

RESOLUTION NO. 92-213

A RESOLUTION RELATING TO THE ANASTASIA MOSQUITO CONTROL DISTRICT OF ST. JOHNS COUNTY; APPROVING IN ACCORDANCE WITH THE RESULTS OF THE REFERENDUM THE INCLUSION IN THE DISTRICT OF PRECINCTS 2, 10, 15, 21, AND A PORTION OF PRECINCT 20.

WHEREAS, the Board of County Commissioners of St. Johns County has heretofore passed Resolution 92-118 which provided for an election of the registered electors residing within the Anastasia Mosquito Control District of St. Johns County, and Precincts 2, 10, 15, 21, and that portion of Precinct 20 situated to the west of the Intercoastal Waterway, as described in the attached Exhibit "A," to determine by the majority of votes cast in the District, and in the territory proposed to be added, whether the District should be enlarged; and

WHEREAS, at the election held on November 3, 1992, the voters approved the expansion of the Anastasia Mosquito Control District to include said territory by a majority of the votes cast in the existing District and the territory proposed to be added;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. The results of the referendum finding in favor of the expansion of the territory of the Anastasia Mosquito Control District of St. Johns County to include the territory described in the attached Exhibit "A" is acknowledged, and the order and resolution passed on December 13, 1948, creating the District is amended accordingly.

SECTION 2. The Clerk is hereby directed to publish a notice

of the expanded boundaries of the District once each week for two successive weeks in a newspaper of general circulation in St. Johns County, Florida.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, this 16 day of December, 1992.

BOARD OF COUNTY COMMISSIONERS OF  
ST. JOHNS COUNTY

By: Linda Balsavage  
Its Chairman

ATTEST:

Gwen Paeeth  
Deputy Clerk

ADOPTED: \_\_\_\_\_

EXHIBIT "A"

Precinct 2

Beginning at the intersection of County Road 214 and the West shores of San Sebastian River; thence Northerly along the West shores of San Sebastian River to a point where said West shores intersects Ravenswood Drive, said point also being the Westerly limits of the City of St. Augustine; thence Westerly along Ravenswood Drive to the most Westerly limits of said City of St. Augustine; thence Southerly, Easterly and Southerly along the Westerly limits of said City of St. Augustine to a point on the South line of Arapaho Avenue, said point also being on the Southerly limits of the City of St. Augustine; thence Easterly and Northeasterly along said Southerly limits line to the West shores of San Sebastian River; thence Northerly following the West shores of San Sebastian River to the point of beginning.

Description of territory

Precinct 10

Beginning at the intersection of U.S. #1 and Nine Mile Road; thence westerly along Nine Mile Road to I-95; thence southerly along I-95 to SR-16; thence easterly along SR-16 to the west shores of San Sebastian River, said west shores being also the westerly limits of the City of St. Augustine; thence northerly along said west shores of San Sebastian River to the north limits of the City of St. Augustine at the township line between Township 6 and 7 South; thence easterly along said north limits of the City of St. Augustine to U.S. #1; thence northerly along U.S. #1 to the point of beginning.

Description of territory

Precinct 15

Beginning at the intersection of SR-16 and I-95; thence Southerly along I-95 to CR-214; thence Northeasterly and Easterly along CR-214 to the Westerly limits of the City of St. Augustine; thence Northerly along said city limits line to Ravenswood Drive also being the Northerly limits of the City of St. Augustine; thence easterly along the centerline of Ravenswood Drive to the West shore of the San Sebastian River and Westerly limits of the City of St. Augustine; thence Northerly following the West shore of San Sebastian River to SR-16; thence Westerly along SR-16 to the point of beginning.

Description of territory

THE PORTION OF PRECINCT 20 AS DESCRIBED BELOW WHICH IS SITUATED TO THE WEST OF THE INTERCOASTAL WATERWAY.

Precinct 20

Beginning at the intersection of SR-206 and I-95; thence Southerly along I-95 to Pellicer's Creek and boundary line of Flagler County; thence Easterly along an imaginary line down the middle of said creek to the mouth thereof; thence Northeasterly on an imaginary line extending from the mouth of Pellicer's Creek to a point of the extension of the township line between Townships 9 and 10 South, Range 31 East, on the Atlantic coast; thence Northerly along the Atlantic coast to a point where the Easterly extension of Dondenville Road intersects said Atlantic coast; thence West along the Easterly extension of Dondenville Road and continuing West along said road to San Julian Creek; thence Southwesterly along the center of San Julian Creek to Matanzas River; thence Southerly along the thread of Matanzas River to SR-206; thence Westerly along SR-206 to the point of beginning.

