

NOTE:

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**MINUTES OF MEETING  
ST. JOHNS COUNTY SPECIAL MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
OCTOBER 26, 2005  
9:00 A.M.**

Proceedings of a special meeting of the Board of County Commissioners, held in the auditorium at the County Administration Building, 4020 Lewis Speedway (County Road 16-A) and US 1 North, St. Augustine, Florida.

Present were:           Bruce A. Maguire, District 4, Chairman  
                          James Bryant, District 5, Vice Chairman  
                          Cyndi Stevenson, District 1  
                          Karen R. Stern, District 2  
                          Ben Rich, District 3  
                          Ben W. Adams, Jr., County Administrator  
                          Dan Bosanko, County Attorney  
                          Patrick McCormack, Assistant County Attorney  
                          Lenora Newsome, Deputy Clerk

Also present:           Cheryl Strickland, Clerk of Courts

(10/26/05 - 1 - 9:03 a.m.)  
Maguire called the meeting to order.

(10/26/05 - 1 - 9:03 a.m.)  
Stern gave the invocation and Rich led the Pledge of Allegiance.

(10/26/05 - 1 - 9:04 a.m.)  
ADDITIONS/DELETIONS TO THE SPECIAL MEETING AGENDA

Maguire requested to add two items: the St. Johns County lobbyist services issue as Item 5a, and the Dupont homestead as 5b. Bosanko requested to add an item, a contract between the County and the Department of Community Affairs, as 5c.

(10/26/05 - 1 - 9:06 a.m.)  
APPROVAL OF THE SPECIAL MEETING AGENDA

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

(10/26/05 - 1 - 9:05 a.m.)  
ROLL CALL

Maguire stated that all five commissioners were present.

(10/26/05 - 1 - 9:06 a.m.)

1.    WORKSHOP ON ROOMING HOUSES AND RESIDENCES OF SEXUAL OFFENDERS IN ST. JOHNS COUNTY

Bosanko gave the history on this item. McCormack reviewed the current St. Johns County LDC Regulations, the LDC Boarding/Rooming House definition, the LDC Boarding House Regulations, the City of St. Augustine's definition of a family, and the City of St. Augustine Beach's definition of a family, Exhibit A.

(9:13 a.m.) Chief Joel Bolante spoke on the highlights of the Jessica Lunsford Act, and distributed a hot sheet of offenders, Exhibit B.

(9:15 a.m.) Keith Oke, Detective with the St. Johns County Sheriff's Office, gave a presentation on sex offenders/predators living within St. Johns County, the number of sex offenders/predators in the county, and on the rules governing where they could live. (9:20 a.m.) Rich asked if these types of rooming houses caused a problem for the Sheriff's Office in performing their duty in identifying predators who come into St. Johns County and do not report. Detective Oke responded no, they would be like any other offender who did not report. Bolante said that they would like to reinforce that they did not believe, that at this time, that local legislation would be effective in this particular area.

(9:23 a.m.) Sheriff Shoar reinforced that the Sheriff's Office had a very effective career criminal unit whose task was the monitoring of sex offenders and sexual predators. He assured the County that they monitor these people on a daily basis. Stern spoke on residents being concerned. Shoar responded.

(9:31 a.m.) McCormack reviewed the Jessica Lunsford Act.

(9:33 a.m.) Stan DeAngelis, St. Johns County Building Officer, reviewed the existing Florida Building Code. Rich clarified that an unlicensed rooming house that presently existed within the County, where rooms were being rented, did not have to meet any of the codes, unless someone made a complaint that put an officer on the scene who then would find the violation. DeAngelis responded.

(9:36 a.m.) Fire Chief Frank McElroy spoke on the NFPA Life Safety Code (Fire Code), modifying the Fire Code, and the Code not providing a definition of family. Rich spoke on how the City of St. Augustine and the City of St. Augustine Beach defined a family. McElroy stated that one could have family members in a home, and could also rent to three other people.

(9:45 a.m.) Ben Coney, St. Johns County Housing and Community Services, reviewed the affordable housing concerns, and referenced the Affordable Housing Study regarding the executive summary. Stern asked how having exchange students in your home would be addressed in the Fire Code. McCormack replied that there would be a limitation of the number of exchange students allowed.

(9:52 a.m.) Cheryl Strickland, Clerk of Courts, spoke on performing audits on people who did short term rentals.

(9:53 a.m.) McCormack reviewed the legal parameters, and staff's recommendations.

(9:57 a.m.) Gary Bruce, Executive Director of Project Special Care, 2155 Old Moultrie Road, spoke on Project Special Care's mission to prevent the abuse and neglect of children, and needing to make allowances for foster children in a home. Discussion followed on licensed foster homes, the Code needing to provide for specially designed and regulated programs, foster care, and the need to recognize other State programs.

(10:02 a.m.) McCormack asked if there was consensus from the Board for staff to bring back any additional information. Rich asked the Board to consider bringing the Land Development Code into alignment with the Fire Code, specifically, a maximum of three unrelated persons, including the OR, RG-1 and RG-2 zoning categories; and the permitting process for boarding houses. Bryant asked for future consideration for addressing parking. Maguire asked for the consensus of the Board to direct Staff to

develop a change to the LDC definition to three unrelated persons. McCormack stated if there was consensus, they could put it in as part of the LDC change that Scott Clem was bringing before the Board. (10:07 a.m.) *It was the consensus of the Board for a Staff recommendation on changing the Land Development Code.* Maguire mentioned looking at the two options individually and the special-use permit for boarding houses. Bryant suggested spending time thinking about this and not rushing into anything. Maguire stated that he would like to have further discussion on both of the options before taking it any further. Adams mentioned that the LDC change would require two hearings; the first hearing was scheduled for the 15th of November at 5:30 p.m. (10:09 a.m.) Strickland and McCormack left the meeting.

