

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JUNE 24, 2008  
(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:           Thomas G. Manuel, District 4, Chairman  
                              Ron Sanchez, District 2  
                              Ben Rich, District 3  
                              James Bryant, District 5  
                              Michael D. Wanchick, County Administrator  
                              Patrick McCormack, County Attorney  
                              Terry Bulla, Deputy Clerk

Also present:           Cheryl Strickland, Clerk of Court.  
                              Dennis Hollingsworth, Tax Collector

Absent:                   Cyndi Stevenson, District 1, Vice Chair

(06/24/08 - 1 - 9:00 a.m.)  
CALL TO ORDER

Manuel called the meeting to order.

(06/24/08 - 1 - 9:00 a.m.)  
ROLL CALL

Manuel stated that four commissioners were present with Stevenson absent.

(06/24/08 - 1 - 9:00 a.m.)  
Sanchez gave the Invocation and Rich led the Pledge of Allegiance.

(06/24/08 - 1 - 9:02 a.m.)  
DELETIONS TO CONSENT AGENDA

Wanchick asked that Consent Item No. 8 be moved to the Regular Agenda as Item No. 8.

(06/24/08 - 1 - 9:02 a.m.)  
APPROVAL OF CONSENT AGENDA

**Motion by Sanchez, seconded by Rich, carried 4/0 with Stevenson absent, to approve the Consent Agenda as amended.**

1.     Approval of the Cash Requirement Report
2.     Minutes:  
       5/27/08 - BCC Regular Meeting  
       5/29/08 - BCC Special Meeting

3. Sheriff Office Bonds:
 

Approve:	Sanh Vo	Thomas Bradley	Andrew Paul
	Casey Wright	Patricia Lowe	Debra Higbea
	Jessica Adcock	Racheal Moore	
Cancel:	Dwight Cole	Saundra Mobley	Mark Snyder
	Matthew Modesitt		
  
4. Motion to adopt **Resolution No. 2008-166**, accepting the conveyance of the Community Park Sites per the Aberdeen DRI Development Order

**RESOLUTION NO. 2008-166**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DONATION OF A COMMUNITY PARK SITE WITHIN ABERDEEN DRI PER THE DEVELOPMENT ORDER**

5. Motion to adopt **Resolution No. 2008-167**, accepting the terms of a Memorandum of Agreement with the FDVA, relating to site work at the Clyde E. Lassens State Veterans' Nursing Home in St. Johns County, and authorizing the County Administrator to execute said Memorandum

**RESOLUTION NO. 2008-167**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF A MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF VETERANS' AFFAIRS RELATING TO SITE WORK AT THE CLYDE E. LASSEN STATE VETERANS NURSING HOME IN ST. JOHNS COUNTY AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE SAID MEMORANDUM**

6. Motion to adopt **Resolution No. 2008-168**, approving an easement from St. Johns County to Florida Power & Light Company for the installation of a primary power cable to provide electrical service to West Augustine District Park and authorizing the Chairman of the Board to execute the easement on behalf of the County

**RESOLUTION NO. 2008-168**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AN EASEMENT FROM ST. JOHNS COUNTY TO FLORIDA POWER & LIGHT COMPANY FOR THE INSTALLATION OF A PRIMARY POWER CABLE TO PROVIDE ELECTRICAL SERVICE TO WEST AUGUSTINE DISTRICT PARK AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE THE EASEMENT ON BEHALF OF THE COUNTY**

7. Motion to adopt **Resolution No. 2008-169**, approving the terms, provisions, conditions, and requirements of an Interlocal Agreement between St. Johns

County, Florida, and the City of St. Augustine Beach, Florida, providing a mechanism to distribute beach toll fees, and authorizing the County Administrator to execute the agreement on behalf of St. Johns County

**RESOLUTION NO. 2008-169**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN INTERLOCAL AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, PROVIDING A MECHANISM TO DISTRIBUTE BEACH TOLL FEES, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY**

*This item was pulled and added to the Regular Agenda as Item No. 8. (See page 11)*

8. Motion to adopt a Resolution approving the terms, conditions, and requirements of Amendment # 21 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 #21 on behalf of the County
9. Motion to adopt **Resolution No. 2008-170**, approving and adopting the St. Johns County Comprehensive Emergency Management Plan

