

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JUNE 12, 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  
Cyndi Stevenson, District 1  
Ron Sanchez, District 2  
James Bryant, District 5  
Waldemar Kropacek, Interim County Administrator  
Patrick McCormack, County Attorney  
Lenora Newsome, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Court

Thomas G. Manuel, District 4, was not present at the meeting yet.

(06/12/07 - 1 - 9:03 a.m.)  
CALL TO ORDER

Rich called the meeting to order.

(06/12/07 - 1 - 9:04 a.m.)  
ROLL CALL

Rich stated that four commissioners were present, with Manuel absent.

(06/12/07 - 1 - 9:04 a.m.)  
Rich gave the invocation and Sanchez led the Pledge of Allegiance.

(06/12/07 - 1 - 9:05 a.m.)  
SPECIAL RECOGNITION PROCLAMATION

Kropacek read a proclamation recognizing Kari Hall Keating for 10 years of service to the St. Johns County Chamber of Commerce. Kari Hall Keating accepted it thanking everyone.

(9:11 a.m.) Manuel entered the meeting.

(06/12/07 - 1 - 9:15 a.m.)  
PROCLAMATION RECOGNIZING JUNE 22-24, 2007 AS RICHARD J. MURRAY BULLDOG WEEKEND AND JUNE 23, 2007 AS BRIGADIER GENERAL RONALD L. BAILEY DAY

Gerald Eubanks asked the other committee members to join him in accepting the proclamation and he shared some words from their alma mater. Stevenson read the proclamation. Eubanks spoke on extending the legacy of Richard J. Murray Middle School.

(06/12/07 - 1 - 9:11 a.m.)  
PROCLAMATION RECOGNIZING JUNE 18-22, 2007 AS PUBLIC INFORMATION OFFICERS WEEK

Sanchez read the proclamation and Kevin Kelshaw received it thanking everyone.

(06/12/07 - 2 - 9:23 a.m.)  
ACCEPTANCE OF PROCLAMATION

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

(06/12/07 - 2 - 9:23 a.m.)  
PUBLIC COMMENT

Cathy Brown, 180 Marine Street, St. Johns County Council on Aging, spoke on funding cuts around the county.

(9:29 a.m.) Dwight Hines, 150 Nesmith Avenue, spoke on sparse matrix, estimated liability and county audits. Manuel stated that they hoped to have all the records on line and the public won't have to call for the information.

(9:34 a.m.) Janet Hutson, 154 Laguna Court, spoke on "Learn To Read" and asked the County's continued support of it.

(9:38 a.m.) Jackie Harris Rude, 11 Cadiz Street, spoke on bed taxes regarding the Bed and Breakfast Inns in St. Johns County and asked the Board to help them form a community meeting.

(06/12/07 - 2 - 9:41 a.m.)  
DELETIONS TO CONSENT AGENDA

Rich requested to pull Item 16 and place it on the regular agenda as Item 11a. Stevenson requested to pull Item 13 and place it on the regular agenda as 11b. McCormack requested to pull Item 9.

(06/12/07 - 2 - 9:42 a.m.)  
APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Minutes:  
05/22/07 - Special BCC Meeting
3. Sheriff Office Bonds:  
Approve: Jamie Soderland Debra Meares  
Cancel: Sherri Toth
4. Motion to approve position changes within Utility Services Administration not included in the Board of County Commissioner's FY 07 Adopted County Budget
5. Motion to adopt **Resolution No. 2007-161**, approving the terms and conditions of Joint Participation Agreement, FPN 418441-1-84-03, for purposes of receiving a State of Florida Public Transit Block Grant for \$118,808.00 and authorizing the Chairman of the Board of County Commissioners to execute the Agreement and authorize the County Administrator, or his designated representative, to execute other related documents and take any actions necessary in connection with the Joint Participation Agreement and to authorize the adjustment of the Transit Fund revenue and expenditure budgets to account for the unanticipated funds in the amount of \$118,808.00

RESOLUTION NO. 2007-161

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A JOINT PARTICIPATION AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA DEPARTMENT OF TRANSPORTATION DESIGNATING ST. JOHNS COUNTY AS THE RECIPIENT OF A PUBLIC TRANSIT BLOCK GRANT (FINANCIAL PROJECT NUMBER 41844-1-84-03) IN THE AMOUNT OF \$118,808, AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO EXECUTE THE JOINT PARTICIPATION AGREEMENT ON BEHALF OF THE COUNTY AND AMENDING THE FISCAL YEAR 2007 TRANSIT FUND REVENUE AND EXPENDITURE BUDGET TO RECEIVE THE UNANTICIPATED REVENUES AND AUTHORIZE THEIR EXPENDITURE BY ST. JOHNS COUNTY

6. Motion to adopt **Resolution No. 2007-162**, approving the terms, provisions, conditions, and requirements of Extension Number 3 to the March 2005 Interlocal Agreement by and between St. Johns County and the Florida Inland Navigation District, for the provision of obtaining free dredge material and authorizing the County Administrator to execute the Agreement on behalf of St. Johns County, specifically for Project # LAN 06-3.263, adopted on March 9, 2005 as Resolution No. 2005-59

RESOLUTION NO. 2007-162

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF EXTENSION NUMBER 3 TO THE MARCH 2005 INTERLOCAL AGREEMENT BY AND BETWEEN ST. JOHNS COUNTY AND THE FLORIDA INLAND NAVIGATION DISTRICT, FOR THE PROVISION OF OBTAINING FREE DREDGE MATERIAL AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY, SPECIFICALLY FOR PROJECT #LAN 06-3.263, ADOPTED ON MARCH 9, 2005, AS RESOLUTION NO. 2005-59

7. Motion to approve a transfer in the amount of \$6,975 from LETF Reserves (1194-59920) to LETF Operating Supplies (1194-55200) to support adding the Rapid Recovery program to the SAFE program
8. Motion to adopt **Resolution No. 2007-163**, authorizing the County Administrator to enter into a contract agreement with the Florida Department of Highway Safety and Motor Vehicles for Commercial Driver License Third Party Administration

RESOLUTION NO. 2007-163

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO

**ENTER INTO A CONTRACT WITH THE FLORIDA  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR  
VEHICLES FOR THIRD PARTY ADMINISTRATION OF  
COMMERCIAL DRIVERS LICENSES**

9. Motion to adopt a resolution approving a final plat for Countrywalk

*This item was pulled from the agenda.*

10. Motion to adopt **Resolution No. 2007-164**, approving a final plat for Woodlake Phase 1

**RESOLUTION NO. 2007-164**

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

11. Motion to adopt **Resolution No. 2007-165**, approving a final plat for Twin Lakes

**RESOLUTION NO. 2007-165**

**A RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,  
APPROVING A SUBDIVISION PLAT FOR TWIN LAKES**

12. Motion to adopt **Resolution No. 2007-166**, approving a final plat for Sandy Creek Phase 1

**RESOLUTION NO. 2007-166**

**A RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,  
APPROVING A SUBDIVISION PLAT FOR SANDY CREEK  
PHASE I**

13. Motion to adopt a resolution dissolving the St. Augustine Amphitheatre Board of Directors and delegating authority concerning the Amphitheatre to St. Johns County Parks and Recreation Advisory Committee

