

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JANUARY 9, 2007
(9:00 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: Ben Rich, District 3, Chairman
Thomas G. Manuel, District 4, Vice Chair
Cyndi Stevenson, District 1
Ron Sanchez, District 2
James Bryant, District 5
Waldemar Kropacek, Interim County Administrator
Patrick McCormack, County Attorney
Terry Bulla, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Court

(01/09/07 - 1 - 9:04 a.m.)
CALL TO ORDER

Rich called the meeting to order.

(01/09/07 - 1 - 9:04 a.m.)
ROLL CALL

Rich stated that all five commissioners were present.

(01/09/07 - 1 - 9:04 a.m.)
Manuel gave the Invocation and Rich led the Pledge of Allegiance.

(01/09/07 - 1 - 9:06 a.m.)
PROCLAMATION

PROCLAMATION DESIGNATING JANUARY 22 -26, 2007 AS ARBOR WEEK

Stevenson read and presented the proclamation to Chuck Moore, County Nursery and Landscape Manager and Greg Dunn, SJC Senior Forrester. Dunn commented on conservation efforts within the County and thanked the Commission for supporting Arbor Week.

(01/09/07 - 1 - 9:11 a.m.)
ACCEPTANCE OF PROCLAMATION

Motion by Manuel, seconded by Sanchez, carried 5/0, to accept the proclamation.

(01/09/07 - 1 - 9:11 a.m.)
PUBLIC COMMENT

Ellen Whitmer, 1178 Natures Hammock Rd. S., Fruitcove, spoke on municipalities and possible annexations and consolidations. She said it was imperative that the County be consolidated. Discussion ensued.

(01/09/07 - 2 - 9:18 a.m.)
DELETIONS TO CONSENT AGENDA

County Administrator Kropacek pulled item No. 14.

(01/09/07 - 2 - 9:19 a.m.)
APPROVAL OF CONSENT AGENDA

Motion by Sanchez, seconded by Manuel, carried 5/0 to approve the Consent Agenda.

1. Approval of the Cash Requirement Report
2. Minutes:
11/09/06 - BCC Emergency Meeting
11/28/06 - BCC Regular Meeting
3. Sheriff's Office Bonds:
Cancel: Audrey Keally
4. Motion to approve the transfer and expenditure from Tree Bank Fund of \$6,800 from Reserves (1231-59927) to Operating Supplies (1231-55200) for the purchase and planting of Arbor Day Trees for 2007
5. Motion to establish Tuesday, February 6, 2007 at 5:30 p.m. and Tuesday, February 20, 2007 at 9:00 a.m. as public hearing dates to consider amendments to the Land Development Code
6. Motion to adopt **Resolution No. 2007-1**, approving a final plat for Aberdeen (D.R. Horton-Phase1)

RESOLUTION NO. 2007-1

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING A SUBDIVISION PLAT FOR ABERDEEN (D.R. HORTON-PHASE 1)

7. Motion to adopt **Resolution No. 2007-2**, approving a final plat for Villages of Valencia Phase 1

RESOLUTION NO. 2007-2

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING A SUBDIVISION PLAT FOR VILLAGES OF VALENCIA PHASE 1

8. Motion to adopt **Resolution No. 2007-3**, approving a final plat for Tolomato River Farms Development

RESOLUTION NO. 2007-3

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING A SUBDIVISION PLAT FOR TOLOMATO RIVER FARMS DEVELOPMENT

9. Motion to adopt **Resolution No. 2007-4**, authorizing execution of a railroad reimbursement agreement for the installation of grade crossing traffic control devices, and future maintenance and adjustment of said devices; providing for the expenditure of funds; and providing when this resolution shall take effect

RESOLUTION NO. 2007-4

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING EXECUTION OF A RAILROAD REIMBURSEMENT AGREEMENT FOR THE INSTALLATION OF GRADE CROSSING TRAFFIC CONTROL DEVICES, AND FUTURE MAINTENANCE AND ADJUSTMENT OF SAID DEVICES AT THE RAILROAD CROSSING ON MCLAUGHLIN STREET AND PROVIDING FOR THE EXPENDITURE OF FUNDS; AND PROVIDING WHEN THIS RESOLUTION SHALL TAKE EFFECT

10. Motion to adopt **Resolution No. 2007-5**, authorizing the County Administrator to execute the Stipulation of Parties for the Opening of Highway-rail Grade Crossing at Avenue D

RESOLUTION NO. 2007-5

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS AND REQUIREMENTS OF A STIPULATION OF PARTIES AGREEMENT BETWEEN ST. JOHNS COUNTY, FLAGLER DEVELOPMENT COMPANY AND FLORIDA EAST COAST RAILWAY, L.L.C. FOR THE OPENING OF A NEW HIGHWAY-RAIL GRADE CROSSING ON AVENUE D, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

11. Motion to adopt **Resolution No. 2007-6**, approving the terms, conditions, provisions, and requirements of a Non-Exclusive Franchise Agreement for Construction and Demolition Debris between St. Johns County, Florida, and Lockwood Quality Demolition, Inc.; and authorizing the County Administrator to execute the Non-Exclusive Franchise Agreement for Construction and Demolition Debris on behalf of St. Johns County, Florida

RESOLUTION NO. 2007-6

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS AND REQUIREMENTS OF A NON-EXCLUSIVE FRANCHISE AGREEMENT FOR CONSTRUCTION AND DEMOLITION DEBRIS BETWEEN ST. JOHNS COUNTY, FLORIDA, AND LOCKWOOD QUALITY DEMOLITION, INC., AND

AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AMENDMENT TO THE CONSTRUCTION AND DEMOLITION FRANCHISE AGREEMENT, ON BEHALF OF ST. JOHNS COUNTY

12. Motion to adopt **Resolution No. 2007-7**, approving the terms, provisions, conditions, and requirements of a Non-exclusive Franchise Agreement for Construction and Demolition Debris between St. Johns County, Florida, and Russo and Sons, Inc.; and authorizing the County Administrator to execute the Non-exclusive Franchise Agreement for Construction and Demolition Debris on behalf of St. Johns County, Florida

RESOLUTION NO. 2007- 7

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS AND REQUIREMENTS OF A NON-EXCLUSIVE FRANCHISE AGREEMENT FOR CONSTRUCTION AND DEMOLITION DEBRIS BETWEEN ST. JOHNS COUNTY, FLORIDA, AND RUSSO AND SONS, INC., AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AMENDMENT TO THE CONSTRUCTION AND DEMOLITION FRANCHISE AGREEMENT, ON BEHALF OF ST. JOHNS COUNTY

13. Motion to approve the transfer of \$22,000 from Court Facilities Trust Fund Reserves (1301-59920) to be distributed as follows: \$21,000 to 1301-56400, Court Facilities Equipment for the purchase of an X-Ray machine and \$1,000 to 1301-55200, Court Facilities Operating Supplies for stanchions

This item was pulled.