Precinct 21

Beginning at the intersection of CR-214 and I-95; thence Southerly along I-95 to SR-207; thence Northeasterly along SR-207 to the West limits of the City of St. Augustine, said West limits being 150 feet West of Old Dixie Highway; thence Northerly, Westerly and Northerly along said West limits of the City of St. Augustine to CR-214; thence Westerly along CR-214 to the point of beginning.

Description of territory

WHEREAS, the inspectors and clerks at an election for the creation of a special taxing district to be known as Anastasia Mosquito Control District, and for the election of members of the board of commissioners of said mosquito control district held December 7, 1948, having made returns of the result of said election, and said returns having been canvassed, therefore

The Board of County Commissioners of St. Johns County, Florida does hereby declare the result of said election to be as follows:

That 252 ballots were cast in the affirmative and 11 in the negative upon the question "Shall Anastasia Mosquito Control District be Created?"

That S. R. Cafaro received 239 votes, R. W. Hamilton 229 and Charles E. Young, 223, and that no one else received any votes for members of the board of commissioners of Anastasia Mosquito Control District.

The Board of County Commissioners of St. Johns County, Florida, does hereby enter an order constituting the territory in St. Johns County, Florida, described as follows:

Voting Precinct Number 22, said area being more particularly described as follows:

All of Anastasia Island except that part thereof lying South of Section line of Section 22, Township 8, South, Range 30, East, St. Johns County, Florida.


a mosquito control district pursuant to the provisions of Chapter 390, Florida Statutes, 1941, to be known as Anastasia Mosquito Control District.

The Board of County Commissioners of St. Johns County, Florida, does hereby authorize and direct its chairman and clerk to declare and publish the boundaries of said district as required by law.

STATE OF FLORIDA, )  
COUNTY OF ST. JOHNS. )

I, Hiram Faver, Clerk Circuit Court, ex-officio Clerk and Auditor Board of County Commissioners of St. Johns County, Florida, do hereby certify that the above and foregoing is a true and correct copy of resolution adopted by the Board of County Commissioners of St. Johns County, Florida, at a meeting of said board held December 13th, 1948, as the same appears of record in County Commissioners Minute Book "L", at pages 226 and 227, public records of St. Johns County, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office hereto this 10th day of January, A. D., 1949.

  
Clerk Circuit Court, ex-officio Clerk  
and Auditor Board of County Commis-  
sioners, St. Johns County, Florida.

1991

**388.161 District boards of commissioners; powers and duties.—**

(1) The board of commissioners may do any and all things necessary for the control and elimination of all species of mosquitoes and other arthropods of public health importance and the board of commissioners is specifically authorized to provide for the construction and maintenance of canals, ditches, drains, dikes, fills, and other necessary works and to install and maintain pumps, excavators, and other machinery and equipment, to use oil, larvicide paris green, or any other chemicals approved by the Department of Health and Rehabilitative Services but only in such quantities as may be necessary to control mosquito breeding and not be detrimental to fish life.

(2) The board of commissioners shall have all the powers of a body corporate, including the power to sue and be sued as a corporation in said name in any court; to contract, to adopt and use a common seal and alter same at pleasure, to purchase, hold, lease, and convey such real estate and personal property as said board may deem proper to carry out the purpose of this chapter; to acquire by gift real estate, personal property, and moneys and to employ a field director and such trained personnel, legal, clerical or otherwise, and laborers as may be required. The board of commissioners shall promulgate such rules and regulations not inconsistent with the provisions of this chapter or with other legislation which in its judgment may be necessary for the proper enforcement of this chapter provided such rules and regulations are approved by the Department of Health and Rehabilitative Services.

History.—s. 2, ch. 59-195; ss. 19, 35, ch. 69-106; s. 158, ch. 77-147.

**388.162 Direction of the program.—**The program shall be administered for the board of commissioners by a qualified person. The Department of Health and Rehabilitative Services shall establish minimum qualifications for employment of a director in accordance with the responsibilities attached to the position.