*This item was pulled from the consent agenda and placed on the regular agenda as Item 11b.*

14. Motion to name the field house at Davis Park as Robert C. Francis Field House

15. Motion to authorize the County Administrator, or his designee, to negotiate with and enter into contract with the No. 1 ranked firm, Shelton Veterinary Clinic-Elkton for RFP 07-88 Professional Veterinarian Services. If an agreement cannot be reached with the No. 1 ranked firm, authorization is requested to terminate negotiations and begin negotiations with the next ranked respondent and continue until an agreement is reached with one respondent

16. Motion to adopt a resolution supporting the efforts of the Friends of the Library-Ponte Vedra Beach to install a fountain in memory of Jack Morgan

*This item was pulled from the consent agenda and placed on the regular agenda as Item 11a.*

17. Motion to adopt **Resolution No. 2007-167**, approving the terms and authorizing the County Administrator to execute a certain Purchase and Sale Agreement for property needed for Segment III of the Volusia Street/Four Mile Road project (Tenth of sixteen parcels)

**RESOLUTION NO. 2007-167**

**A RESOLUTION OF 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 SEGMENT III OF THE VOLUSIA STREET/FOUR MILE ROAD PROJECT**

18. Motion to adopt **Resolution No. 2007-168**, instructing the Land Acquisition and Management Program (LAMP) Board to create a strategy for land acquisition for conservation and resource-based recreation in St. Johns County

**RESOLUTION NO. 2007-168**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, INSTRUCTING THE LAND ACQUISITION AND MANAGEMENT PROGRAM (LAMP) BOARD TO CREATE A STRATEGY FOR LAND ACQUISITION FOR CONSERVATION AND RESOURCE-BASED RECREATION IN ST. JOHNS COUNTY**

19. Motion to adopt **Resolution No. 2007-169**, approving the terms, conditions, and requirements of Amendment #15 to the Community Based Care contract # DJ993 between St. Johns County, Florida and the State of Florida, Department of Children and Families, and authorizing the County Administrator to execute Contract Amendment #15 on behalf of the County

**RESOLUTION NO. 2007-169**

**A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN THE FIFTEENTH AMENDMENT TO THE CONTRACT DJ993 BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE DEPARTMENT OF CHILDREN AND FAMILIES**

20. Motion to adopt **Resolution No. 2007-170**, accepting the terms of the third amendment to Contract #DH646 between the State of Florida Department of Children and Families, and the St. Johns County Board of County Commissioners, and authorizing the Chairman of the Board of County Commissioners to execute the Amendment on behalf of the County and a motion to adopt **Resolution No. 2007-171**, recognizing unanticipated revenue in the amount of \$7,000 from the State of Florida, Department of Children and Families and adjusting the appropriate expenditure line item by the same amount

**RESOLUTION NO. 2007-170**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE THIRD AMENDMENT TO THE**

CONTRACT BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES

RESOLUTION NO. 2007-171

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2007 MENTAL HEALTH TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY MENTAL HEALTH DEPARTMENT

21. Motion to adopt **Resolution No. 2007-172**, accepting the terms of the Coordination Agreement between Children's Home Society/Healthy Families of St. Johns and St. Johns County Board of County Commissioners and authorizing the County Administrator to execute the Agreement on behalf of the County

RESOLUTION NO. 2007-172

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ON BEHALF OF THE ST. JOHNS COUNTY MENTAL HEALTH DEPARTMENT ACCEPTING THE TERMS OF THE COORDINATION AGREEMENT BETWEEN THE CHILDREN'S HOME SOCIETY/HEALTHY FAMILIES ST. JOHNS AND ST. JOHNS COUNTY, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE COORDINATION AGREEMENT ON BEHALF OF THE COUNTY

22. Motion to adopt **Resolution No. 2007-173**, approving the terms, conditions, and requirements of Amendment #16 to the Community Based Care contract # DJ993 between St. Johns County, Florida and the State of Florida, Department of Children and Families, and authorizing the County Administrator to execute Contract Amendment #16 on behalf of the County

RESOLUTION NO. 2007-173

A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN THE SIXTEENTH AMENDMENT TO THE CONTRACT DJ993 BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE DEPARTMENT OF CHILDREN AND FAMILIES

23. Proofs:
- a. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Special Meeting, Tuesday, June 5, 2007 at 9:00 a.m.
  - b. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Special Meeting, Tuesday, May 22, 2007 at 9:00 a.m.
  - c. Proof, Notice of Meeting, St. Johns County Board of County Commissioners and St. Johns County School Board, Joint Special Meeting, Thursday, May 17, 2007 at 9:00 a.m.
  - d. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Special Meeting, Friday, May 18, 2007 at 1:00 p.m.
  - e. Proof, Notice to Bidders, Bid No. 07-90
  - f. Proof, Notice to Bidders, Bid No. 07-92

- g. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Special Meeting, Tuesday, May 15, 2007 at 8:00 a.m.
- h. Proof, Notice of Public Reception, St. Johns County Board of County Commissioners, In honor of County Administrator Finalists, Thursday, May 17, 2007 at 6:00 p.m.
- i. Proof, Notice of Canceled Meeting, St. Johns County Water & Sewer Authority, Wednesday, May 9, 2007
- j. Proof, Certificate of Liability Insurance, Partridge Well Drilling Co.
- k. Proof, Certificate of Liability Insurance, St. Johns County Fire Rescue
- l. Proof, Certificate of Liability Insurance, St. Johns County Fire Rescue
- m. Proof, Certificate of Liability Insurance, St. Johns County Fire Rescue
- n. Proof, Certificate of Liability Insurance, J.B. Coxwell Contracting, Inc.
- o. Proof, Certificate of Liability Insurance, J.B. Coxwell Contracting, Inc.
- p. Proof, Certificate of Liability Insurance, J.B. Coxwell Contracting, Inc.
- q. Proof, Certificate of Liability Insurance, J.B. Coxwell Contracting, Inc.
- r. Proof, Certificate of Liability Insurance, J.B. Coxwell Contracting, Inc.
- s. Proof, Certificate of Liability Insurance, Suwannee Environmental Construction Inc.
- t. Proof, Certificate of Liability Insurance, Stankunas Concrete, Inc.
- u. Proof, Certificate of Liability Insurance, TXRECO, Inc. d/b/a Pinnacle Employee Leasing
- v. Proof, Certificate of Liability Insurance, Ross & Logan Industries, Inc.
- w. Proof, Certificate of Liability Insurance, Tres Nadies, LLC.
- x. Proof, Certificate of Liability Insurance, Ross & Logan Industries, Inc.
- y. Proof, Certificate of Liability Insurance, BAMACO, Inc.
- z. Proof, Certificate of Liability Insurance, Hersey's Trackhoe & Tractor Service

(06/12/07 - 7 - 9:42 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Kropacek requested to add the Amendment to the St. Johns River Water Management District Core Share Agreement as Item 11c, the State Grant for the new Emergency Operations Center as Item 11d, and the Emergency Beach Ordinance Revision as Item 11e. McCormack requested to add the new County Administrator's Contract as Item 11f. Manuel and Stevenson stated that they would not be able to attend the meeting tomorrow, if it carried over. The Board decided to make Item 11f time certain for 11:30 a.m. today.