14. Motion to adopt a resolution approving the terms, provisions, conditions, and requirements of an agreement between St. Johns County, Florida, and the Town of Hastings, Florida, for a Hazard Mitigation Grant Program project to retrofit the Hastings Community Building / special needs shelter in Hastings, Florida, and authorizing the Chairman of the Board of County Commissioners to execute the agreement on behalf of St. Johns County
15. Motion to adopt **Resolution No. 2007-8**, accepting Grant of Easement to allow access under Railroad Avenue to install drainage culverts as part of the West King Street Improvement Project

RESOLUTION NO. 2007- 8

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING GRANTS OF DRAINAGE EASEMENT TO ALLOW ACCESS UNDER RAILROAD AVENUE TO INSTALL DRAINAGE CULVERTS AS PART OF THE WEST KING STREET IMPROVEMENT PROJECT

16. Motion to adopt **Resolution No. 2007-9**, accepting three Easements for Utilities for installation of a force main along International Golf Parkway

RESOLUTION NO. 2007- 9

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING THREE EASEMENTS FOR UTILITIES FOR INSTALLATION OF A FORCE MAIN ALONG INTERNATIONAL GOLF PARKWAY

17. Motion to adopt **Resolution No. 2007-10**, authorizing the County Administrator to execute a certain Purchase and Sale Agreement for property needed for the West King Street Improvement Project

RESOLUTION NO. 2007- 10

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CERTAIN PURCHASE AND SALE AGREEMENT FOR PROPERTY NEEDED FOR THE WEST KING STREET IMPROVEMENT PROJECT

18. Motion to authorize the County Administrator, or his designee, to award a contract to The Miller Group, Inc., for Bid #07-27, Shores Roadway Reclamation work in the base bid amount of \$676,846.00
19. Motion to authorize the County Administrator, or his designee, to approve the top five (5) ranked firms of Peter R. Brown; James A. Cummins, Inc.; Sauer, Inc.; Perry-McCall Construction, Inc.; and Danis Building Construction Co. and that bids for the Jail Expansion project be limited to these five (5) firms
20. Motion to authorize the Interim County Administrator, or his designee, to enter into contracts under Bid No. 07-06 for water/wastewater treatment plant chemicals for a period of one (1) year with four (4) one year renewal options
21. Motion to authorize the County Administrator, or his designee, to purchase one (1) Caterpillar D5G LGP Track Type Tractor (Dozer) on Florida State Contract #760-900-320 from Ring Power Corporation in the amount of \$53,590.00, which includes trade in of CV 185, CV 486 and CV 242
22. Motion to authorize the County Administrator, or his designee, to purchase one (1) 48' TK70 HDG HT Hydraulic Trail King Trailer piggybacking from City of Tampa Bid No: 39-06 #91032406 from Ring Power Corporation in the amount of \$49,409.00 with the trade-in of CV#618
23. Motion to declare the attached list of items as surplus and authorize staff to dispose of same in accordance with Purchasing Policy 308 and Florida Statute 274

(01/09/07 - 5 - 9:20 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

McCormack pulled Item No. 7. Discussion ensued regarding the Home Rule County Government draft. Rich asked that Item No. 2 be pulled and that Item No. 11 be pulled and rescheduled for January 23.

(01/09/07 - 6 - 9:32 a.m.)
APPROVAL OF REGULAR AGENDA

Motion by Sanchez, seconded by Manuel, carried 5/0, to approve the Regular Agenda, as amended.

(01/09/07 - 6 - 9:32 a.m.)

1. DISCUSSION OF THE CREATION OF A FRAUD/WASTE/ABUSE HOTLINE

Cheryl Strickland, Clerk of Court, stated that interest had been expressed for the creation of a fraud division within the internal audit division of the Clerk's office. She noted that other counties had similar programs in place. She said it created a clearinghouse for citizens and County employees to call anonymously to a hot line to report anything that they felt might need attention. She said they would be working with the Sheriff's Office, State Attorney's office and if it was something that was not within their parameters to handle, they would refer it to the proper agency for investigation of the incident. She said she could bring back a budget amendment, or the Board could do it through the budget in October, if they wanted to pursue the idea.

Rich stated he supported the effort and offered suggestions. Stevenson emphasized the importance of confidentiality. Manuel stated his support for a budget amendment. Sanchez concurred and asked for an outline of the costs involved. Rich said there was Board consensus to move forward.

This item was pulled.

(01/09/07 - 6 - 9:20 a.m.)

2. DISCUSSION OF PAID COUNTY COMMISSION AIDES

The Board recessed at 9:41 a.m. and convened as the Community Redevelopment Agency.

(01/09/07 - 6 - 9:41 a.m.)

3. CONSIDER MOTION TO ADOPT A RESOLUTION OF THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY RATIFYING THE SUBMISSION BY THE HOUSING FINANCE AUTHORITY OF SJC OF AN APPLICATION TO FLORIDA HOUSING FINANCE CORPORATION IN CONNECTION WITH THE CWHIP PROGRAM AND AUTHORIZING ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE THEREWITH.