**RESOLUTION NO. 2008-170**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND ADOPTING THE ST. JOHNS COUNTY COMPREHENSIVE EMERGENCY MANAGEMENT PLAN**

10. Motion to adopt **Resolution No. 2008-171**, approving and adopting the St. Johns County Local Mitigation Strategy Plan

**RESOLUTION NO. 2008-171**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND ADOPTING THE ST. JOHNS COUNTY LOCAL MITIGATION STRATEGY PLAN**

11. Motion to approve a transfer in the amount of \$301 from the General Fund Reserve (0083-59920) to the appropriate salary and benefit line items within the Animal Control Department
12. Motion to authorize the County Administrator, or his designee, to enter into a 48 month lease agreement with the low bidder from Bid 08-101, CopyFax Inc.
13. Motion to adopt **Resolution No. 2008-172**, recognizing unanticipated revenue in the amount of \$4,530 and increasing the General Fund Animal Control Donations

(0001-34645) and increasing the expenditure budget of the Animal Control Department Operating Supplies (0064-55200) by the same amount

**RESOLUTION NO. 2008-172**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2008 GENERAL FUND TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY ANIMAL CONTROL**

14. Motion to adopt **Resolution No. 2008-173**, approving the Final Plat for Verona Way

**RESOLUTION NO. 2008-173**

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

15. Motion to adopt **Resolution No. 2008-174**, approving the Final Plat for Coronado Replat

**RESOLUTION NO. 2008-174**

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

16. Motion to adopt **Resolution No. 2008-175**, setting a Public Hearing date of July 22, 2008 at 9:00 a.m. to hear a request for the vacation of a portion of Kingfish Ave

**RESOLUTION NO. 2008-175**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA SETTING A PUBLIC HEARING DATE OF JULY 22, 2008 AT 9:00 A.M. TO HEAR A REQUEST FOR THE VACATION OF A PORTION OF KINGFISH AVE.**

17. Motion to approve transfer of \$1,000,000 from the County Transportation Trust Fund Reserve [1111-1131-59920] to the Fleet Maintenance Division Cost of Fuel [1111-1127-55218] for the purchase of unleaded and diesel fuel
18. Motion to approve the reclassification of Special Operations Captain to Special Operations Battalion Chief and Motion to approve the transfer of \$5,180 from the Fire District Fund Reserve to fund the Pay Grade change for the remainder of FY 2008
19. Motion to authorize a compensation adjustment to match increased responsibilities and workload of junior attorneys within the Office of the County Attorney

20. Motion to approve a budget transfer of \$92,000 from 1230-59920 Fire District Reserves and allocate it to the appropriate expenditure line in the Fire District Budget 1224-53120 for MSBU Notice Mailing
21. Motion to approve the reorganization of the Health & Human Services Department
22. Motion to acknowledge the Tax Collector's report of discounts, errors, double assessments and insolvencies that is due on or before the 60th day after the tax certificate sale
23. Proofs:
  - a. Proof, Notice of Public Hearing, Board of County Commissioners, Ordinance/Regulations affecting the Use of Land, Tuesday, April 15, 2008 at 5:30 p.m. and Tuesday, May 27, 2008 at 9:00 a.m.
  - b. Proof, Notice to Bidders, Bid No. 08-134
  - c. Proof, Notice of Public Hearing, Board of County Commissioners, Ordinance related to Fire Rescue Services, Facilities and Programs, Tuesday, June 10, 2008 at 9:00 a.m.
  - d. Proof, Notice of Public Hearing, Board of County Commissioners, Ordinance/Regulations affecting the Use of Land, Tuesday, April 15, 2008 at 5:30 p.m. and Tuesday, May 27, 2008 at 9:00 a.m.
  - e. Proof, Notice of Public Hearing, Board of County Commissioners, Small Cities Community Development Block Grant (CDBG), Tuesday, May 27, 2008 at 9:00 a.m.
  - f. Proof, Notice to Bidders, Bid No. 08-141
  - g. Proof, Notice to Bidders, RFQ No. 08-138

(06/24/08 - 5 - 9:03 a.m.)  
PUBLIC COMMENT

Dwight Hines, 150 Nesmith Avenue, spoke on the Fire Services MSBU, the Fire and Rescue Department failing to comply with Rule 1.B 26.003 and to Chapter 119 request, and the failure to comply, which could cause an unfair election. Discussion ensued.