(06/12/07 - 7 - 9:48 a.m.)

APPROVAL OF REGULAR AGENDA

**Motion by Stevenson, seconded by Manuel, carried 5/0, to approve the regular agenda as amended.**

(06/12/07 - 7 - 9:49 a.m.)

1. CONSTITUTIONAL OFFICERS' BUDGET PRESENTATIONS

Doug Timms, Director of the Office of Management and Budget, gave an overview of the Constitutional Officers' Budget presentations.

(9:50 a.m.) Penny Halyburton, St. Johns County Supervisor of Elections, briefly reviewed her budget. She spoke on the touch screen voting, counting ballots, ballot on demand printer, early voting, and funding. Discussion followed.

(10:03 a.m.) Cheryl Strickland, Clerk of Courts, briefly reviewed her budget. She spoke on the Finance Budget, keeping the salaries to the three percent that the county was doing, legal advertising expenses increasing, the fraud audit position, and relocation cost of phase two of the court relocations. Strickland spoke on the Article V jump in expenses. Stevenson asked Strickland to speak on the increase in advertising. Strickland stated that there was a

jump in advertising expense by about \$27,000 because the Board decided to expand the legal advertising into other newspapers, other than the St. Augustine Record. Strickland left the meeting.

(06/12/07 - 8 - 10:09 a.m.)

2. QUALITY OF LIFE INFRASTRUCTURE REPORT

Bonnie Barnes, Executive Director, St. Johns Vision, gave a presentation regarding a five month study of infrastructure needs countywide.

(10:21 a.m.) Sacha Martin, 133 Coastal Hollow Circle, spoke on the importance of infrastructure. She introduced the members of the Board of Directors of St. Johns Vision.

The meeting recessed at 10:27 a.m. and reconvened at 10:40 a.m.

(06/12/07 - 8 - 10:40 a.m.)

3. CONSIDER MOTION TO APPROVE THE ST. JOHNS COUNTY HIGHWAY AND TRANSPORTATION ENHANCEMENT PROJECT PRIORITY LISTS FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF TRANSPORTATION AND FIRST COAST MPO

Bill Hartmann, Transportation Planning Manager, gave a PowerPoint presentation regarding the list of roadway and enhancement priority projects: explained the MPO boundaries, reviewed the purpose, background, and general information, reviewed the 2007 highway projects, displayed a map showing the physical locations of the highway projects, reviewed the 2007 enhancement projects and displayed a map showing the physical locations of the enhancement projects. (10:54 a.m.) Rich suggested changes to the priorities list. Discussion followed. Hartman responded on the list regarding the order of the projects on the list. Stevenson spoke on the transportation issues and how they worked together. Bryant spoke on the corridor from CR 207 to SR 16.

(11:22 a.m.) Joe Stephenson, Public Works Director, spoke on funding for roads. Manuel spoke on a couple of observations from the Metropolitan Planning Organization. Rich stated that there was already a consensus of the Board that SR 9b moved to the number one priority and that the SR 312 and SR 313 extension item be moved to either priority two or three with the possibility of the I-95/CR 210 interchange moving up. He mentioned moving Item 2 to 1 on the priority list and asked if SR 313 should move below the I-95/CR 210 item or just leave SR 313/SR 312 as Item 2. Discussion followed on buying right-of-way. Rich stated he had no problem with leaving I-95/CR 210 where it was on the list. (11:34 a.m.) **Motion by Stevenson, seconded by Manuel, carried 5/0, to approve the St. Johns County Highway and Transportation Enhancement Project Priority lists for transmittal to the Florida Department of Transportation and First Coast MPO as amended, SR 9B as Item 1, and SR 313 as Item 2.**

The meeting recessed at 12:04 p.m. The meeting recessed at 12:04 p.m. and resumed at 1:37 p.m. with all five commissioners and Terry Bulla, Deputy Clerk present.

(06/12/07 - 8 - 1:38 p.m.)

4. PUBLIC HEARING - RESOLUTION FOR 2007 INVENTORY LIST OF COUNTY LAND AVAILABLE FOR USE AS AFFORDABLE HOUSING - FLORIDA STATUTE 125.379 REQUIRES EACH COUNTY IN FLORIDA TO ADOPT A RESOLUTION BY JULY 1, 2007, THAT INCLUDES "...AN INVENTORY LIST OF ALL REAL PROPERTY WITHIN ITS JURISDICTION TO WHICH THE COUNTY HOLDS FEE SIMPLE TITLE THAT IS APPROPRIATE FOR USE AS AFFORDABLE HOUSING...". THE STATUTE ALLOWS FOR THE LANDS ON THE INVENTORY LIST TO BE SOLD TO RAISE MONEY FOR AFFORDABLE HOUSING OR TO HAVE AFFORDABLE HOUSING BUILT ON IT. THE 2007 INVENTORY LIST OF COUNTY LAND AVAILABLE FOR USE AS AFFORDABLE HOUSING HAS BEEN



PREPARED. THE LIST MUST BE REVIEWED AT A PUBLIC HEARING, WHERE IT MAY BE REVISED, AND THEN A RESOLUTION MUST BE ADOPTED WHICH INCLUDES THE LIST

Mary Ann Blount gave the presentation and explained the resolution and said the attached list was one that the County held titles to at that point.

(1:40 p.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to adopt Resolution No. 2007- 174, approving the 2007 inventory list of County lands available for affordable housing.**

#### RESOLUTION NO. 2007-174

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE 2007 INVENTORY LIST OF COUNTY LAND AVAILABLE FOR USE AS AFFORDABLE HOUSING WITHIN THE JURISDICTION OF ST. JOHNS COUNTY, FLORIDA**

(06/12/07 - 9 - 1:40 p.m.)