Tom Crawford, Housing & Community Services Manager, spoke regarding ratifying the CWHIP program application. He explained a previous property swap that had been outlined at a previous meeting, noted the application went in on December 15 and was currently being evaluated by Florida Housing, and expected to hear from them after their January 26 meeting. He said if the application was granted, they hoped to build approximately 111 homes and bring about \$5 million in taxpayer dollars back to the County.

(9:43 a.m.) Motion by Stevenson, seconded by Sanchez, carried 5/0, to adopt CRA Resolution 2007-1 of the St. Johns County Community Redevelopment Agency, ratifying the submission by the Housing Finance Authority of SJC of an application to Florida Housing Finance Corporation in connection with the CWHIP Program and authorizing all other things deemed necessary or advisable therewith.

CRA RESOLUTION NO. 2007- 1

A RESOLUTION OF ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY RATIFYING THE SUBMISSION BY THE HOUSING FINANCE AUTHORITY OF ST. JOHNS COUNTY OF AN APPLICATION TO FLORIDA HOUSING FINANCE CORPORATION IN CONNECTION WITH THE COMMUNITY WORKFORCE HOUSING INNOVATION PILOT PROGRAM AND THE EXECUTION AND DELIVERY OF A MEMORANDUM OF UNDERSTANDING BETWEEN SAID AGENCY AND SAID AUTHORITY WITH RESPECT THERETO; AUTHORIZING ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE

(01/09/07 - 7 - 9:46 a.m.)

4. CONSIDER A MOTION TO ADOPT A RESOLUTION OF THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE ISSUANCE OF THE AGENCY'S REDEVELOPMENT REVENUE AND REFUNDING NOTE (FLAGLER ESTATES PROJECT), SERIES 2007, IN A PRINCIPAL AMOUNT NOT EXCEEDING \$6,000,000

McCormack stated that items 4 and 5 could be treated together.

(9:47 a.m.) Jean Mangu, 6 East Bay St., Jacksonville, General Finance Council to the County, gave a history of the Community Redevelopment Agency assistance to Flagler Estates District and the Flagler Estates Community Redevelopment area. She said a \$1 million note had been issued in order to pave roads in that area, noted that additional roads needed to be paved, and that District representatives were present and had asked for additional assistance in the form of a grant to pave those roads. She stated the resolution they were considering would make those provisions as well as refunding of the previous note to consolidate the debt and for interest cost savings.

(9:48 a.m.) Walter E. Smith, Jr., 10010 West Deep Creek Blvd., Hastings, one of three elected Supervisors at Flagler Estates, thanked the Board for its support of this project, and asked for the Board's help and guidance. He thanked Tom Crawford for his hard work on their behalf. Discussion ensued.

(9:54 a.m.) **Motion by Sanchez, seconded by Manuel, carried 5/0 to adopt CRA Resolution 2007-2 of the St. Johns County Community Redevelopment Agency, authorizing the issuance of the Agency's Redevelopment Revenue and Refunding Note (Flagler Estates Project), Series 2007, in a principal amount not to exceed \$6,000,000.**

CRA RESOLUTION NO. 2007- 2

A RESOLUTION OF ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY PROVIDING FOR THE PAVING OF CERTAIN PUBLIC ROADS LOCATED WITHIN THE BOUNDARIES OF THE FLAGLER ESTATES COMMUNITY REDEVELOPMENT AREA AND THE FLAGLER ESTATES ROAD AND WATER CONTROL DISTRICT AND THE REFUNDING OF CERTAIN OUTSTANDING OBLIGATIONS OF SAID AGENCY; AUTHORIZING THE ISSUANCE BY SAID AGENCY OF NOT EXCEEDING \$6,000,000 IN

PRINCIPAL AMOUNT OF A REDEVELOPMENT REVENUE AND REFUNDING NOTE (FLAGLER ESTATES PROJECT), SERIES 2007, TO FINANCE THE COST OF SUCH PROJECT FOR THE BENEFIT OF SAID DISTRICT, REFUND SUCH OUTSTANDING OBLIGATIONS, FUND A DEBT SERVICE RESERVE AND PAY THE COSTS OF ISSUANCE OF SUCH NOTE; PLEDGING TO SECURE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH NOTE THE TAX INCREMENT REVENUES RECEIVED ANNUALLY BY SAID AGENCY AND DEPOSITED INTO THE FLAGLER ESTATES COMMUNITY REDEVELOPMENT AREA ACCOUNT IN THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY TRUST FUND, ALL MONEYS ON DEPOSIT IN AND INVESTMENTS HELD FOR THE CREDIT OF CERTAIN FUNDS CREATED HEREUNDER AND THE EARNINGS ON SUCH INVESTMENTS; MAKING CERTAIN COVENANTS AND AGREEMENTS FOR THE BENEFIT OF THE HOLDER OF SUCH NOTE; AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED INTERLOCAL AGREEMENT BETWEEN SAID AGENCY AND SAID DISTRICT; AUTHORIZING A NEGOTIATED SALE OF SUCH NOTE; DESIGNATING THE NOTE FOR THE EXCEPTION CONTAINED IN SECTION 265 OF THE INTERNAL REVENUE CODE OF 1986 WHICH DENIES FINANCIAL INSTITUTIONS ANY DEDUCTION FOR INTEREST EXPENSE ALLOCABLE TO TAX-EXEMPT OBLIGATIONS; AWARDED SUCH NOTE TO THE PURCHASER THEREOF; AND PROVIDING AN EFFECTIVE DATE

The Board recessed as the Community Redevelopment Agency at 9:55 a.m. and reconvened as the Board of County Commissioners.

(01/09/07 - 8 - 9:55 a.m.)

5. CONSIDER MOTION TO ADOPT RESOLUTION NO 2007-12 APPROVING THE ISSUANCE BY ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY OF ITS REDEVELOPMENT REVENUE AND REFUNDING NOTE (FLAGLER ESTATES PROJECT), SERIES 2007, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$6,000,000

Jean Mangu, said the Agency debt from the previous item needed to be approved by the Board of County Commissioners.

