMD-2005-09, KNOWN AS THE MILL CREEK RANCH, LLC, IS A PROPOSED AMENDMENT TO THE 2015 COMPREHENSIVE PLAN FOR APPROXIMATELY 181 ACRES OF UNDEVELOPED, MOSTLY AGRICULTURAL LAND, LOCATED ON THE SOUTHWEST SIDE OF CR 16A ABOUT ¾ MILE NORTHWEST OF SR 16, AND ON THE NORTH SIDE OF SR 16, ABOUT ONE MILE WEST OF CR 16A. THIS PROPOSED APPLICATION INVOLVES THE BCC'S CONSIDERATION OF THREE RELATED REQUESTS, AS FOLLOWS: AMEND THE COUNTY'S 2015 FUTURE LAND USE MAP DESIGNATION FROM AGRICULTURAL INTENSIVE (A-I) AND RURAL SILVICULTURE (R/S) TO RESIDENTIAL DENSITY-B; APPROVE THE DEVELOPMENT AGREEMENT PROPOSED BY THE ALTERRA GROUP, LLC, TO CONSTRUCT TRANSPORTATION IMPROVEMENTS AND WATER AND SEWER TRANSMISSION LINES TO SERVE THE SUBJECT PROPERTY, AS WELL AS THE ASHLEY OAKS PROPERTY LOCATED ON THE SOUTH SIDE OF SR 16 AND WEST OF THE SUBJECT PROPERTY, AND TO POSTPONE DEVELOPMENT OF THESE SITES UNTIL ESTABLISHMENT OF A SCHOOL CONCURRENCY SYSTEM, IN CONJUNCTION WITH THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS; AND AMEND THE FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE OF THE CAPITAL IMPROVEMENTS ELEMENT TO INCLUDE SAID TRANSPORTATION IMPROVEMENTS AND WATER AND SEWER TRANSMISSION LINES IN CONJUNCTION WITH THE ABOVE-NOTED DEVELOPMENT AGREEMENT. AT ITS MEETING ON THURSDAY, MARCH 16TH, THE PLANNING & ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL OF THE PROPOSED FLUM AND TEXT AMENDMENTS ASSOCIATED WITH APPLICATION NO. COMPAMD-2005-08

Proof of publication of the notice of public hearing on COMPAMD 2005-09, Mill Creek Ranch, LLC, was received, having been published in *The St. Augustine Record* on February 27, 2006.

Donna Godfrey, Senior Planner, explained the comp plan amendment. (5:32 p.m.) Frank Miller, 245 Riverside Avenue, Suite 400, Jacksonville, representing the Alterra Group and the owner of the property, Mill Creek, LLC, relayed that the developer had

committed to the following: to develop 80 affordable housing units on the property; spend in excess of \$7,000 per unit for transportation improvements; and spend an additional \$4,000 per market rate unit for extension of utility lines. Miller further addressed the density. Discussion followed regarding transportation improvements. (5:44 p.m.) **Motion by Stern, seconded by Maguire, carried 5/0, to continue until May 2, 2006 at 9:00 a.m., consideration of Application No. COMPAMD-2005-09, to: (1) amend the County's 2015 Comprehensive Plan to: (a) change the Future Land Use Map Designation from Agricultural-Intensive (A-I) and Rural Silviculture (R/S) to Residential Density-B; and (b) add to the Goals, Objectives, and Policies document Five-Year Capital Improvements Schedule of the Capital Improvements Element the transportation improvements and water and sewer transmission lines required to serve the site; and (2) hold the second hearing to approve the related development agreement to construct said public facilities and postpone development of the site until establishment of a school concurrency system, in conjunction with the proposed comprehensive plan amendments.**

(04/04/06 - 22 - 5:45 p.m.)