5. PUBLIC HEARING - NZVAR 06-013 JOBSON RESIDENCE - APPLICANT IS REQUESTING A VARIANCE TO SECTION 6.04.07.A.2 (ROADWAY DESIGN), AND SECTION 6.04.07.F (PAVEMENT DESIGN), AS IT RELATES TO ITEMS REQUIRED BY SECTION 6.04.07.M (EXISTING FACILITIES - NON-PAVED AND STABILIZED BASE ROADWAYS). BOTH ROADS CONSIST OF PLATTED, UNOPENED COUNTY RIGHT-OF-WAY. APPLICANT IS SEEKING LEGAL ACCESS TO SIX LOTS, ONE OF WHICH AS STATED IS FOR CONSTRUCTION OF A SINGLE-FAMILY HOME. APPLICANT SEEKS ACCESS TO FOUR LOTS VIA OAK RIDGE ROAD. CHERRY TREE ROAD, LOCATED SOUTH OF OAK RIDGE ROAD, IS THE ACCESS FOR THE REMAINING TWO LOTS

Proof of publication for the notice of public hearing regarding NZVAR06-013, Jobson Residence, was received, having been published in *The St. Augustine Record* on May 25, 2007.

John Burnham, Development Review Chief Engineer, gave the presentation and reviewed the history of the application. He stated that staff did not support the non-zoning variance request for Oak Ridge Road, as there was no maintenance agreement in place for major sections of the roadway and because of the potential for increased traffic on the roadway that did not meet County specifications on any location. He said it would also involve the Public Works Department becoming responsible for a substantial portion of new roadway maintenance in that area alone. He noted that staff could support the variance request for Cherry Tree Road if the applicant was required to stabilize the roadway in accordance with County Standards, and to execute a maintenance agreement and hold harmless agreement satisfactory to the County Attorney.

(1:44 p.m.) Joe Stephenson, Public Works Director, expressed concern that a subdivision might become the next step once the lots were subdivided. He said it was a platted, but unopened public road, and he feared that the inevitable result would be that the County would end up paving the roads because the public would perceive them as platted roads, and that would result in significant expense to the taxpayers of the County.

(1:49 p.m.) General discussion ensued regarding the possibility of abandoning the roadway, implementing a hold harmless agreement, the desirability of establishing a MSBU, access to the lots and standards and provisions for road maintenance. The cost to the County to build the roadway to access four lots was determined to be about \$4 million, but would eventually serve more than the four original lots.

(1:59 p.m.) Rich declared ex-parte with Karen Taylor regarding this issue in general terms. Stevenson and Sanchez also declared ex-parte with Taylor regarding the general terms of the request.

(1:59 p.m.) Karen Taylor, 3070 Harbor Drive, stated she represented the Jobsons, who owned four lots at the end of Oak Ridge Rd. and two lots at the end of Cherry Tree. She said neither road was up to county standards for the entire 5,500 foot length of the roads. She said they would be required by code to bring them up to county standards. She said the cold mix portion had not been a problem, and the other portion was maintained by a gentleman who lived there. She explained their proposal to bring the unpaved section up to an acceptable unpaved county standard with a maintenance agreement to help pay for the grading. She said they would deal with a hold harmless agreement if necessary.

(2:02 p.m.) Rich said the Jobsons bought lots knowing there was no county road and they would not be able to access the lots. He said the Board now faced having the horrible choice of saying that the applicant was required to meet current standards or they could not build their home, and it was a very uncomfortable position for Board members to be in.

(2:07 p.m.) Stevenson asked about subdividing the lots and the addition of mother-in-law units which would cause even more traffic. General discussion ensued regarding development of the lots and possible increase of traffic.

(2:10 p.m.) Charles Haupt, 1100 Oak Ridge Rd., said he was changing his opinion on the matter, and if it was going to be a better quality it would be easier to maintain and it would be better than it was presently.

(2:14 p.m.) Dana Bruce Hanely, 1165 Oak Ridge Rd., said he had maintained the road for 20 years. He said they were told about 12 years ago that no more permits would be issued for that road. He noted that maintenance had become more difficult with the issuance of more permits. He said he would be willing to go along with it if they could negotiate for help and improvement.

(2:17 p.m.) General discussion ensued regarding giving the roads to the residents, developing a maintenance agreement among the neighbors, road standards, creating a non-zoning variance, the inclusion of swales in the maintenance agreement, and the possibility of returning at a later date with an equitable solution for all parties involved.

(2:38 p.m.) Rich asked the attorney if he was comfortable with trying to get an equitable solution for both roads. Whitehouse said if it could be made to happen legally, they would try to make it happen. If not, he said, they would bring it back in whatever form the applicant desired. Rich said the Board preferred to abandon the road to some entity so the Board could get off the hook, but if the Board had to maintain control of the roadway, they wanted to limit the liability as much as legally possible.

(2:40 p.m.) **Motion by Rich, seconded by Manuel, carried 5/0, to continue the public hearing until a date uncertain where a solution to the problem can be arrived at.**

(06/12/07 - 10 - 2:42 p.m.)

6. PUBLIC HEARING - REZ 2007-10 PUBLIC TRANSPORTATION OPERATION/MAINTENANCE FACILITY - THIS IS A REQUEST TO REZONE A TOTAL OF 4.88 ACRES FROM OPEN RURAL AND COMMERCIAL INTENSIVE (TWO PARCELS UNDER SEPARATE OWNERSHIP) TO PUBLIC SERVICE TO CONSTRUCT A PUBLIC TRANSPORTATION OPERATION MAINTENANCE FACILITY. THE PROPERTIES ARE CURRENTLY OWNED BY CRAIG FUNERAL HOME AND THE ST. JOHNS COUNTY COUNCIL ON AGING, RESPECTIVELY AND WILL BE SOLD TO ST. JOHNS COUNTY PENDING THE OUTCOME OF THIS REZONING. THE PROPERTY IS LOCATED SOUTH OF SR 312 ON THE

WEST SIDE OF OLD MOULTRIE ROAD. THE PARCEL IS SERVED BY PUBLIC WATER AND SEWER. ADJACENT AND SURROUNDING ZONING DESIGNATIONS INCLUDE OPEN RURAL, PLANNED UNIT DEVELOPMENT AND PLANNED SPECIAL DISTRICT. THE PROPERTY IS LOCATED IN THE MIXED USE DISTRICT ALONG OLD MOULTRIE ROAD. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR MAY 3, 2007 HEARING BY A VOTE OF 4-0 WITH MRS. GRAYSON MAKING THE MOTION AND MR. WILES SECONDING

Proof of publication for the notice of public hearing regarding Rezoning 2007-10, Public Transportation Operation/Maintenance Facility, was received, having been published in *The St. Augustine Record* on May 25, 1007.

Lindsay Haga, Chief Planner, gave the presentation and reviewed the application.

(2:44 p.m.) Rich declared ex-parte from an area resident who objected to the effort and said it was not compatible with surrounding land uses and it was too intense.