(06/24/08 - 5 - 9:08 a.m.)  
ADDITIONS/DELETIONS TO REGULAR AGENDA

Rich asked to add the resolution recognizing the Matanzas River Estuary as a Natural Resource Asset of St. Johns County as Item No. 9.

Wanchick asked that an item be added for unanticipated revenue to the Ponte Vedra Library as Item No 10. and to add the Amendment to the Flagler Hospital Contract for Primary Healthcare as Item No. 11. Wanchick asked that Item 9, the Matanzas Item Resolution, be moved to Item A.

(06/24/08 - 5 - 9:10 a.m.)  
APPROVAL OF REGULAR AGENDA

**Motion by Sanchez, seconded by Rich, carried 4/0 with Stevenson absent, to approve the Regular Agenda as amended.**

(06/24/08 - 6 - 9:10 a.m.)

A. RESOLUTION RECOGNIZING THE MATANZAS RIVER ESTUARY AS A NATURAL RESOURCE ASSET OF THE COUNTY

Rich read the Resolution.

(9:11 a.m.) Paul Johnson, 537 Hickory Wood Dr., Crawfordville, said he represented the South Anastasia Citizens Association and spoke regarding the Matanzas River Estuary. He said it was one of the last pristine estuaries left on the east coast of Florida, and asked the Board for their support to protect the basin and its water quality.

(9:12 a.m.) Bryant asked if the monitoring of those waters was an on-going process. Johnson said there was initially a shell fish monitoring group that was looking into water quality in the basin. He said it was then expanded into the Northern Coastal Basins Project through the Water Management District and they were investigating water quality

(9:15 a.m.) Gordon Loman, 7648 A1A South, spoke representing South Anastasia Communities Association (SACA) on the Matanzas River Estuary and said they were in favor of this resolution and asked for their support.

(9:17 am.) **Motion by Rich, seconded by Sanchez, carried 4/0 with Stevenson absent, to adopt Resolution No. 2008-176 recognizing the importance of the Matanzas River Estuary as a natural resource asset of the County; requesting that the St. Johns River Water Management District designate the Matanzas River Estuary Hydrologic Basic as a "Special Basin" by establishing and adopting special basin criteria; and providing for an effective date.**

**RESOLUTION NO. 2008-176**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOGNIZING THE IMPORTANCE OF THE MATANZAS RIVER ESTUARY AS A NATURAL RESOURCE ASSET OF THE COUNTY; REQUESTING THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT DESIGNATE THE MATANZAS RIVER ESTUARY HYDROLOGIC BASIN AS A "SPECIAL BASIN" BY ESTABLISHING AND ADOPTING SPECIAL BASIN CRITERIA; AND PROVIDING FOR AN EFFECTIVE DATE**

(06/24/08 - 6 - 9:17 a.m.)

1. FY 2007 COMPREHENSIVE ANNUAL FINANCIAL REPORT ANNUAL AUDIT CONCLUSION

Doug Timms, Management & Budget Director, gave the presentation. He gave an overview of the budget for 2007 and noted it was a record year in many aspects. He introduced the auditor.

(9:19 a.m.) Jeff Zeichner, CPA of Davis Monk & Company, 172 Cedar Ridge Circle, summarized the results of the audit and reviewed the highlights. He said the audit had provided an "unqualified opinion" and was the highest level of assurance that a CPA could lend.

(9:22 a.m.) **Motion by Rich, seconded by Sanchez, carried 4/0 with Stevenson absent, to accept the financial statement audit for County fiscal year 2007 as presented by independent auditors, Davis, Monk & Company.**

(06/24/08 - 7 - 9:22 a.m.)