15. PUBLIC HEARING - COMPAMD-2005-06, CYNTHIA TAYLOR PROPERTY - APPLICATION NO. COMPAMD-2005-06, KNOWN AS THE CYNTHIA TAYLOR PROPERTY, IS A PROPOSED AMENDMENT TO THE 2015 COMPREHENSIVE PLAN FOR APPROXIMATELY 101.5 ACRES OF LAND CURRENTLY DEVELOPED AS A SINGLE-FAMILY HOME SITE AND LOCATED ON THE WEST SIDE OF U.S. HIGHWAY 1 SOUTH ABOUT ¼ MILE SOUTH OF STATE ROAD 206, EAST OF I-95. THIS PROPOSED APPLICATION INVOLVES THE BCC'S CONSIDERATION OF THREE RELATED REQUESTS, AS FOLLOWS: AMEND THE COUNTY'S 2015 FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO RESIDENTIAL DENSITY-B; APPROVE THE DEVELOPMENT AGREEMENT PROPOSED BY CYNTHIA TAYLOR TO CONSTRUCT WATER AND SEWER TRANSMISSION LINES AND TO POSTPONE VERTICAL CONSTRUCTION UNTIL ESTABLISHMENT OF A SCHOOL CONCURRENCY SYSTEM, IN CONJUNCTION WITH THE ABOVE-NOTED FLUM AMENDMENT; AND AMEND THE FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE OF THE CAPITAL IMPROVEMENTS ELEMENT TO INCLUDE SAID WATER AND SEWER IMPROVEMENTS, IN CONJUNCTION WITH THE ABOVE-NOTED DEVELOPMENT AGREEMENT. AT ITS MEETING ON THURSDAY, MARCH 16TH, THE PLANNING & ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL OF THE PROPOSED FLUM AND TEXT AMENDMENTS ASSOCIATED WITH APPLICATION NO. COMPAMD-2005-06

Proof of publication of the notice of public hearing on COMPAMD 2005-06, Cynthia Taylor Property, was received, having been published in *The St. Augustine Record* on February 27, 2006.

Donna Godfrey, Senior Planner, explained the comp plan amendment for approximately 101.5 acres of land currently developed as a single-family home site and located on the west side of US1 South about ¼ mile south of SR 206, east of I-95. (5:48 p.m.) George McClure, 170 Malaga Street, addressed the development agreement and phasing of the project. Discussion followed regarding school concurrency, the transportation element, and density. (6:02 p.m.) **Motion by Rich, seconded by Stevenson, carried 5/0, to continue until May 2, 2006 at 9:00 a.m., consideration of Application No. COMPAMD-2005-06, to: (1) amend the County's 2015 Comprehensive Plan to: (a) change the Future Land Use Map Designation from Rural Silviculture (R/S) to Residential Density-B, and (b) add to the Goals, Objectives, and Policies document Five-Year Capital Improvements Schedule of the Capital Improvements Element the water and sewer transmission lines required to serve the**

site; and (2) hold the second hearing to approve the related development construction until establishment of a school concurrency system, in conjunction with the proposed comprehensive plan amendments.

(04/04/06 - 23 - 6:04 p.m.)

16. PUBLIC HEARING - COMPAMD-2005-08, PACETTI'S MARINA - APPLICATION NO. COMPAMD-2005-08, KNOWN AS THE PACETTI'S MARINA, IS A PROPOSED AMENDMENT TO THE 2015 COMPREHENSIVE PLAN FOR APPROXIMATELY 23.1 ACRES OF LAND CURRENTLY DEVELOPED AS PACETTI'S MARINA AND RV PARK, LOCATED ON THE EAST SIDE OF STATE ROAD 13 AT TROUT CREEK. THIS PROPOSED APPLICATION INVOLVES THE BCC'S CONSIDERATION OF FOUR RELATED REQUESTS, AS FOLLOWS: AMEND THE COUNTY'S 2015 FUTURE LAND USE MAP DESIGNATION FROM RURAL COMMERCIAL (R/C) TO RESIDENTIAL DENSITY-D; ADD TO THE GOALS, OBJECTIVES AND POLICIES DOCUMENT A POLICY TO THE FUTURE LAND USE ELEMENT TO LIMIT THE NUMBER OF DWELLING UNITS AND INTENSITY OF COMMERCIAL DEVELOPMENT; APPROVE THE DEVELOPMENT AGREEMENT PROPOSED BY PACETTI LIVING TRUST TO CONSTRUCT WATER AND SEWER TRANSMISSION LINES TO SERVE THE SITE AND TO POSTPONE DEVELOPMENT OF THE SITE UNTIL ESTABLISHMENT OF A SCHOOL CONCURRENCY SYSTEM, IN CONJUNCTION WITH THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS; AND AMEND THE FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE OF THE CAPITAL IMPROVEMENTS ELEMENT TO INCLUDE SAID WATER AND SEWER TRANSMISSION LINES IN CONJUNCTION WITH THE ABOVE-NOTED DEVELOPMENT AGREEMENT. AT ITS MEETING ON THURSDAY, MARCH 16TH, THE PLANNING & ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL OF THE PROPOSED FLUM AND TEXT AMENDMENTS ASSOCIATED WITH APPLICATION NO. COMPAMD-2005-08

Proof of publication of the notice of public hearing on COMPAMD 2005-08, Pacetti's Marina, was received, having been published in *The St. Augustine Record* on February 27, 2006.