(2:44 p.m.) Stevenson declared ex parte with Gary Davenport regarding compatibility concerns. She said she had spoken with another resident, and asked if there would be buffering. Haga said staff had coordinated with Davenport and the applicable buffer would be 20 feet to meet a "B" screening standard.

(2:45 p.m.) Rich noted the facility would be owned by the County and asked if the operation was a daytime operation. Haga said it would operate during daytime hours Monday through Saturday, and it would be a maintenance facility for the vehicle fleet.

**(2:46 p.m.) Motion by Bryant, seconded by Manuel, carried 5/0 to enact Ordinance No. 2007-44, known as REZ 2007-10, Public Transportation Operation/Maintenance Facility, adopting findings of fact one through three to support the motion.**

#### ORDINANCE NO. 2007-44

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

(06/12/07 - 11 - 2:47 p.m.)

7. PUBLIC HEARING - REZ 2005-47 FRIENDSHIP PARK - THIS IS A REQUEST TO REZONE 2.75 ACRES FROM PLANNED UNIT DEVELOPMENT (PUD) TO COMMERCIAL INTENSIVE (CI) FOR THE DEVELOPMENT OF 6,450 SQUARE FEET OF AUTO REPAIR FACILITY AND 7,450 SQUARE FEET OF GENERAL OFFICE SPACE. THE SUBJECT PARCEL IS CURRENTLY USED FOR A MOBILE HOME SALES CENTER. THE PARCEL IS LOCATED ON THE SOUTHEAST SIDE OF S.R. 207, JUST SOUTH OF WILDWOOD DRIVE AND IS IN THE MIXED USE (MD) LAND USE AREA AS DEPICTED ON THE 2015 FUTURE LAND USE MAP. WATER AND SEWER WILL BE PROVIDED BY ST. JOHNS COUNTY UTILITIES. ADJACENT ZONINGS ARE OPEN RURAL (OR), AND COMMERCIAL GENERAL (CG). A FINAL CERTIFICATE OF CONCURRENCY WAS APPROVED FOR THE DEVELOPMENT OF 6,450 SQUARE FEET OF AUTO REPAIR FACILITY AND 7,450 SQUARE FEET OF GENERAL OFFICE SPACE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST AT ITS APRIL 19, 2007 MEETING WITH A VOTE OF 5/0 (GRAYSON/WILES) WITH TWO MEMBERS ABSENT

Proof of publication for the notice of public hearing regarding Rezoning 2005-47, Friendship Park, was received, having been published in *The St. Augustine Record* on May 25, 2007.

Lindsay Haga, Chief Planner, gave the presentation and stated it was a straight rezoning application. She noted that a rezoning change had been made to a nearby parcel, Ray's Auto Body and Fender, so it would need to be updated for their account. (2:49 p.m.) **Motion by Manuel, seconded by Sanchez, carried 5/0 to enact Ordinance No. 2007-45, known as REZ 2005-47 Friendship Park adopting findings of fact one through four to support the motion.**

#### ORDINANCE NO. 2007-45

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

(06/12/07 - 12 - 2:49 p.m.)

8. PUBLIC HEARING - REZ 2006-22 THE OAKS AT PALM VALLEY - THIS IS A REQUEST TO REZONE 9.9 ACRES FROM OR TO RS-1 FOR THE POSSIBLE FUTURE DEVELOPMENT OF NINE (9) SINGLE FAMILY HOMES. THE PROPERTY CURRENTLY CONSISTS OF ONE (1) SINGLE FAMILY STRUCTURE. THE PARCELS ARE LOCATED ON THE EAST SIDE OF ROSCOE BLVD. IN PALM VALLEY, SOUTH OF LANDRUM LANE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR APRIL 19, 2007 HEARING BY A VOTE OF 5-0 (WHEELER/LAIDLAW)

Proof of publication for the notice of public hearing regarding Rezoning 2006-22, The Oaks at Palm Valley, was received, having been published in *The St. Augustine Record* May 25, 2007.

Lindsay Haga, Chief Planner, gave the presentation, reviewed the application and said it was a straight rezoning request.

(2:52 p.m.) Manuel mentioned public comments regarding Odom's Mills and said he wanted to make sure the drainage and buffering issues were being adequately addressed. Haga said normally there would be no buffering requirements because they were two like uses, Residential Single Family. There was discussion on the side setbacks. She said drainage was addressed by construction plans and the post-development draining could be no more than it was at pre-development.

(2:54 p.m.) **Motion by Bryant, seconded by Manuel, carried 5/0, to adopt Ordinance No. 2007-46, known as REZ 2006-22, The Oaks at Palm Valley, adopting findings of fact one through four to support the motion.**

#### ORDINANCE NO. 2007-46

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO RESIDENTIAL SINGLE FAMILY - 1 (RS-1) MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(06/12/07 - 13 - 2:54 p.m.)

9. PUBLIC HEARING - REZ 2006-44 THE "S" CURVE PARCEL - THIS IS A REQUEST TO REZONE +/- 13 ACRES FROM OR TO CG FOR THE POSSIBLE FUTURE DEVELOPMENT OF RETAIL, RESTAURANT, OFFICE, ENTERTAINMENT, GENERAL BUSINESS, CONVENIENCE STORE, OR HOTEL/MOTEL. THE PROPERTY CURRENTLY CONSISTS OF ONE SINGLE-FAMILY HOME AND VACANT LOTS. THE PARCEL IS LOCATED ON THE NORTH SIDE OF CR 210 AND ACROSS FROM DAVIS PARK. THE DEVELOPMENT IS LOCATED WITHIN THE INTENSIVE COMMERCIAL LAND USE AS DEPICTED ON THE 2015 FUTURE LAND USE MAP. ADJACENT ZONINGS ARE OPEN RURAL (OR) AND PLANNED UNIT DEVELOPMENT (PUD). THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR APRIL 19, 2007 HEARING BY A VOTE OF 4-1 (GRAYSON/WHEELER)

Proof of publication for the notice of public hearing regarding Rezoning 2006-44, The "S" Curve Parcel, was received, having been published in *The St. Augustine Record* on May 25, 2007.

Lindsay Haga, Chief Planner, gave the presentation, reviewed the request and said it was a straight rezoning application. She noted that revised ordinances had been delivered to the Board, County Attorney and the Clerk. She explained that it was a specific land use category, Commercial General, and was surrounded by New Town, part of the new Nocatee development.

(2:56 p.m.) Sanchez declared ex parte with the developer regarding the issue before them.