(DISTRICT 5)

2. PUBLIC HEARING - PNZVAR 2008-01, JAX 152 - ANASTASIA CONDO CO-LOCATE - THIS ITEM WAS CONTINUED FROM THE JUNE 10, 2008 MEETING TO ADDRESS SCREENING MATERIAL AND LOCATION OF THE PROPOSED ANTENNA. THIS APPLICATION IS A PLANNING NON-ZONING VARIANCE TO SECTION 3.08.04.E, MID ANASTASIA OVERLAY DISTRICT, TO REDUCE THE REQUIRED SCREENING FOR ANTENNAS, ALLOWING VISIBILITY FROM ANY ROADWAY OR ADJACENT RESIDENTIAL PROPERTIES. THE PLANNING DIVISION FINDS THE REQUEST FOR A PLANNING NON-ZONING VARIANCE TO SECTION 3.08.04.E SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE, SPECIFICALLY SECTION 10.04.03.B. THIS FINDING IS BASED UPON THE FOLLOWING INFORMATION: THE APPLICATION MATERIALS (INCLUDING THE STATEMENT OF FACTS) AS SUBMITTED BY THE APPLICANT AND OTHER RELEVANT INFORMATION AVAILABLE TO STAFF. THIS FINDING MAY BE SUBJECT TO ANY OTHER COMPETENT SUBSTANTIAL EVIDENCE THAT MAY BE RECEIVED AT THE QUASI-JUDICIAL PUBLIC HEARING. THE MID ANASTASIA DESIGN REVIEW BOARD REACHED CONSENSUS DURING THE MAY 8, 2008 MEETING TO APPROVE THE VARIANCE REQUEST

Proof of publication of the notice of public hearing on PNZVAR 2008-01, JAX 152, Anastasia Condo Co-locate, was received having been published in *The St. Augustine Record* on June 12, 2008.

Lindsay Haga, Chief Planner, gave the presentation noting that it had been continued from the June 10th meeting to allow for collection of additional information. She said there were no changes.

(9:24 a.m.) Lisa Bryant, 1133 Louisiana Avenue, Winter Park, said there was an issue regarding screening the antennas which would require putting up a support structure and that would not allow them to meet the wind requirements. She said there was not enough space to anchor it safely.

(9:27 a.m.) Sanchez asked Bryant for his opinion. Bryant said he understood the antennas would be no worse than what already existed.

(9:28 a.m.) **Motion by Bryant, seconded by Rich for purposes of discussion, to approve Planning Non Zoning Variance PNZVAR 2008-01, JAX 152-Anastasia Condo Co-locate, adopting findings of fact to support the motion.**

Rich said it was a variance request based on the convenience of the company. He said he did not agree with the need to add to an already unsightly situation. He said he would not support it.

(9:30 a.m.) **Roll call vote:**

**Sanchez: No**

**Rich: No**

**Manuel: No**  
**Bryant: Yes**

**Motion failed 1/3 with Stevenson absent.**

*The Board moved to Item No. 3, and returned to this item at 9:48 a.m.*

(9:48 a.m.) McCormack asked that the vote be revisited in order to provide reasons for denial. (See page 9 at 9:48 a.m.)

(9:50 a.m.) **Motion by Rich, seconded by Sanchez, to deny PNZVAR 2008-01 JAX 152 Anastasia Condo Co-locate, adopting findings of fact one through six to support the motion.** Bryant said that he would support the motion, because following procedure would allow the applicant the reasons needed to reapply, should they decide to do so.

(9:51 a.m.) **Motion carried 4/0 with Stevenson absent.**

(06/24/08 - 8 - 9:30 a.m.)

3. CONSIDER CORDELE PROPERTIES' REQUEST FOR IMPACT FEE REFUND FOR THE PROPOSED CARTWHEEL BAY PUD

Teresa Bishop, Director Growth Management Services, gave the presentation. She noted the applicant was requesting an impact fee refund, which they paid to extend their certificate of concurrency, which was granted September 24, 2003, to expire September 24, 2008, if construction plans were not approved. She noted, if the application was granted, that they would withdraw all the applications associated with the Cartwheel Bay PUD and Cimmarone Major Modification.

(9:31 a.m.) Doug Burnett, 170 Malaga St., said that in exchange for the refund his applicant was giving up concurrency which they currently possessed for the property. He reviewed the applicant's access issues. He noted that Cordele also owned the Cypress Lakes project which was pending appeal, and if the application was approved that day, they would dismiss the appeal with prejudice. He reviewed the site location.

(9:34 a.m.) Rich said he had discussed the item with Legal staff because it was so unusual. He proposed letting one third of funds stay with the project and two thirds (\$110,000) be returned to the applicant.