Donna Godfrey, Senior Planner, explained the comp plan amendment. (6:07 p.m.) Maguire declared a conflict of interest and filed Form 8B, Memorandum of Voting Conflict, and abstained from voting on this issue because his family owned property near the proposed project site. (6:09 p.m.) John Metcalf, 245 Riverside Avenue, gave a PowerPoint presentation, which addressed: the density, water and sewer line extensions, trip generation, stormwater runoff improvements, buffer requirements, and allowable land uses.

(6:22 p.m.) Pinkham Pacetti, 3424 SR 13, Switzerland, shared his reasons for requesting the comp plan amendment.

(6:25 p.m.) Mike Kuhne, 5165 SR 13 N., commented in favor of the comp plan amendment.

(6:33 p.m.) Carol Hyde, 6225 Jack Wright Island Road, commented in favor of the comp plan amendment.

(6:36 p.m.) Beverly Griner, 3540 Pacetti Road, commented in favor of the comp plan amendment.

(6:38 p.m.) Diana Nesmith, 9217 Touzet Avenue, commented in favor of the comp plan amendment.

(6:41 p.m.) Duane Wendt, 6550 SR 13 North, commented in favor of the comp plan amendment.

(6:43 p.m.) Paige Pacetti Carlyle, 212 Canton Court, commented in favor of the comp plan amendment.

(6:46 p.m.) Larry Jordan, 2141 Forest Hollow Way, Fruit Cove, commented in favor of the comp plan amendment.

(6:48 p.m.) **Motion by Bryant, seconded by Stern, carried 4/0 with Maguire abstaining, to continue until May 2, 2006 at 9:00 a.m., consideration of Application No. COMPAMD-2005-08, to: (1) amend the County's 2015 Comprehensive Plan to: (a) change the Future Land Use Map Designation from Rural Commercial (R/C) to Residential Density-D; and (b) add to the Goals, Objectives, and Policies document: a policy to the Future Land Use Element to limit the number of dwelling units and intensity of development; and to the Five-Year Capital Improvements Schedule of the Capital Improvements Element the water and sewer transmission lines required to serve the site; and (3) hold the second hearing to approve the related development agreement to construct said water and sewer transmission lines and postpone development of the site until establishment of a school concurrency system, in conjunction with the proposed comprehensive plan amendments; adopting findings of fact 1-3.**

(04/04/06 - 24 - 6:49 p.m.)

17. PUBLIC HEARING - ACPA-2005-03, GOVERNOR'S PLANTATION-HEARTWOOD - APPLICATION NO. ACPA-2005-03, KNOWN AS GOVERNOR'S PLANTATION-HEARTWOOD, IS AN ADMINISTRATIVE COMPREHENSIVE PLAN AMENDMENT PROPOSED TO THE 2015 COMPREHENSIVE PLAN FOR APPROXIMATELY 90 ACRES OF LAND LOCATED ON WILDWOOD DRIVE, ADJACENT TO AND ACROSS FROM OLD PLANTATION DRIVE. THE PROPOSED AMENDMENT TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL DENSITY - C TO RESIDENTIAL - B WOULD REDUCE THE PERMITTED DENSITY AND INTENSITY OF THE PROPERTY ALONG THIS PORTION OF WILDWOOD DRIVE, REDUCING THE IMPACTS ON PUBLIC FACILITIES AND SERVICES IN THIS AREA. IN ADDITION, THE RESIDENTIAL - B DESIGNATION IS COMPATIBLE WITH THE EXISTING SURROUNDING RESIDENTIAL DEVELOPMENT IN THIS PART OF THE COUNTY. AT ITS MEETING ON THURSDAY, MARCH 16TH, THE PLANNING & ZONING AGENCY UNANIMOUSLY RECOMMENDED APPROVAL OF THE PROPOSED FLUM AMENDMENT

Proof of publication of the notice of public hearing on ACPA 2005-3 Governor's Plantation-Heartwood, was received, having been published in *The St. Augustine Record* on February 27, 2006.