History.—s. 2, ch. 63-236; ss. 19, 35, ch. 69-106; s. 159, ch. 77-147.

**388.171 Power to perform work.—**The board of commissioners may have any and all work performed by contract with or without advertisement, or without contract, by machinery, equipment, and labor employed directly by the board of commissioners.

History.—s. 2, ch. 59-195.

**388.181 Power to do all things necessary.—**The respective districts of the state are hereby fully authorized to do and perform all things necessary to carry out the intent and purposes of this law.

History.—s. 2, ch. 59-195.

**388.191 Power of eminent domain.—**The board of commissioners may hold, control, and acquire by gift or purchase for the use of the district, any real or personal property, and may condemn any land or easements needed for the purposes of said district. Said board may exercise the right of eminent domain and institute and maintain condemnation proceedings as provided in chapter 73.

History.—s. 2, ch. 59-195.

**388.201 District budgets; hearing.—**

(1) The fiscal year of districts operating under the provisions of this chapter shall be the 12-month period extending from October 1 of one year through September 30 of the following year. The governing board of the district shall before July 15 of each year complete the preparation of a tentative detailed work plan budget covering its proposed operations and requirements for arthropod control measures during the ensuing fiscal year and, for the purpose of determining eligibility for state aid, shall submit copies as may be required to the department for review and approval. The tentative detailed work plan budget shall set forth, classified by account number, title and program items, and by fund from which to be paid, the proposed expenditures of the district for construction, for acquisition of land, and other purposes, for the operation and maintenance of the district's works, the conduct of the district generally, to which may be added an amount to be held as a reserve.

(2) The tentative detailed work plan budget shall also show the estimated amount which will appear at the beginning of the fiscal year as obligated upon commitments made but uncompleted. There shall be shown the estimated unobligated or net balance which will be on hand at the beginning of the fiscal year and the estimated amount to be raised by district taxes and from any and all other sources for meeting the district's requirements.

(3) The budget and maintenance tax levy shall be adopted in accordance with the provisions of s. 200.065.

(4) The governing board:

(a) Shall give consideration to objections filed against adoption of the tentative detailed work plan budget and in its discretion may amend, modify, or change such budget; and

(b) Shall by September 15 following adopt and execute on a form furnished by the department a certified budget for the district which shall be the operating and fiscal guide for the district. Certified copies of this budget shall be submitted by September 15 to the department for approval.

(5) County commissioners' mosquito and arthropod control budgets shall be made and adopted as prescribed by subsections (1) and (2); summary figures shall be incorporated into the county budgets as prescribed by the Department of Banking and Finance.

History.—s. 2, ch. 59-195; s. 1, ch. 63-236; ss. 12, 19, 35, ch. 69-106; s. 160, ch. 77-147; s. 6, ch. 86-203; s. 56, ch. 91-221.

**388.211 Change in district boundaries.—**

(1) The board of commissioners of any district formed prior to July 1, 1980, may, for and on behalf of the district or the qualified electors within or without the district, request that the board of county commissioners in each county having land within the district approve a change in the boundaries of the district.

(2) If the board of county commissioners approves such change, an amendment shall be made to the order creating the district to conform with the boundary change.

History.—s. 2, ch. 59-195; s. 1, ch. 63-236; s. 3, ch. 71-323; s. 11, ch. 80-281.

**388.221 Tax levy.—**

(1) The board of commissioners of such district may

1 and 10, or July 1 and 10, as may be applicable to the three months period prior to the beginning of the district's fiscal year, complete the preparation of a tentative budget for the district covering its proposed operation and requirements for the ensuing fiscal year. The budget shall set forth, classified by object and purpose, and by fund if so designated, the proposed expenditures of the district, for construction, for acquisition of land, and other purposes, for operation and maintenance of the district's works, the conduct of the district generally, to which may be added an amount to be held as a reserve.

(2) The budget shall also show the estimated amount which will appear at the beginning of the fiscal year as obligated upon commitments made but uncompleted. There shall be shown the estimated unobligated or net balance which will be on hand at the beginning of the fiscal year, and the estimated amount to be raised by district taxes and from other sources for meeting the district's requirements.