(9:37 a.m.) Bryant asked Legal staff how they would guarantee their concurrency if a partial refund was granted. McCormack said they would lose their concurrency if part of the fee was returned. He encouraged the applicant to agree not to apply for some specified time period. He said they would not have concurrency unless they prepaid impact fees in the future. Bryant clarified that the impact fees were determined before they raised impact fees, and that future impact fees could be much higher. Bryant said he did not mind approving the whole amount.

(9:39 a.m.) Wanchick said if one third was left on the project it could be applied as a credit when they returned for future development, and they could pay for the remainder in the future.

(9:39 a.m.) Sanchez asked if there were any other commitments that the County would lose. Burnett said no, but in the future the applicant would be subject to the current impact fees. He said the application was filed in 2003 and it was so old that there were significantly higher PUD application fees and other higher fees as well. Sanchez said he was leaning towards approval of the entire amount.



(9:41 a.m.) McCormack said it was a unique case and the rule in their decision would not be a precedent for any other applicant. He said there would be administrative costs involved with a partial or a total refund.

(9:43 a.m.) Sanchez said the administrative costs should be calculated and charged as part of the transaction before they released the money.

(9:45 a.m.) Burnett said a 5 percent administrative cost would be fine if they granted the full amount. Locklear said 3 to 5 percent was reasonable. Rich asked when it would be payable. McCormack said it would be a deduction from the refund check. He also said that the Cypress Lakes lawsuit was to be dismissed with prejudice and that another application for development on the subject project was not to be permitted within three and one half years of that days date. He also stated that vacation of concurrency should be a part of the motion. Burnett said he would like to see it be three years. Manuel said no and gave the floor to Rich.

**(9:47 a.m.) Motion by Rich, seconded by Sanchez, carried 4/0 with Stevenson absent, to approve the impact fee refund in the amount of \$165,057, requiring the applicant to withdraw PUD 2002-24 and MAJMOD 2003-05 and all other applications related to the proposed Cartwheel Bay PUD; to include a deduction of 5 percent of the amount to cover administrative costs by the County, as well as dismiss with prejudice the Cypress Lakes current tort, and acknowledging the vacation of concurrency on this project, and the project not to be submitted minimally for a 3 year period from this date.** McCormack asked that: as a finding of fact, to recognize the unique circumstances of this case, including but not limited to the legal access issues on Cartwheel Bay and the significant exceeding twenty re-submittal items pertaining to the project, be added to the motion. **Rich added: and to include the comments as amendments by the County Attorney.**

(9:48 a.m.) McCormack asked to return to Item No. 2 before they moved on to the next item. He said since the motion to approve was not accepted, the applicant was entitled to know the reason if there was going to be a denial. He said he would recommend bringing it back up and determining findings of fact which would give the applicant a target for changes in a future application. They returned to Item No. 2. *(See page 8, 9:48 a.m.)*

(06/24/08 - 9 - 9:52 a.m.)

4. CONSIDER A MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO AWARD A CONTRACT TO THE LOW BIDDER, SOUTHERN DEVELOPMENT CORP. FOR THE BASE BID AMOUNT OF \$2,834,619 FOR BID # 08-83, RUSSELL SAMPSON ROADWAY & DRAINAGE IMPROVEMENTS

Joe Burch, County Purchasing Director, gave the presentation and explained the project. Discussion ensued. Rich expressed concern regarding Russell Sampson Road and the heavy dump truck traffic. (9:55 am.) Joe Stephenson, Public Works Director, said he understood that the borrow pit was within compliance with the regulations and should be able to handle the dump truck traffic.

**(9:56 a.m.) Motion by Rich, seconded by Sanchez, carried 4/0 with Stevenson absent, to authorize the County Administrator, or his designee, to award a contract to the low bidder, Southern Development Corp. for the Base Bid amount of \$2,834,619. Alternate #1-JEA water and sewer construction in the amount of \$402,969 shall be contracted directly by JEA.**

(06/24/08 - 10 - 9:57 a.m.)

5. CONSIDER A MOTION TO APPROVE THE 2008 ST. JOHNS COUNTY ROADWAY AND TRANSPORTATION ENHANCEMENT LIST OF PRIORITY PROJECTS (LOPP) FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF TRANSPORTATION AND FIRST COAST MPO

Joe Stephenson, Public works Director, gave the presentation. He reviewed some of the proposed changes to the highway changes and enhancement changes. There was discussion regarding the ranking of the projects. Rich asked Stephenson to review the change on the CR 210 and I-95. Stephenson responded with the correct new order for 2008. Rich expressed concern about CR 210 and that it was a safety issue. Stephenson said they were soliciting bids now for improvements to the southbound off ramps at CR 210. Rich said he would like to see CR 210 moved up in prioritization to the number 2 item.