(9:55 a.m.) **Motion by Sanchez, second by Manuel, carried 5/0, to adopt Resolution 2007-12, approving the issuance by St. Johns County Community Redevelopment Agency of its Redevelopment Revenue and Refunding Note (Flagler Estates Project), Series 2007, in a principal amount not to exceed \$6,000,000.**

RESOLUTION NO. 2007-12

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE ISSUANCE BY THE ST. JOHNS

COUNTY COMMUNITY REDEVELOPMENT AGENCY OF ITS REDEVELOPMENT REVENUE AND REFUNDING NOTE (FLAGLER ESTATES PROJECT), SERIES 2007, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$6,000,000, FOR THE PURPOSE OF OBTAINING FUNDS FOR THE BENEFIT OF THE FLAGLER ESTATES ROAD AND WATER CONTROL DISTRICT TO FINANCE AND REFINANCE THE COSTS OF PAVING CERTAIN PUBLIC ROADS LOCATED WITHIN SAID DISTRICT AND THE FLAGLER ESTATES COMMUNITY REDEVELOPMENT AREA TO BE CONSTRUCTED, OWNED AND MAINTAINED BY SAID DISTRICT; AND PROVIDING AN EFFECTIVE DATE

Meeting recessed at 9:58 a.m. and reconvened at 10:07 a.m.

(01/09/07 - 9 - 10:07 a.m.)

6. CONSIDER MOTION TO APPROVE WAIVER OF FILING FEE FOR TEMPORARY USE PERMIT FOR ST. JOHNS COUNTY COUNCIL ON AGING

Teresa Bishop, Growth Management Services Director, gave the presentation for Rosemary Yeoman. She explained that it was a request for a waiver of the filing fee for a Temporary Use Permit for the St. Johns County Council on Aging to allow the continuation of parking of vehicles at their current location.

(10:08 a.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to approve waiver of filing fee for temporary Use Permit for St. Johns County Council on Aging, finding that the waiver is in the best interest of the County and will serve a public purpose.**

This item was pulled.

(01/09/07 - 9 - 9:20 a.m.)

7. CONSIDER MOTION TO APPROVE REVISED CHARTER LANGUAGE AND DIRECT STAFF TO FORWARD REVISION TO LEGISLATIVE DELEGATION

(01/09/07 - 9 - 10:09 a.m.)

8. PUBLIC HEARING - NEIGHBORHOOD BILL OF RIGHTS ORDINANCE - AT THE DECEMBER 12, 2006, BCC MEETING, STAFF PRESENTED A DRAFT NEIGHBORHOOD BILL OF RIGHTS ORDINANCE FOR WORKSHOP DISCUSSION. THE COUNTY ATTORNEY'S OFFICE WAS DIRECTED BY THE BCC TO ADVERTISE THE PROPOSED ORDINANCE FOR ENACTMENT AT THE JANUARY 9, 2007, MEETING.

Proof of publication of the notice of public hearing on the Neighborhood Bill of Rights Ordinance was received, having been published in *The St. Augustine Record* on December 27, 2006.

McCormack distributed copies of recent public input sheets and reviewed the recommended changes to the Ordinance. Stevenson suggested that in Section 1B the words "Commission person" be changed to "Commissioner or designee". The Board granted consensus for the change. McCormack reviewed the proposed revisions to section 2D, section 2F and 3A. Discussion ensued. Board consensus was not to make a change to section 3A.

(10:22 a.m.) Carl Bloesing, 12 LaVista Dr., Ponte Vedra Beach, asked McCormack where the item was advertised. McCormack said it was advertised in the *St. Augustine*

Record on December 27 and was also on the County web page. He asked what degree of legal liability an association, officers, directors and members of neighborhood associations would have, should legal action be brought by someone asking for a land use change. McCormack said the answer to the second question would be best answered by a homeowner association's (HOA) own counsel. He said the courts were very respectful of first amendment rights for citizens and HOA groups to express their opinions on any particular application in a public forum and there would be a high degree of protection.

(10:26 a.m.) John Metcalf, Attorney, 1104 Mill Creek Dr., Fruitcove, questioned Section 2D, 2G and 4B. Discussion ensued. McCormack thanked Metcalf for his participation in reviewing the ordinance and said his comments on 2G were valid and he would recommend changing it "to a reasonably equivalent length."

(10:45 a.m.) John Wardle, 5022 Gate Parkway, Jacksonville, said information sharing and presentation prior to a public hearing was important so that they would not be blindsided, and made several suggestions for improvement to the document.

(10:50 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. S., Fruitcove, spoke in support of the Neighborhood Bill of Rights ordinance, and said the Comprehensive Land Plan amendments should be included in the Bill of Rights.

(10:53 a.m.) McCormack summarized the changes to the document: Sections 2D, and 2F from the NBR Recent Public Input Sheet, as well as paragraph 2B pertaining to "BCC Commissioner or designee" would be changed as discussed by the Board, including in paragraph 2D also to include Comp Plan Changes. In paragraph 2G regarding the length of time issue "one or more representative" or "one or more representatives" the decision was to add an "s". In regard to "property within 300 feet of the subject property", remove the words "or as otherwise found by the County to have sufficient legal interest." He said they would include "shall be accorded an opportunity to share a reasonable length of time to address the present evidence." He said they would exclude the word "ministerial" and just use the word "errors".

(10:56 a.m.) Stevenson commented on the cost of implementation, meeting requirements and locations, staff time required and advertising. She said they needed to work out the language as they went along. McCormack said the County Administrator had given them the authority to implement the item.