(3) On a date to be fixed by the board of commissioners, the board shall publish a notice of its intention to adopt the budget or as the same may be amended for the district for the ensuing fiscal year. The notice shall set forth the tentative budget in full, and shall be notice to all owners of property subject to the district taxes that on a date and at a place appearing in the notice, opportunity will be afforded to such owners, their attorney or agent, to appear before the board and show their objections to the budget. The notice shall be published for two consecutive weeks in a newspaper published in the county seat of each county having land in the district, the last insertion of which shall appear not less than one nor more than two weeks prior to the date set by the board for the hearing on the budget, or if there be no such newspaper then by posting the notice as provided by §49.02.

(4) The hearing shall be by and before the governing board of the district on a date to be fixed by said board not earlier than one week and not later than two weeks after the date of the last publication of notice of intention to adopt the budget, and may be continued from day to day until terminated by the board. Promptly thereafter the governing board shall give consideration to objections filed against the budget and in its discretion, may amend, modify or change the tentative budget, and shall by June 10 or September 10, following adopt a final budget for the district which shall thereupon be the operating and fiscal guide for the district for the ensuing year.

History.—§2, ch. 59-195; similar provisions contained in former §390.162.

**388.211 Change in district boundaries.**—The board of commissioners of any district may, for and on behalf of said district or the owners of real estate within or without said district, file a petition with the board of county commissioners in each county having land with-

in said district, requesting it to call an election of the qualified electors of the territory affected to determine whether or not the boundaries of the district shall be extended to include lands described in the petition, or ask that certain lands be eliminated therefrom, or that the boundary lines of the district be changed in any manner. When such a petition is filed, the board of county commissioners shall conduct an investigation and call an election as provided for in this chapter for the creation of districts. If the result of election favors the change in boundary, the board of county commissioners shall amend its order creating the district to include the change in boundary.

History.—§2, ch. 59-195; similar provisions contained in former §390.163.

**388.221 Tax levy.**—The board of commissioners of such district may levy upon all of the real and personal taxable property in said district a special tax not exceeding ten mills on the dollar during each year as maintenance tax to be used solely for the purposes authorized and prescribed by this chapter. Said levy shall be made each year not later than July 1 of each year by resolution of said board or a majority thereof, duly entered upon its minutes. Certified copies of such resolution executed in the name of said board by its chairman and secretary and under its corporate seal shall be made and delivered to the board of county commissioners of the county in which such district is located, and to the state comptroller not later than July 1 of such year. The board of county commissioners shall order the assessor of said county to assess and the collector of said county to collect the amount of taxes so assessed and levied by said board of commissioners of said district upon all of the taxable real and personal property in said district at the rate of taxation adopted by said board for said year and included in said resolution, and said levy shall be included in the warrants of the tax assessor and attached to the assessment roll of taxes for said county each year. The tax collector shall collect such taxes so levied by said board in the same manner as other taxes are collected and shall pay the same within the time and in the manner prescribed by law to the treasurer of said board. The comptroller shall assess and levy on all the railroad lines and railroad property and telegraph and telephone lines and telegraph and telephone property situated in said district in the amount of each such levy as in case of other state and county taxes, and collect said taxes thereon in the same manner as he is required by law to assess and collect taxes for state and county purposes, and remit the same to the treasurer of said board. All such taxes shall be held by said treasurer for the credit of said board and paid out by him as ordered by said board.

History.—§2, ch. 59-195; similar provisions contained in former §§388.17, 388.18, 390.18.

**COPY OF ADVERTISEMENT**

**NOTICE OF CHANGE IN BOUNDARIES OF THE ANASTASIA MOSQUITO CONTROL DISTRICT OF ST. JOHNS COUNTY**

PLEASE TAKE NOTICE that the Board of County Commissioners of St. Johns County has declared the boundaries of the Anastasia Mosquito Control District of St. Johns County are enlarged to include Precincts 2, 10, 15, 21, and a portion of 20, described and bounded as follows:

**Precinct 2:**  
Beginning at the intersection of County Road 214 and the West shores of San Sebastian River; thence Northerly along the West shores of San Sebastian River to a point where said West shores intersects Ravenswood Drive, said point also being the Westerly limits of the City of St. Augustine; thence Westerly along Ravenswood Drive to the most Westerly limits of said City of St. Augustine; thence Southerly, Easterly and Southerly along the Westerly limits of said City of St. Augustine to a point on the South line of Arapaho Avenue, said point also being on the Southerly limits of the City of St. Augustine; thence Easterly and Northeasterly along said Southerly limits line to the West shores of San Sebastian River; thence Northerly following the West shores of San Sebastian River to the point of beginning.