(10:01 a.m.) Sanchez said he had no problem with the list the way it was. He said the CR 312 extension should stay on the list, as it was very busy.

(10:01 a.m.) Bryant concurred with Sanchez stating that US 1 could not be changed and a beltway around St. Augustine was the only way to relieve that problem.

**(10:02 a.m.) Motion by Rich, seconded by Sanchez , carried 4/0 with Stevenson absent, to approve the 2008 St. Johns County Roadway and Transportation Enhancement List of Priority Projects (LOPP) for transmittal to the Florida Department of Transportation and First Coast MPO.**

(06/24/08 - 10 - 10:03 a.m.)

6. CONSIDER A MOTION TO ADOPT A RESOLUTION APPOINTING MEMBERS TO THE ST. JOHNS COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE

Dorsey Gruel, SHIP Administrator, gave the presentation and explained the new State legislation which necessitated the request.

**(10:05 a.m.) Motion by Rich, seconded by Sanchez, carried 4/0 with Stevenson absent, to suspend BCC Policy 2.6 to allow appointment of a current Planning and Zoning Agency Member and Housing Finance Authority Member to a second committee (AHAC) for dual service. The Planning and Zoning Agency Representative is in accordance with House Bill 1375 and the Housing Finance Authority Representative is due to the extensive knowledge and expertise in affordable housing.**

**(10:06 a.m.) Motion by Rich, seconded by Sanchez, carried 4/0 with Stevenson absent, to adopt Resolution No. 2008-177, appointing members to the St. Johns County Affordable Housing Advisory Committee.**

#### RESOLUTION NO. 2008-177

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPOINTING MEMBERS TO THE ST. JOHNS COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE**

(06/24/08 - 10 - 10:07 a.m.)

7. CONSIDER APPOINTMENTS TO THE PONTE VEDRA ZONING & ADJUSTMENT BOARD

Melissa Lundquist, Administrative Coordinator, gave the presentation.

(10:07 a.m.) **Motion by Manuel, seconded by Sanchez, carried 4/0 with Stevenson absent, to reappoint Charles C. Hogan to the Ponte Vedra Zoning and Adjustment Board for a full four-year term scheduled to expire June 24, 2012.**

(10:07 a.m.) **Motion by Manuel, seconded by Sanchez, carried 4/0 with Stevenson absent, to reappoint Barbara S. Maple to the Ponte Vedra Zoning and Adjustment Board for a full four-year term scheduled to expire June 24, 2012.**

*This item was previously Consent Item No. 8 and was added to the Regular Agenda. (see page 3) (06/24/08 - 11 - 10:08 a.m.)*

8. CONSIDER A MOTION TO ADOPT COMMUNITY BASED CARE RESOLUTION FOR APPROVAL OF THE TWENTY-FIRST AND TWENTY-SECOND AMENDMENTS TO CONTRACT NO. DJ993 BETWEEN ST. JOHNS COUNTY AND THE STATE OF FLORIDA, DEPARTMENT OF CHILDREN AND FAMILIES. THE TWENTY-FIRST AMENDMENT ADJUSTS THE FUNDING FOR THE STATE FISCAL YEAR FROM \$4,648,392 TO \$4,631,485, AND THE TWENTY-SECOND AMENDMENT ADJUSTS THE FUNDING FROM \$4,631,485 TO \$4,647,748

Sandra Sawhill, Finance Manager, Community Based Care, gave the presentation. She noted the request was made by the State to adjust funding streams to the contract. She said it was a rush, as it was the end of the State's fiscal year.