(11:00 a.m.) **Motion by Manuel, seconded by Sanchez, carried 5/0, to enact Ordinance No. 2007-1, recognizing the importance of timely and informed public participation in County decision making; declaring that certain defined neighborhood associations in St. Johns County shall have designated rights in regards to land use applications and public works projects; providing an effective date, as amended. McCormack recited the changes: Sections 2D, and 2F from the NBR Recent Public Input Sheet, as well as paragraph 2B pertaining to "BCC Commissioner or designee" will be changed as discussed by the Board, including in paragraph 2D also to include Comp Plan Changes. Paragraph 2G regarding the length of time issue "one or more representative" or "one or more representatives" the decision was to add an "s". Property within 300 feet of the subject property and would remove the words "or as otherwise found by the County to have sufficient legal interest." He said they would include "shall be accorded an opportunity to share a reasonable length of time to address the present evidence." He said they would exclude the word "ministerial" and just use the word "errors".**

ORDINANCE NO. 2007- 1

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOGNIZING THE IMPORTANCE OF TIMELY AND INFORMED PUBLIC PARTICIPATION IN COUNTY DECISION MAKING; DECLARING THAT CERTAIN DEFINED NEIGHBORHOOD ASSOCIATIONS IN ST. JOHNS COUNTY SHALL HAVE DESIGNATED RIGHTS IN REGARDS TO LAND USE APPLICATIONS AND PUBLIC WORKS PROJECTS; PROVIDING AN EFFECTIVE DATE

The meeting was recessed at 11:00 a.m. and resumed at 11:13 a.m.

(01/09/07 - 11 - 11:13 a.m.)

9. PUBLIC HEARING - VACPLA 06-0002 HILDEN SUBDIVISION PARTIAL PLAT VACATION - THE SUBJECT PROPERTY IS LOCATED ON THE EAST SIDE OF US 1 NORTH WITHIN THE HILDEN SUBDIVISION, WHICH WAS PLATTED IN 1925. THE APPLICANT HAS BEEN RECONFIGURING AND DEVELOPING PORTIONS OF THE OLD HILDEN PLAT UNDER FLORENTINE. THIS REQUEST IS TO VACATE THE LOTS AND STREETS AS INDICATED IN EXHIBIT A AND ADD TO THE OTHER PROPERTY TO THE EAST THAT IS OWNED BY THE APPLICANT. THE LAND WILL BE PLACED INTO A CONSERVATION EASEMENT. AS THIS PARTIAL PLAT VACATION EFFECTIVELY REDUCES THE NUMBER OF NON-CONFORMING LOTS IN THIS AREA AND WILL PROVIDE A CONTIGUOUS PARCEL THE APPLICANT TO PLACE IN CONSERVATION, STAFF IS RECOMMENDING APPROVAL. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL AT THEIR NOVEMBER 16, 2006 MEETING

Proof of publication of the notice of public hearing on Hilden Subdivision was received, having been published in *The St. Augustine Record* on December 15 and 22, 2006.

Kathy Nielsen, Application Review Manager, reviewed the plat vacation of Hilden Subdivision, and noted there were many non-conforming lots, which the applicant would like to vacate in order to make it one contiguous piece of property and which might be placed in conservation.

(11:16 a.m.) Stevenson asked the applicant if there was any connectivity being eliminated by the vacation. Gary Garrison, 312 Osprey Nest Court, Ponte Vedra Beach, said there was not, and he had no plans to build on it. He said he was simply trying to join it to property he already owned. Rich asked for assurance regarding the conservation easement. Garrison said he did not want approval to be contingent upon a conservation easement and said that had never been his intent. He said it would not be developed, and asked staff to clarify. Nielsen said the applicant did not have to give a reason for the requested plat vacation. She said he was giving up development rights to property, which could be developed.

(11:24 a.m.) **Motion by Stevenson, seconded by Manuel, carried 5/0, to adopt Resolution No. 2007-11, vacating a portion of Hilden Subdivision.**

RESOLUTION NO. 2007-11

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

**STATE OF FLORIDA, VACATING A PORTION OF THE
PLAT OF HILDEN SUBDIVISION**

(01/09/07 - 12 - 11:24 a.m.)

10. PUBLIC HEARING - VACPLA 06-0003 WALLER PARK - THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF SR 312 AND EAST OF OLD BEACH ROAD AND NORTH OF OAK HILL DRIVE WITHIN THE WALLER PARK SUBDIVISION. THIS REQUEST IS TO VACATE A PORTION OF LOTS 2, 3, 4, AND 11 AND ALL OF LOTS 9 AND 10 BLOCK D AND A PORTION OF LOTS 2, 3, AND 4 BLOCK E AND A PORTION OF CASTILE STREET EXTENDING FROM THE SOUTHERN LINE OF LOT 9 BLOCK D, NORTHWARD TO THE SOUTHERLY RIGHT OF WAY LINE OF SR 312 AS INDICATED IN EXHIBIT A. THE CITY LIMITS AND THE EXPANSION OF SR 312 HAVE BIASECTED SEVERAL LOTS, RENDERING THEM NON CONFORMING. VACATION OF THE PLAT WILL PROVIDE A CONTIGUOUS PARCEL FOR DEVELOPMENT, THEREFORE STAFF RECOMMENDS APPROVAL. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL AT THEIR NOVEMBER 16, 2006 MEETING

Proof of publication of the notice of public hearing on Waller Park was received, having been published in *The St. Augustine Record* on October 14 and 23, 2006.

Kathy Nielsen gave the presentation and said it was a partial plat vacation for property located on the south side of SR 312 and east of Old Beach Rd. within the Waller Park Subdivision.

(11:25 a.m.) **Motion by Bryant, seconded by Manuel, carried 5/0, to adopt Resolution No. 2007-13, vacating a portion of Waller Park Subdivision.**

RESOLUTION NO. 2007-13

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, VACATING A PORTION OF THE
PLAT OF WALLER PARK SUBDIVISION**

This item was pulled and rescheduled for January 23.

(01/09/07 - 12 - 9:20 a.m.)

11. PUBLIC HEARING - VACPLA 06-0001 OLEANDER PARK

(01/09/07 - 12 - 11:26 a.m.)

12. PUBLIC HEARING - VAILL POINT PARK IMPROVEMENTS WAIVER REQUEST FOR BALD EAGLE NEST SJ-025 - THE APPLICANT SEEKS A WAIVER TO SECTIONS 4.01.10.B, C AND D, OF THE LAND DEVELOPMENT CODE (LDC), HABITAT MANAGEMENT FOR THE BALD EAGLE, FOR BALD EAGLE NEST SJ-025 LOCATED AT VAILL POINT PARK. THE REQUEST IS TO ALLOW COMPLETION OF CONSTRUCTION OF PARK IMPROVEMENTS IN THE SECONDARY ZONE DURING THE NESTING SEASON WITH MONITORING OF THE NEST BY AN APPROVED BALD EAGLE MONITOR

Proof of publication of the notice of public hearing on Bald Eagle Nest SJ-025 was received, having been published in *The St. Augustine Record* on December 21, 2006.