**Precinct 10:**  
Beginning at the intersection of U.S. #1 and Nine Mile Road; thence Westerly along Nine Mile Road to I-95; thence Southerly along I-95 to SR-16; thence easterly along SR-16 to the west shores of San Sebastian River; said west shores being also the westerly limits of the City of St. Augustine; thence northerly along said west shores of San Sebastian River to the north limits of the City of St. Augustine at the Township line between Township 6 and 7 South, thence easterly along said north limits of the City of St. Augustine to U.S. #1; thence northerly along U.S. #1 to the point of beginning.

**Precinct 15:**  
Beginning at the intersection of SR-16 and I-95; thence Southerly along I-95 to CR-214; thence Northeasterly and Easterly along CR-214 to the Westerly limits of the City of St. Augustine; thence Northeasterly along said city limits line to Ravenswood Drive also being the Northerly limits of the City of St. Augustine; thence easterly along the centerline of Ravenswood Drive to the West shore of the San Sebastian River and Westerly limits of the City of St. Augustine; thence Northerly following the West shore of San Sebastian River to SR-16; thence Westerly along SR-16 to the point of beginning.

**Precinct 21**  
Beginning at the intersection of CR-214 and I-95; thence Southerly along I-95 to SR-207; thence Northeasterly along SR-207 to the West limits of the City of St. Augustine, said West limits being 150 feet West of Old Dixie Highway; thence Northerly, Westerly and Northerly along said West limits of the City of St. Augustine to CR-214; thence Westerly along CR-214 to the point of beginning.

**THE PORTION OF PRECINCT 20 AS DESCRIBED BELOW WHICH IS SITUATED TO THE WEST OF THE INTRA-COASTAL WATERWAY.**

**Precinct 20:**  
Beginning at the intersection of SR-204 and I-95, thence Southerly along I-95 to Pellicer's Creek and boundary line of Flagler County; thence Easterly along an imaginary line down the middle of said creek to the mouth thereof; thence Northeasterly on an imaginary line extending from the mouth of Pellicer's Creek to a point of line extension of the township line between Townships 9 and 10 South, Range 31 East, on the Atlantic Coast; thence Northerly along the Atlantic coast to a point where the Easterly extension of Dondanville Road intersects said Atlantic Coast; thence

tion of Dondanville Road and continuing West along said road to San Julian Creek; thence Southwesterly along the center of San Julian Creek to Matanzas River; thence Southerly along the thread of Matanzas River to SR-206; thence Westerly along SR-206 to the point of beginning.

The expansion of the Anastasia Mosquito Control District to include the territory above described was approved by the voters in the general election held on November 3, 1992, and has been confirmed, ratified and approved by the Board of County Commissioners of St. Johns County by Resolution No. 92-213. This notice is published pursuant to Section 2 of St. Johns County Resolution No. 92-213.

**BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA**  
CARL "BUD" MARKEL,  
ITS CLERK

By: Irma Pace/ll  
Deputy Clerk  
L647 Jan 4, 11, 1993

**The St. Augustine Record**

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared \_\_\_\_\_

SHERRY R. FREE \_\_\_\_\_ who on oath says that she is  
ACCOUNTING CLERK \_\_\_\_\_

of the St. Augustine Record, a  
daily newspaper published at St. Augustine in St. Johns County, Florida: that

the attached copy of advertisement, being a \_\_\_\_\_  
NOTICE OF CHANGE IN BOUNDARIES \_\_\_\_\_

\_\_\_\_\_ in the matter of \_\_\_\_\_  
ANASTASIA MOSQUITO CONTROL DISTRICT OF ST. JOHNS CO. \_\_\_\_\_

\_\_\_\_\_ in the \_\_\_\_\_ Court,

was published in said newspaper in the issues of \_\_\_\_\_  
JANUARY 4 and 11, 1993 \_\_\_\_\_

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me Zoe Ann Moss

this 11th day of January

A.D. 19 93

Zoe Ann Moss  
Notary Public