(10:09 a.m.) **Motion by Bryant, seconded by Rich, carried 4/0 with Stevenson absent, to adopt Resolution No. 2008-178, approving the terms, conditions, and requirements of Amendment No. 21 to the Community Based Care contract No. 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 No. 21 on behalf of the County.**

#### RESOLUTION NO. 2008-178

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

(10:10 a.m.) **Motion by Rich, seconded by Sanchez, carried 4/0 with Stevenson absent, to adopt Resolution No. 2008-179, approving the terms, conditions, and requirements of Amendment No. 22 to the Community Based Care contract No. 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 No. 22 on behalf of the County.**

#### RESOLUTION NO. 2008-179

A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN THE TWENTY-SECOND AMENDMENT TO THE CONTRACT DJ993 BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE

STATE OF FLORIDA, DEPARTMENT OF CHILDREN  
AND FAMILIES

*This item was changed to Regular Agenda Item A (see page 6).  
(06/24/08 - 12 - 10:11 a.m.)*

9. RESOLUTION RECOGNIZING THE MATANZAS RIVER ESTUARY AS A  
NATURAL RESOURCE ASSET OF THE COUNTY

*This item was added as Regular Agenda Item No. 10  
(06/24/08 - 12 - 10:11 a.m.)*

10. RECOGNITION OF UNANTICIPATED REVENUE FOR THE PONTE VEDRA  
BEACH BRANCH LIBRARY DONATION ACCOUNT

Debra Rhodes Gibson, Library System Director, gave the presentation and explained it was in reference to unanticipated revenue.

(10:12 a.m.) **Motion by Rich, seconded by Sanchez, carried 4/0 with Stevenson absent, to adopt Resolution No. 2008-180, recognizing unanticipated revenue in the amount of \$2,885 and increasing the General Fund Donations - Ponte Vedra Beach (0001-36610) and increasing the expenditure budget of the Library Donated Operating Supply - Ponte Vedra Beach (0078-55221) in the same amount.**

**RESOLUTION NO. 2008-180**

**A RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,  
AMENDING THE FISCAL YEAR 2008 GENERAL FUND  
TO RECEIVE UNANTICIPATED REVENUE AND  
AUTHORIZE ITS EXPENDITURE BY THE LIBRARY  
SYSTEM**

*This item was added as Regular Agenda Item No. 11  
(06/24/08 - 12 - 10:12 a.m.)*

11. AMENDMENT TO THE CONTRACT WITH FLAGLER HOSPITAL

Jerry Cameron, Assistant County Administrator gave the presentation. He said Flagler Hospital had agreed to pick up Dr. Carver's practice for the base compensation that Dr. Carver had received. He said it would be an amendment to the existing contract for the Primary Care Clinic. He noted they would be relieved of any employment and post employment benefits that would have been paid previously. He noted that additionally, they would be relieved of two full time employees as well as the opportunity costs of the floor space freed up for other purposes. He said the location of the clinic would be at Flagler Hospital.

(10:14 a.m.) Bryant said the new arrangements would help them to reduce expenses on Workman's Compensation. Cameron said it set the stage for Flagler to see those individuals but there were details that needed to be worked out. Bryant said he hoped the timeliness of seeing County employees would continue to be maintained. Cameron responded. Bryant asked if Flagler would continue to dispense those commonly used drugs. Cameron said they were working on making those advantages offered mesh with their system.

(10:18 a.m.) Manuel said this was the first step in restructuring and this would provide a significant savings regarding the Workman's Compensation program. He said it was a win-win situation.

(10:19 a.m.) Bryant said Dr. Carver had done excellent work for the County. Wanchick said that Dr. Carver was very supportive of the direction they were taking.

(10:20 a.m.) Cameron stated that Flagler Hospital had been very cooperative in helping them to maintain the quality of service to the County employees.

(10:21 a.m.) Rich thanked Dr. Carver for his hard work and the attention he had given to him personally and to the employees of St. Johns County.

**(10:22 a.m.) Motion by Manuel, seconded by Sanchez, carried 4/0 with Stevenson absent, to adopt Resolution 2008-181, approving the terms, conditions, and requirements of an Amendment to the Primary Care Contract between St. Johns County, Florida and Flagler Hospital, and authorizing the chairman to execute the Contract Amendment on behalf of the County.**

#### RESOLUTION NO. 2008-181

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AMENDMENT TO A CONTRACT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AND FLAGLER HOSPITAL, IN ORDER TO PROVIDE CERTAIN SPECIFIED ADDITIONAL SERVICES, AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA TO EXECUTE THE AMENDMENT TO THE CONTRACT ON BEHALF OF ST. JOHNS COUNTY**

(06/24/08 - 13 - 10:22 a.m.)  
COMMISSIONERS' REPORTS

#### Commissioner Rich:

Rich said that Saturday the dedication of the new Veterans Nursing Home would take place at 10:00 a.m., and invited the public to attend. He commented on the legacy to veterans in the county. He thanked the Board for their support.