Jan Brewer, Environmental Manager, explained the application.

(11:29 a.m.) Motion by Rich, seconded by Bryant, carried 5/0, to approve the waiver to Section 4.01.10 B, C and D, providing the nest shall be monitored by a bald eagle monitor during construction to watch for any signs of disturbance and the monitor shall have the authority to suspend work activities that may be responsible for abnormal behavior by bald eagles.

(01/09/07 - 13 - 11:30 a.m.)

13. PUBLIC HEARING - CPA 2006-12 WESTMINSTER WOODS - APPLICATION NO. SS CPA-2006-12, WESTMINSTER WOODS IS A PROPOSED SMALL SCALE (SS) COMPREHENSIVE PLAN AMENDMENT (CPA) TO CHANGE THE 2015 COMPREHENSIVE PLAN FROM RESIDENTIAL A TO RESIDENTIAL D ON A TOTAL OF 3.14 ACRES OF LAND LOCATED ADJACENT TO WESTMINSTER WOODS (AKA WESLEY WOODS PUD), AN EXISTING DEVELOPMENT. LOT 10 IS LOCATED NORTH OF BISHOP ESTATES ROAD ON JULINGTON CREEK AND THE NORTH 1/2 OF LOT 16 IS LOCATED WEST OF ORANGE AVE. SINCE SS CPA IS A SMALL SCALE AMENDMENT IT IS EXEMPT FROM THE TWICE A YEAR AMENDMENT CYCLE. AT ITS MEETING ON NOVEMBER 16, 2006 THE PZA UNANIMOUSLY RECOMMENDED TO APPROVE OF THIS PROPOSED 2015 FUTURE LAND USE AMENDMENT

Proof of publication of the notice of public hearing on Future Land Use Map of St. Johns County Comp Plan was received, having been published in *The St. Augustine Record* on December 21, 2006.

Vickie Renna, Principal Planner, said the item was a motion to approve a small-scale Comprehensive Plan amendment to change the future land use designation from Residential A to Residential D for property located adjacent to Westminster Woods.

(11:32 a.m.) Karen Taylor, 3070 Harbor Dr., spoke on behalf of the applicant, Westminster Woods. She noted it was a small addition to encompass the properties into their development plan, and were not increasing density, but spreading it out of a larger piece of land. She said there would be a companion major modification that the Board would see at a later time. She explained that duplex type units had become more popular for retirement living and were being incorporated into the plan.

(11:36 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. S., Fruitcove, spoke in opposition and said it was evolving into a high-rise development. She said it was not compatible with the surrounding neighborhood and the density was increasing.

(11:40 a.m.) Rich asked if there was an increase in density. Taylor said it was a change in the land use, and if the companion PUD increased it, it could allow that, but that would be bound by what the Board decided when they approved the major modification to the PUD. She said it included properties that were bound by the northwest sector plan requirements, and was merely the land use change being requested that day. Rich asked if a four-story plan was part of the plan. Taylor said it was.

(11:42 a.m.) Renna gave some history as to what the County had previously committed to, including the use of four story buildings. Taylor explained that a concession had been made for four stories and 50 feet for the retirement apartments only. She said the land use would not be affected unless they changed the PUD.

(11:48 a.m.) Rich asked if there was a future plan. Taylor said it was approved as a retirement community. Stevenson asked Whitehouse if they still had discretion over

the height with the PUD. Whitehouse said it was his understanding that they were just trying to get the land to be consistent with the rest of the PUD. Stevenson asked if the overall density would increase. Renna said it would not; it was being reconfigured.

(11:50 a.m.) **Motion by Stevenson, seconded by Manuel, carried 4/1 with Sanchez dissenting, to enact Ordinance 2007-2, amending the Future Land Use Map from Residential A to Residential D for Application No. CPA - 2006-12, for land adjacent to Westminster Woods (aka Wesley Woods PUD), an existing development. Lot 10 is located north of Bishop Estates Road on Julington Creek and North ½ of lot 16 is located west of Orange Ave.**

ORDINANCE NO. 2007- 2

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORIDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE 2015 FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL-A TO RESIDENTIAL-D FOR LOT 10 LOCATED ON THE NORTH SIDE OF BISHOP ESTATE ROAD ON JULINGTON CREEK AND THE NORTH HALF OF LOT 16 LOCATED WEST OF ORANGE AVE.; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

The meeting recessed at 11:52 a.m. and reconvened at 1:32 p.m. with four commissioners present with Stevenson absent, and Kropacek, McCormack, and Deputy Clerk Lenora Newsome present.

(01/09/07 - 14 - 1:32 p.m.)

14. PUBLIC HEARING - PNZVAR 2006-08, THE FOUNTAINS - THIS REQUEST SEEKS APPROVAL OF A NON-ZONING VARIANCE TO ALLOW A VARIANCE TO SIGNAGE STANDARDS FOR THE PONTE VEDRA-PALM VALLEY OVERLAY DISTRICT, SPECIFICALLY SECTION 3.09.B.2. THE APPLICANT WISHES TO PLACE TWO GROUND SIGNS, INSTEAD OF ONLY ONE GROUND SIGN. THE TWO NEW GROUND SIGNS WILL BE PLACED IN THE SAME PLACES AS THE CURRENTLY EXISTING OLD GROUND SIGNS. THE APPLICANT HAS STATED IT WILL BE DIFFICULT TO COMPLY WITH THE REQUIREMENTS OF THE OVERLAY DISTRICT FOR ONE SIGN BECAUSE OF ITS PLACEMENT WITHIN THE CENTER LANDSCAPED MEDIAN; WHERE IT WOULD CONFLICT WITH VISIBILITY AND UTILITIES LOCATED WITHIN THE MEDIAN. THE APPLICANT IS ALSO REQUESTING THE NON-ZONING VARIANCE SO HE MAY CONTINUE WITH HIS ARCHITECTURAL REVIEW BEFORE THE PONTE VEDRA ARCHITECTURAL REVIEW COMMITTEE. THE APPLICANT WAS TABLED BY THE ARC UNTIL A NON-ZONING VARIANCE COULD BE GRANTED BY THE BOARD

Proof of publication of the notice of public hearing on PNZVAR 2006-08, The Fountains, was received, having been published in *The St. Augustine Record* on December 21, 2006.