(2:57 p.m.) **Motion by Stevenson, seconded by Bryant, to enact Ordinance No. 2007-47, known as REZ 2006-44, The "S" Curve Parcel, adopting findings of fact one through four to support the motion.** Whitehouse clarified, for the record, that the legal description in the Board's packets would be attached to the new ordinance that they were given. (2:58 p.m.) **The motion carried 5/0.**

#### ORDINANCE NO. 2007-47

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OPEN RURAL (OR) TO COMMERCIAL GENERAL (CG) MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(06/12/07 - 13 - 2:59 p.m.)

10. PUBLIC HEARING - REZ 2007-01 WHETSTONE PLACE - THIS IS A REQUEST TO REZONE 1.67 ACRES FROM COMMERCIAL GENERAL TO INDUSTRIAL WAREHOUSE TO ALLOW FOR THE EXPANSION OF MANUFACTURING AND WAREHOUSING. THE PROPERTY IS LOCATED ALONG WHETSTONE PLACE, JUST SOUTH OF STATE ROAD 312. THE PROPERTY IS LOCATED WITHIN MIXED USE DISTRICT LAND USE AS DEPICTED ON 2015 FUTURE LAND USE MAP. THE ADJACENT PROPERTIES ARE ZONED PLANNED SPECIAL DISTRICT (PSD), COMMERCIAL GENERAL (CG) AND INDUSTRIAL WAREHOUSE (IW). THE ADJACENT PSD ALLOWS FOR COMMERCIAL USES. CENTRAL WATER AND SEWER WILL BE PROVIDED BY THE CITY OF ST. AUGUSTINE UTILITY DEPARTMENT. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR APRIL 19, 2007 HEARING BY A VOTE OF 5/0 (WHEELER, WILES MOTION/SECOND) WITH TWO MEMBERS ABSENT. DISCUSSION DURING

THE HEARING QUESTIONED THE HEIGHT OF BUILDINGS, HISTORY OF REZONING ON THE SUBJECT PROPERTY AND A DISCUSSION OF THE USES WITHIN THE INDUSTRIAL/WAREHOUSING USE CATEGORY

Proof of publication for the notice of public hearing regarding Rezoning 2007-01, Whetstone Place, was received, having been published in *The St. Augustine Record* on May 25, 2007.

Lindsay Haga gave the presentation and reviewed the application. She noted there was one open comment to be resolved regarding a revised legal description. She said there was a corrected legal map and the issue had been resolved.

(3:00 p.m.) **Motion by Bryant, seconded by Stevenson, carried 5/0, to enact Ordinance No. 2007-48, known as REZ 2007-01, Whetstone Place, adopting findings of fact one through four to support the motion.**

**ORDINANCE NO. 2007-48**

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

(06/12/07 - 14 - 3:01 p.m.)

11. PUBLIC HEARING - MAJMOD 2007-01 ASHTON OAKS PRD - THE ASHTON OAKS PRD WAS APPROVED APRIL 20, 2005 AND CONSISTS OF 181.8 ACRES. IT IS LOCATED ON THE WEST SIDE OF CR 13A AND SOUTH OF CR 208. THE MAJOR MODIFICATION PROPOSES TO ADD THREE UNITS TO THE PROJECT INCREASING THE TOTAL UNITS FROM 24 TO 27 AND ADD A COMMUNITY EQUESTRIAN FACILITY ADJACENT TO LOTS THREE AND FOUR. THE DEVELOPMENT HAS AVAILABLE DENSITY FOR THE THREE ADDITIONAL UNITS WHILE MAINTAINING THE SAME DEVELOPMENT AREA TO RESERVE AREA RATIO OF 15% TO 85%. HOUSES WILL BE SERVED BY INDIVIDUAL WELLS AND SEPTIC TANKS. THE SITE IS LOCATED WITHIN RURAL SILVICULTURE LAND USE AS DEPICTED ON THE 2015 FUTURE LAND USE MAP. THE SURROUNDING PROPERTIES ARE ZONED OPEN RURAL (OR). THE PZA RECOMMENDED APPROVAL OF THIS REQUEST AT ITS APRIL 19, 2007 MEETING WITH A 5-0 VOTE (MOTION BY LAIDLAW/WHEELER 2ND)

Proof of publication for the notice of public hearing regarding MAJMOD 2007-01, Ashton Oaks PUD, was received, having been published in *The St. Augustine Record* on May 25, 2007.

Teresa Bishop gave the presentation and reviewed the application. (3:03 p.m.) **Motion by Sanchez, seconded by Manuel, carried 5/0, to enact Ordinance No. 2007-49, known as MAJMOD 2007-01, Ashton Oaks PRD adopting findings of fact one through six to support the motion.**

**ORDINANCE NO. 2007-49**

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA APPROVING A MAJOR MODIFICATION TO THE ASHTON OAKS (PRD) ORDINANCE NUMBER 2005-39, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE**

The meeting was recessed at 3:03 p.m. and reconvened at 3:20 p.m.

(06/12/07 - 15 - 3:20 p.m.)

11A. PONTE VEDRA BEACH BRANCH LIBRARY MEMORIAL FOUNTAIN (*Previously Consent 16*)

Rich stated he had pulled this item because he had some questions involving the final approval of the fountain and who was going to be doing it. He said the issues had been settled. (3:21 p.m.) **Motion by Rich, second by Manuel, carried 5/0, to adopt Resolution No. 2007-175, supporting the efforts of the Friends of the Library-Ponte Vedra Beach to install a fountain in memory of Jack Morgan.**

#### RESOLUTION NO. 2007-175

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SUPPORTING THE FRIENDS OF THE LIBRARY PONTE VEDRA BEACH'S EFFORTS TO INSTALL A MEMORIAL FOUNTAIN AT THE PONTE VEDRA BEACH BRANCH LIBRARY**

(06/12/07 - 15 - 3:21 p.m.)

11B. DISSOLVING THE AMPHITHEATRE BOARD OF DIRECTORS (*Previously Consent 13*)

Stevenson said she pulled the item because she was concerned about the expertise and representation on the Recreation Advisory Board in taking on the expanded role. She noted she had talked with Tony Blevins and there was someone already sitting on the Board with finance experience and special event experience. She asked Blevins to look at the Board and to see if there were some stakeholders that needed to be added as representatives.

(3:25 p.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to adopt Resolution No. 2007-176, dissolving the St. Augustine Amphitheatre Board of Directors and delegating authority concerning the Amphitheatre to St. Johns County Parks and Recreation Advisory Committee, and to direct the Director of Culture Parks and Recreation to come back with revisions to the composition of the Recreation Advisory Board.**

#### RESOLUTION NO. 2007-176

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DISSOLVING THE ST. AUGUSTINE AMPHITHEATER BOARD OF DIRECTORS, WHICH WAS ESTABLISHED BY COUNTY RESOLUTION 99-120, AND DELEGATING ADVISORY AUTHORITY CONCERNING THE AMPHITHEATER TO THE ST. JOHNS COUNTY PARKS AND RECREATION ADVISORY COMMITTEE**

(06/12/07 - 15 - 3:26 p.m.)