(10:26 a.m.)

#### Commissioner Sanchez:

Sanchez commented on the Amphitheatre and said it had recovered 87 percent of its operating cost. He said the staff were hard workers and had done an excellent job. He said it was getting plenty of community use and people were coming from as far away as Orlando to see some of the shows. He said it was growing and they were going to have to expand the staff. He thanked everyone involved. Manual congratulated Sanchez and suggested they might want to structure it as a 501C3 so it could have more flexibility.

(10:34 a.m.)

#### Commissioner Bryant:

Bryant said he regretted that he would be unable to attend the Veteran's groundbreaking ceremony. He said they had scheduled the first hearing of the

Stormwater MSBU and it was cancelled. He noted they had some timeframes that needed to be met and they needed to move forward on it. He said difficult decisions had to be made.

(06/24/08 - 14 - 10:36 a.m.)

COUNTY ATTORNEY'S REPORT

McCormack said they had received a letter from Dade County for a Florida Power and Light (FPL) proposed rate increase. He said Dade County was considering sending a resolution to the Public Service Commission to oppose the FPL request. He said he would like to do some homework on it. He asked if they would like him to draft a letter regarding the St. Johns County position concerning the significant raise on the electric rate. *There was Board consensus to draft a letter after the issue was researched further.*

McCormack said regarding the Whetstone v. St. Johns County case, he would like to propose an offer of settlement. He said if they did not accept it, they would be responsible for attorney's fees if they went to trial. He reviewed the case. He said their counsel to the County, Steve Gallagher, recommended offering \$56,000 to settle the matter and to convey the unused easement on the subject property. He asked for authorization to make such an offer. Manuel and Sanchez said it was fine. Rich said the offer was not negotiable, and he was done with it. *Board consensus was granted.*

(10:40 a.m.)

Commissioner Manuel:

Manuel spoke on the MPO fundamental structural shift to address the regional transportation issues for Nassau, Baker, Clay, St. Johns, Duval, Flagler and Putnam Counties. He said a regional consensus would allow them to have a louder voice in Tallahassee. He said the MPO was going to study the issue and look at statewide best practices. He said he was happy to see it as a first step for regionalization of transportation.

(06/24/08 - 14 - 10:41 a.m.)

COUNTY ADMINISTRATOR REPORT

Wanchick said he and Locklear had met with the principals associated with the Lightsey Road Apartments. He said since they were so close during the public hearings, they wanted to explore a resolution of the issue. He said he and staff felt it would be worthwhile to explore the options. *The Board granted consensus to explore solutions.*

(06/24/08 - 14 - 10:42 a.m.)

CLERK'S REPORT

There was no report.

(10:42 a.m.) **Motion by Sanchez, seconded by Rich, carried 4/0, with Stevenson absent, to adjourn the meeting.**

With there being no further business to come before the Board, the meeting adjourned at 10:42 a.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 421287 through 421576, totaling \$2,038,333.25 (06/03/08)

2. St. Johns County Board of County Commissioners Check Register, Check No. 421577 through 421601, totaling \$43,819.88 (06/05/08)
3. St. Johns County Board of County Commissioners Check Register, Check No. 421602 through 421605, totaling \$71,762.54 (06/06/08)
4. St. Johns County Board of County Commissioners Check Register, Check No. 421606, totaling \$2,250 (06/09/08)
5. St. Johns County Board of County Commissioners Check Register, Check No. 421607 through 421929, totaling \$2,491,086.50 (06/10/08)
6. St. Johns County Board of County Commissioners Check Register, Check No. 421930, totaling \$108,434.95 (06/11/08)
7. St. Johns County Board of County Commissioners Check Register, Check No. 421931, totaling \$7,851.65 (06/13/08)

CORRESPONDENCE:

1. Letter dated June 17, 2008, to Liz Cloud, Program Administrator, Bureau of Administrative Code and Weekly, filing St. Johns County Ordinances Number 2008-34 and 2008-35.

Approved July 22, 2008

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Thomas G. Manuel  
Thomas G. Manuel, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland  
Deputy Clerk