Lindsay Haga, AICP, Chief Planner, reviewed this item, stating a correction to the LDC Section from 3.09.B.2 to 3.06.09.B.2.

(1:35 p.m.) Susan Palmer, 695 N A1A, President of the Fountains Association in Ponte Vedra, stated that she had pictures of the area that needed the two signs. Manuel asked

their relationship with the overlay district. Bryant responded. (1:39 p.m.) **Motion by Manuel, seconded by Sanchez, carried 4/0 with Stevenson absent, to approve PNZVAR 2006-08, makings findings of fact 1-6 to support the motion.**

(01/09/07 - 15 - 1:40 p.m.)

15. PUBLIC HEARING - MAJMOD 2006-24, ST. JOHNS INTERCHANGE PARCELS PUD - THE REQUEST IS TO TRANSFER SEVENTY-SEVEN (77) RESIDENTIAL UNITS FROM THE EXISTING SIX MILE CREEK PUD (ORDINANCE 91-37 AS AMENDED) TO THE ST. JOHNS INTERCHANGE PARCELS PUD AND TO ELIMINATE THE EXISTING ALLOWANCE FOR THE CORPORATE SPA FACILITY ON PARCEL 11; AND TO INCREASE THE MAXIMUM NUMBER OF UNITS ALLOWABLE ON PARCEL 11 OF THE NORTHWEST QUADRANT OF THE INTERCHANGE PARCELS PUD FROM 32 TO 109 UNITS. THERE IS NO NET INCREASE IN THE NUMBER OF RESIDENTIAL UNITS WITHIN THE ST. JOHNS DRI BECAUSE A COMPANION SMALL ADJUSTMENT APPLICATION HAS BEEN SUBMITTED BY THE APPLICANT TO REDUCE THE NUMBER OF UNITS IN THE SIX MILE CREEK PUD BY THE REQUISITE SEVENTY-SEVEN (77) UNITS. THE REMOVAL OF THE CORPORATE SPA FROM PARCEL 11 IS BEING REQUESTED BECAUSE OF THE CONSTRUCTION OF THE LATERRA RESORT AND SPA/PGA TOUR SPA LATERRA NEARBY IN THE AREA. BECAUSE THE SPA INDUSTRY IS MARKET DRIVEN, IT IS NOT ECONOMICALLY FEASIBLE FOR ANOTHER SPA TO BE CONSTRUCTED IN THE DEVELOPMENT. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR DECEMBER 7, 2006 MEETING BY A UNANIMOUS 7-0 VOTE

Proof of publication of the notice of public hearing on MAJMOD 2006-24, St. Johns Interchange Parcels, was received, having been published in *The St. Augustine Record* on December 21, 2006.

Jason Cleghorn, Planner III-DRI Coordinator, reviewed this item. (1:41 p.m.) Stevenson entered the meeting.

(1:42 p.m.) Kathryn Whittington, 2945 Kings Road, representing the master developer I.T. Land Associates LLC. stated that she had nothing to add and was available for questions. (1:43 p.m.) **Motion by Bryant, seconded by Manuel, to enact Ordinance No. 2007-3, known as MAJMOD 2006-24, St. Johns Interchange Parcels PUD, adopting findings of fact 1-6 to support the motion.** *McCormack stated that there was a small adjustment that had been applied for to reduce the number of units in the Six Mile Creek PUD by the requisite 77 units and suggested as an extra precaution the Board might want to make this approval contingent upon that small adjustment. The maker of the motion agreed to McCormack's suggestion and the second agreed. The motion carried 5/0.*

ORDINANCE NO. 2007-3

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ST. JOHNS INTERCHANGE PARCELS PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 91-36, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(01/09/07 - 16 - 1:46 p.m.)

16. PUBLIC HEARING - MAJMOD 2006-08, ST. AUGUSTINE INDUSTRIAL PARK PUD - THIS IS A REQUEST TO PROVIDE INTERCONNECTIVITY TO THE ADJACENT PROPOSED PLANNED UNIT DEVELOPMENT THROUGH FOUR (4) VEHICULAR CONNECTIONS TO ST. AUGUSTINE INDUSTRIAL PARK PUD ALONG DEERPARK BOULEVARD. THE CONNECTIONS WILL FACILITATE THE DEVELOPMENT OF GRAHAM AND COMPANY DISTRIBUTION PROJECT PUD, WHICH IS LOCATED EAST OF THE EXISTING ST. AUGUSTINE INDUSTRIAL PARK PUD. THE PLANNING AND ZONING AGENCY HEARD THIS ITEM DURING THE NOVEMBER 2, 2006 HEARING. THE PZA BOARD RECOMMENDED APPROVAL OF THE APPLICATION BY A VOTE OF 6/0

Proof of publication of the notice of public hearing on MAJMOD 2006-08, St. Augustine Industrial Park, was received, having been published in *The St. Augustine Record* on December 21, 2006.

Lindsay Haga, AICP, Chief Planner, reviewed this item, stating that Item 16 and 17 could be heard together. *It was consensus of the Board to hear them together.* She reviewed Item 17, stating that the two outstanding open comments had been resolved, 1) the rezoning must receive one third of their concurrency with the final concurrency being granted, and 2) the Planning Department stated that this text must be revised to be consistent with the LDC regarding phasing, and through communication with the applicant's representative, they had agreed to add in specific language referencing the subsection of the LDC to address the phasing on five year increments. She stated that everything had been resolved.