11C. AMENDMENT TO THE SJRWMD COST SHARE AGREEMENT FOR GRANT MONIES TO CONSTRUCT COUNTY 8.0 MGD REVERSE OSMOSIS WATER TREATMENT PLANT, WELL FIELD AND RAW WATER PIPING

Neil Shinkre, Utility Engineering Manager, gave the presentation and explained why the request was necessary.

(3:28 p.m.) Motion by Manuel, seconded by Sanchez, carried 5/0, to adopt Resolution No. 2007-177, amending the terms, provisions, conditions, and requirements of Paragraph 15 of the Cost Share Agreement between St. Johns County, Florida and the St. Johns River Water Management District that was executed on April 13, 2006, pursuant to the District's Water Protection and Sustainability 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.

**RESOLUTION NO. 2007-177**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF PARAGRAPH 3 AND PARAGRAPH 15 OF THE COST SHARE AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT THAT WAS EXECUTED ON APRIL 13, 2006, PURSUANT TO THE DISTRICT'S WATER PROTECTION AND SUSTAINABILITY 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**

(06/12/07 - 16 - 3:29 p.m.)

**11D. STATE GRANT FOR NEW EMERGENCY OPERATIONS CENTER**

Ray Ashton, Emergency Management Director, gave the presentation regarding new Emergency Operations Center construction and reviewed the details and history of the request. He explained that the County was entitled to receive two State Grants whose combined total was \$2,370,095. He stated that in order to accept the grant, the Board must fund the project and he summarized the funding alternatives as follows: 1.) Accept the grant and fund it from Commercial Paper; 2.) Accept the grant and fund it from 2006 Sales Tax Revenue Bond funds by reallocating project funding; or 3.) not to accept the grant.

(3:35 p.m.) Rich said the Board's issue was with Tallahassee, and their job was to reduce capital spending projects. He said they might need to look at mobile command centers as opposed to relocating the center. He said if these were different times he could support it but he couldn't do it right now as it would cost the County approximately \$4 million.

(3:38 p.m.) Ashton said the jail had an emergency evacuation plan. He explained the mobile command units were for isolated incidents. He said it was not possible to put 80 to 90 persons in one mobile unit and serve the citizens of the County. He said the funding would not be available long-term and it might cost the County \$6 million when they eventually decide to build it as compared to \$4 million now.

(3:40 p.m.) Bryant said discussions had been on-going about moving the EOC inland since he had been on the Board. He said he hated to see them waste the money they had already put into the project and he would support it with the hope that they could find some way to fund it.

(3:41 p.m.) Stevenson said it was an important issue, and they might only need it once in the next 20 years but it was going to happen. She said the County government was the responder in an emergency situation. She said she had seen the emergency facility in operation and she was very proud of their response. She asked the Board to take the time to look at it more carefully. Ashton said the State was asking for what they were going to do with the grant and the deadline was looming in the near future. Stevenson said it was



the Board's ultimate responsibility and the County was the lifeline until other help could arrive.

(3:47 p.m.) Rich said we had a functioning operation center and we were talking about a \$4 million expenditure.

(3:49 p.m.) Manuel said he would not support it as it was premature until they saw what was happening in Tallahassee. He said there would be an opportunity on January 29 for a referendum to be included on the ballot, and he would like to table the item for two weeks in order to look at it more closely.

(3:50 p.m.) Sanchez said he could not support it until they heard from Tallahassee.

(3: 52 p.m.) **Motion by Manuel, seconded by Stevenson, carried 5/0, to table the item until the June 26 meeting.**

(06/12/07 - 17 - 3:53 p.m.)

11E. EMERGENCY BEACH ORDINANCE REVISION

Jerry Cameron, Assistant County Administrator for Community Services, responded to a question from Manuel stating that they were requesting to change the time from 8:00 p.m. to 7:30 p.m. in their current Habitat Conservation plan.

McCormack said that because it was an emergency ordinance and had not received the normal ten day notice, the Board had to, by a 4/5 vote of the membership of the Board, declare that an emergency existed and that the immediate enactment of said ordinance was necessary. He suggested that Cameron put something on the record determining why it was an emergency situation. He said the Board's first motion would be to determine the emergency and the second vote would be to vote on the merits. He stated it also included a change to the fireworks regulations to comply with the State law.

(3:55 p.m.) Cameron stated it was an emergency because they were unable to reconcile their enforcement to the agreement entered into with Fish and Wildlife Service and had placed the Sheriff's Department in an untenable situation as far as enforcement. In addition confusion was created with the citizens, that could create legal liabilities as well as potential confrontations between law enforcement and citizens, which needed to be resolved immediately. He said for that reason, they considered it an emergency.

(3:55 p.m.) **Motion by Manuel, seconded by Stevenson, that an emergency existed because of transportation issues and that normal advertising procedures were to be waived.** Art May, St. Johns County Sheriff's Department, stated that originally it stated that all vehicles had to be off the beach at 8:00 p.m. He said they had to start clearing the beach prior to 8:00 p.m. because all wheels, physically, had to be off the beach at that time. He said the change would give them more time to clear the several miles of beach from Vilano Beach to Matanzas Inlet. Cameron said all vehicles including their own had to be off the beach and technically they would be in violation of their agreement with the Fish and Wildlife Service if they were still on the beach past 8:00 p.m. (3:58 p.m.) **Motion carried 5/0.**

(3:58 p.m.) **Motion by Manuel, seconded by Sanchez, carried 5/0, to adopt Ordinance No. 2007-50, amending the Habitat Conservation plan time and fireworks provision to comply with State statute.**

#### ORDINANCE NO. 2007-50

AN EMERGENCY ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, DECLARING THAT AN EMERGENCY EXISTS AND AMENDING ST. JOHNS COUNTY ORDINANCE NO. 2007-19 WHICH IS THE ST.

**JOHNS COUNTY BEACH CODE; THIS AMENDMENT  
MAKES CERTAIN ADDITIONAL FINDINGS;  
PROVIDING FOR CHANGES IN FIREWORKS  
PROVISIONS AND AUTHORIZING THE SHERIFF'S  
OFFICE TO BEGIN DIRECTING REMOVAL OF VEHICLES  
FROM THE BEACH BEGINNING AT 7:30 P.M. DURING  
TURTLE NESTING SEASON FROM MAY 1 THROUGH  
OCTOBER 31 OF EACH YEAR, AND PROVIDES AN  
EFFECTIVE DATE**

(3:59 p.m.) McCormack said the Emergency Ordinance would become effective as soon as it was signed and put into the mail, and June 13 would be the first enforceable day.

(06/12/07 - 18 - 11:37 a.m.)