Teresa Bishop, Planning Director, explained the County-initiated comp plan amendment. (6:51 p.m.) **Motion by Rich, seconded by Stevenson, carried 5/0, to continue to May 2, 2006 the change to the public hearing for Application No. ACPA-2005-03, Governor's Plantation-Heartwood.**

(04/04/06 - 25 - 6:52 p.m.)
COMMISSIONERS' REPORTS

Commissioner Rich:
No report.

(6:52 p.m.)
Commissioner Stevenson:

No report.

(6:52 p.m.)
Commissioner Bryant:

Bryant reported that Mary Jane Little had received the Florida Library Association's Librarian of the Year Award.

Bryant announced that the Board received a letter of support from Senator Wise regarding the approval of the LaNatures bottling plant.

(6:54 p.m.)
Commissioner Maguire:

Maguire addressed the issue of lights at the end of boat docks.

Maguire relayed that the City of St. Augustine wanted to start charging for mooring fields.

Maguire suggested there be a county proclamation sent to Gainesville regarding the Florida Gators National Championship.

(6:59 p.m.)
Commissioner Stern:

Stern congratulated Mary Jane Little on her selection as Librarian of the Year.

Stern reported on St. Johns County Day in Tallahassee, which was held on March 15, 2006. She commended everyone who participated in the effort.

Stern reported that she was invited by Carl Burchfield to tour the USS Kennedy.

Stern reported on the Flagler Estates Town Meeting on March 30, 2006, regarding the wetlands issue in that area.

(7:03 p.m.) Bryant addressed the charge for parking at the Project Swing Park. Bryant said he was under the impression that there was no charge for parking when visiting the park. Adams offered to check on this issue.

(04/04/06 - 26 - 7:04 p.m.)
COUNTY ADMINISTRATOR'S REPORT

Adams reported that the work on the dock at Palmo Park had been completed; the ramp had been renewed; the improvements that were made; and that a community meeting had been set.

Adams reported that the Vilano boat ramp expansion bids would be received on May 3, 2006. The intent was to add additional parking spaces.

Adams reported on Aberdeen Park; said a pre-application meeting had been set with the St. Johns River Water Management District.

Adams said negotiations were underway to lease the ramp where Oscar's Restaurant was located to provide additional parking spaces.

Adams reported that the Amphitheater was well underway.

(04/04/06 - 26 - 7:10 p.m.)
COUNTY ATTORNEY'S REPORT

Bosanko reported that it was the opinion of the County Attorney's Office not to appeal the Surfrider case.

(04/04/06 - 26 - 7:11 p.m.)
CLERK OF COURT'S REPORT

No report.

(7:11 p.m.) **Motion by Stern, seconded by Stevenson, carried 5/0, to adjourn the meeting.**

With there being no further business to come before the Board, the meeting adjourned at 7:11 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 381103 through 381396, totaling \$1,687,409.32 (03/14/06)
2. St. Johns County Board of County Commissioners Check Register, Check No. 381397 through 381420, totaling \$41,028.08 (03/16/06)
3. St. Johns County Board of County Commissioners Check Register, Check No. 381421 through 381686, totaling \$3,081,533.02 (03/21/06)
4. St. Johns County Board of County Commissioners Check Register, Check No. 381687 through 381690, totaling \$203,578.03 (03/22/06)

CORRESPONDENCE:

1. Letter from Martha Porter regarding annexation of property, Ordinance No. 2006-07 (03/14/06)
2. Letter to Liz Cloud, Program Administrator, filing St. Johns County Ordinance No. 2006-29 (03/15/06)
3. Letter to Misty Pearson, Bureau of Administrative Code, regarding adopting Ordinance No. 2006-19 and a corrective copy (03/21/06)
4. Letter to Liz Cloud, Program Administrator, filing St. Johns County Ordinance No. 2006-30 (03/24/06)

5. Letter to Liz Cloud, Program Administrator, filing St. Johns County Ordinances No. 2006-31 through 2006-34 (03/24/06)

Approved June 13, 2006

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Uwanna King
Deputy Clerk