(1:51 p.m.) Gerald Muldowny, 19 SW Second Street, Gainesville, stated that he just wanted to make himself available to answer any questions. McCormack stated that these two agenda items had a lot of issues to resolve and thanked Muldowny on working with them on it.

(1:54 p.m.) **Motion by Manuel, seconded by Stevenson, carried 5/0, to enact Ordinance No. 2007-4, known as MAJMOD 2006-08, St. Augustine Industrial Park, adopting findings of fact 1-6 to support the motion.**

ORDINANCE NO. 2007-4

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

(01/09/07 - 16 - 1:54 p.m.)

17. PUBLIC HEARING - PUD 2006-11, GRAHAM AND COMPANY DISTRIBUTION PROJECT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 39.9 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) IN ORDER TO DEVELOP UP TO 500,000 SQ. FT. OF INDUSTRIAL USE. THE SITE IS LOCATED NORTH SIDE OF SR 207 AND EAST OF DEERPARK BLVD. EASTERN SIDE OF THE DEVELOPMENT WILL BE ACCESSED VIA 24-FOOT WIDE PAVED ACCESS ROAD THAT HEADS NORTH FROM SR 207. ACCESS TO THE WESTERN FACILITIES WILL BE

PROVIDED VIA 60 FOOT WIDE ACCESS ROADS THAT HEAD EAST FROM DEERPARK BOULEVARD. THE TWO SECTIONS OF THE DEVELOPMENT ARE INTERCONNECTED WITH A VEHICULAR DRIVE AISLE. THE PROJECT HAS MINIMUM OF 3.24 ACRES OF OPEN SPACE OR TWENTY-NINE (29%) OF THE OVERALL SITE. CENTRAL WATER AND SEWER WILL BE PROVIDED BY THE ST. JOHNS COUNTY UTILITY DEPARTMENT. THE PROJECT SITE IS SURROUNDED BY THE FOLLOWING EXISTING ZONING CATEGORIES: OPEN RURAL (OR), PLANNED UNIT DEVELOPMENT (PUD), AND COMMERCIAL HIGHWAY AND TOURIST (CHT). THE SURROUNDING FUTURE LAND USE: MIXED USE DISTRICT (MD.) NO WAIVERS TO THE LAND DEVELOPMENT CODE ARE PROPOSED. THE PLANNING AND ZONING AGENCY HEARD THIS ITEM AT THE NOVEMBER 2, 2006 MEETING. THE PZA VOTED 6/0 TO RECOMMEND APPROVAL OF THE PUD, SUBJECT TO THE RESOLUTION OF OPEN COMMENTS. THE PUD MDP TEXT AND MAP HAVE BEEN REVISED TO ADDRESS TRANSPORTATION IMPROVEMENTS ON DEERPARK BOULEVARD. THREE OUTSTANDING COMMENTS ARE PENDING

Proof of publication of the notice of public hearing on PUD 2006-11, Graham & Company, was received, having been published in *The St. Augustine Record* on December 21, 2006.

Motion by Manuel, seconded by Stevenson, carried 5/0, to enact Ordinance No. 2007-5, known as PUD 2006-11, Graham and Company Distribution Project, adopting findings of facts 1-7 to support the motion.

ORDINANCE NO. 2007-5

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ST. AUGUSTINE INDUSTRIAL PARK PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 1994-10, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(01/09/07 - 17 - 1:55 p.m.)

COMMISSIONERS' REPORTS

Commissioner Manuel:

No report.

(1:55 p.m.)

Commissioner Bryant:

No report.

(1:56 p.m.)

Commissioner Stevenson:

Stevenson stated that she had a few questions with some of the minutes and would go over it with the Clerk's Office. She stated that in one of the earlier meetings, three projects were passed over for incentives to give the new Commissioners a chance to look at them. She spoke on putting them back on the agenda when the workshop was scheduled.

Stevenson spoke on receiving a Holiday card from the St. Augustine Youth Services. She read a piece out of the paper regarding a million dollar donation for the Youth Services.

Stevenson spoke on attending the City of St. Augustine meeting. Manuel stated that he believed that their workshop was scheduled for January 23rd. Kropacek stated it was scheduled for 1:30 p.m. on January 23rd.

(2:05 p.m.) Manuel spoke on insurance and medical benefits for the County.

(2:06 p.m.) Bryant commented on panhandling, people collecting money at intersections for another county. McCormack stated that the County Attorney's Office had been working with the Sheriff on an ordinance pertaining to street solicitation.

(2:10 p.m.)

Commissioner Sanchez:

No report.

(2:10 p.m.)

Commissioner Rich:

Rich spoke on the problems at 207 with the Mariposa development.

(01/09/07 - 18 - 1:55 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Kropacek spoke on receiving a request from the St. Johns County School Board wanting to schedule the joint St. Johns County and School Board workshop and provided the BCC with four dates that they proposed.

Kropacek stated that the Planning Section, Building Department, Development Services and Environmental Health would be moving this Friday into the new building. He stated that they would be closing down at noon, the move would take place over the weekend and they would reopen on Tuesday morning for business as usual.

The meeting moved to Commissioner Stevenson's Report.

(01/09/07 - 18 - 1:55 p.m.)

COUNTY ATTORNEY'S REPORT

No report.

(01/09/07 - 18 - 2:12 p.m.)

CLERK OF COURT'S REPORT

Motion by Sanchez, seconded by Manuel, carried 5/0, to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 2:12 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 394843 through 395275, totaling \$3,962,917.06 (12/19/06)
2. St. Johns County Board of County Commissioners Check Register, Check No. 395276 through 395308, totaling \$67,990.48 (12/20/06)

3. St. Johns County Board of County Commissioners Check Register, Check No. 395309 through 395635, totaling \$3,907,328.54 (12/27/06)

CORRESPONDENCE:

1. Letter dated December 22, 2006, to Tim Forson, St. Johns County School District, regarding an original filed Interlocal Agreement between St. Johns County and the School Board of St. Johns County on emergency shelters

Approved February 6, 2007

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Ben Rich
Ben Rich, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Juanne King
Deputy Clerk