**11F. NEW COUNTY ADMINISTRATOR'S CONTRACT**

Patrick McCormack, County Attorney, reviewed the new County Administrator's contract stating, that it was for an indefinite term, the Board retains the irrevocable right to terminate the services, and the Board had the authority to suspend him under certain circumstances. He spoke on the termination and severance compensation, salary of \$170,000, transportation allowance, and relocation expenses. Manuel commented on the contract being well drafted. Discussion followed on relocating Michael Wanchick to St. Johns County and the cost involved. Rich asked if there was any objection from the Board to engage in a relocation company and there was none, so he stated to engage in the relocation company immediately. Stevenson mentioned that she would be interested in Section 10b expenses regarding severance pay. McCormack responded and spoke on term limitations. Manuel stated that it would be typically, a three year agreement with a 1 year extension.

(4:00 p.m.) Subsequently, McCormack handed out the revised contract.

(4:01 p.m.) Manuel read from page 2B. He said this was normally in public service a mutual notice, so that the County Administrator would be given the opportunity to state that he wanted to get out of the contract too. Rich asked if there was not already a 90 day provision included for that purpose. McCormack said there was a provision that the County Administrator could resign with 90 days notice and that would have the same effect as the termination of the contract. Manuel said it took six months to find a new County Administrator and he would like the terms to be similar. Rich suggested that the issue would be worked out between the County Attorney and Wanchick.

(4:02 p.m.) McCormack noted that on page six, he did the best he could with the relocation contract, based on how he understood the Board wanting to treat the issue. Manuel said the language was close enough and the Chairman and the County Attorney could fine tune it as necessary. Stevenson asked if the \$20,000 limit was still in place. Discussion ensued regarding whether the house sold or not and the differences in the standards in either case.

(4:05 p.m.) Manuel suggested that they give full discretion to the County Attorney and to Rich. Rich said the contract would specify and it would run on the low evaluation with a 10% premium. McCormack reviewed what the Board wanted to achieve: first that they give Wanchick some comfort that his house in Texas would not be on the market for an extended period of time so that he would not have to pay two mortgages; and to use the relocation company to make it the most efficient and potentially cost effective in that the relocation company might assist with some other issues like transportation. He recommended having the Board approve the contract in the form written and give him authority along with the Chair to make any revisions to meet the Board's intent.

Manuel said they wanted to make it as painless as possible for the new County Administrator to get to St. Augustine and to get on the job.

(4:08 p.m.) **Motion by Manuel, seconded by Sanchez, to approve the drafted contract substantially in the form presented, and to permit the County Attorney and the Chair of the Board of County Commission the ability to amend as necessary.** McCormack said they needed to discuss whether Wanchick could use his personal car, which he had requested, or a County vehicle. Stevenson suggested they not allow that option for the simplicity of accounting and financial reporting. She said the County provided a pretty nice vehicle. Rich said the issue was whether he wanted to use his vehicle as a County vehicle, as the risk and liability for him would be significant. He said it was not an issue for him, and the majority of the Board felt it was a non-issue. (4:11 p.m.) **Motion carried 5/0.**

(06/12/07 - 19 - 4:12 p.m.)  
COMMISSIONERS' REPORTS

Commissioner Stevenson:

Stevenson encouraged the Board to support staff in preparing information so the general public could understand the impact of the tax reform that was going to be upon us in the next two elections. She said they needed to be proactive in that regard as tough decisions were being forced on them by decisions being made in Tallahassee. She said they should understand what kind of savings they should anticipate and realistically what kind of service issues they would be facing along with the quality of life issues that would result. She suggested they prepare a list of the cost of unfunded mandates and ask for relief from the State and Federal governments because the County was going to be unable to fund them.

Commissioner Manuel:

Manuel commented on a decision being made by Putnam County regarding Mariposa and said he was going to a meeting that night in that regard. He said he would inform the Board of that decision and he had asked the County Attorney's office to look at relief that they would have available to them under State Statute 380.0651, and the necessary steps they would have to take with DCA. He said Commissioner Bryant would be discussing a Juvenile Court award that was potentially available to the County and he stated that he supported that. He also said they had reached an understanding with Mr. Usina on the boat ramp and he would suggest to the County Administrator that they take the necessary steps to finalize that acquisition.

(4:17 p.m.) Deputy Clerk Lenora Newsome entered the meeting and Deputy Clerk Terry Bulla left the meeting. Manuel also left the meeting.

(4:17 p.m.)

Commissioner Sanchez:

Sanchez spoke on the last workshop being run like public comments. He stated that they needed to look at the process of running a workshop.

(4:19 p.m.)

Commissioner Bryant:

Bryant asked for a consensus of the Board on the HHS Department applying for a juvenile court grant. *It was the consensus of Board, with Manuel absent.*

(4:21 p.m.)

Commissioner Rich:

Rich spoke on the Sheriff's Office going Teamster Union. McCormack advised the Board not to discuss it.

(06/12/07 - 19 - 4:23 p.m.)  
COUNTY ADMINISTRATOR'S REPORT

Kropacek mentioned that they were going through the recommendations from the Board and working on them.

(06/12/07 - 20 - 4:24 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack spoke on the transition time between the County Administrators' switch over. Bryant stated he would like a consensus of the Board for Kropacek to stay on as long as needed. *It was the consensus of the Board, with Manuel absent, for Kropacek to stay through the transition time.*

(06/12/07 - 20 - 4:26 p.m.)

CLERK OF COURT'S REPORT

No report.

**Motion by Sanchez, seconded by Bryant, carried 4/0 with Manuel absent, to adjourn the meeting.** With there being no further business to come before the Board, the meeting adjourned at 4:26 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 402522 through 402527, totaling \$228,457.00 (05/24/07)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 402528 through 402558, totaling \$61,242.59 (05/25/07)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 402559 through 402560, totaling \$10,711.98 (05/25/07)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 402561 through 403044, totaling \$2,912,883.50 (05/29/07)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 403045 through 403046, totaling \$331,995.00 (05/31/07)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 403047 through 403053, totaling \$179,099.20 (06/01/07)

CORRESPONDENCE:

1. Letter to Liz Cloud, Program Administrator, Bureau of Administrative Code, filing Ordinance Numbers 2007-34 through 2007-40 (05/23/07)
2. Letter to Cheryl Strickland, Clerk of Circuit Court, acknowledging receipt of her letter dated May 23, 2007 and certified copies of St. Johns County Ordinance Nos. 2007-34 through 2007-40 (05/25/07)
3. Letter to Liz Cloud, Program Administrator, Bureau of Administrative Code, filing Ordinance Numbers 2007-41 through 2007-43 (06/05/07)

Approved \_\_\_\_\_ July 10 \_\_\_\_\_, 2007

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Ben Rich  
Ben Rich, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Yvonne King  
Deputy Clerk