(10/26/05 - 3 - 10:10 a.m.)

2. WORKSHOP TO DISCUSS USES, PROGRAMS AND OPERATIONS AT THE HEALTH AND HUMAN SERVICES CENTER

Mary Ann Blount, Land Management Director, gave a presentation regarding the history of acquisition; agencies square footage lease terms, and the 2005 annual revenue. (10:15 a.m.) Gene Burns spoke on annual and future expenses. (10:19 a.m.) Jessie Dunn, Budget Analyst, spoke on the funding of the operations.

(10:20 a.m.) Dr. Dawn Allicock, Director of the St. Johns County Health Department, spoke on their objections and where they were located in the building.

(10:22 a.m.) Lloyd Carson, IT Director for the St. Johns County Health Department, addressed the renovations of the Health Department's lobby. Bryant replied to the request for additional space, stating that it would be difficult to find additional space and he explained why. Carson replied that they were trying to meet their needs by rearranging internal facilities. Discussion followed on the renovations, and needs of the community being met.

(10:28 a.m.) Maguire asked if there were any outstanding issues to be concerned about. Mary Ann Blount, Land Management Director, responded.

(10:30 a.m.) Stern spoke on the leases. Maria Colavito, St. Johns County Health and Human Services Director, distributed information, Exhibit A. She spoke on the Community Resource Center, and recommendations on combining and moving departments around. Rich asked about the number of people who would be attending a mental health drop in center. Colavito replied that they would probably have an average of 30 people daily. Discussion followed on renovating for a mental health drop in center.

(10:45 a.m.) Blount mentioned that they would like direction on moving forward with contacting Children and Families to see what their needs might be, and with the rent negotiations with Project Special Care and the Therapeutic Learning Center for them to stay there another year. Maguire mentioned to Blount to come back to the Board with information on contacting the agencies she mentioned. Blount mentioned that they contacted the VA and that they would not need any extra space for the next five years.

The meeting recessed at 10:47 a.m., and reconvened at 10:57 a.m.

(10/26/05 - 3 - 10:58 a.m.)

3. WORKSHOP TO DISCUSS USE OF THE FORMER HASTINGS ELEMENTARY SCHOOL SITE

Dr. Sam Marathe spoke on the Diabetic Health Program and needing an office for counseling, Exhibit A.

(11:01 a.m.) Reuben Carter, 531 Ashland Ave., Hastings, stated that they were requesting rooms for an illiteracy center, an HIV clinic, office space, a meeting room, and a room for free concerts. Bryant spoke on checking with the Health Department so as not to duplicate programs. Carter stated that they also needed space for a dialysis center.

*The meeting moved to Item 5a.*

(11:37 a.m.) Subsequently, Mary Ann Blount, Land Management Director, reviewed this item stating that there was not enough room to accommodate all the requests, and that they would have to honor the request by priorities. Discussion followed on what the land and building could be used for. Adams mentioned that they needed to sit down with the people in Hastings to discuss their needs.

(10/26/05 - 4 - 11:53 a.m.)

4. CONSIDER A MOTION TO ADOPT A RESOLUTION ACCEPTING A WARRANTY DEED FROM THE SCHOOL BOARD OF ST. JOHNS COUNTY FOR THE FORMER HASTINGS ELEMENTARY SCHOOL SITE

**Motion by Stern, seconded by Rich, carried 4/0 with Bryant absent, to adopt Resolution No. 2005-329, accepting a warranty deed from the School Board of St. Johns County for the former Hastings Elementary School site, and also to transfer \$19,500 from the General Fund Reserves to the appropriate account to cover the cost of tank removal.**

#### RESOLUTION NO. 2005-329

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A WARRANTY DEED FROM THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA, FOR THE FORMER HASTINGS ELEMENTARY SCHOOL SITE INCLUDING APPROXIMATELY 42 ACRES**

(10/26/05 - 4 - 11:57 a.m.)

5. CONSIDER A REQUEST FOR A 30-DAY EXTENSION TO COMPLETE SEWER COLLECTION IMPROVEMENTS TO MOSS CREEK LANE

Bill Young, Director of Utilities, reviewed this item stating that back in June the County entered into a consent agreement with St. Johns Service Company to make certain repairs and revisions to the wastewater collection system. He stated that the consent agreement also laid out a time line to complete the project and allowed the utility to request an extension of time for circumstances beyond the reasonable control of the utility, and also allowed for penalties if the timeline was not met. Young stated that he had spoken with the contractor on this project and that he was basically done. (11:59 a.m.) Michael Hunt, Deputy County Attorney, entered the meeting.

(11:59 a.m.) Sid Ansbacher, Upchurch, Bailey and Upchurch, voiced his concerns. He spoke on a letter dated October 10th regarding the utility meeting with Beaches Electric, and on sending a letter to Jacksonville Beach explaining the urgency of this as a public matter. Stevenson asked Ansbacher if his client had notified Jacksonville Beach of this

need. Ansbacher replied that they had been talking with Beaches Energy consistently about what they needed. He stated that he was told that they were extremely backlogged, and that they were getting to it as soon as they could. (12:05 p.m.) **Motion by Stevenson, seconded by Rich, to adopt Resolution No. 2005-330, which grants a 30 day extension to Saint Johns Service Company, in order to complete improvements noted in a June 2005 Consent Agreement between Saint Johns Service Company and St. Johns County, Florida.** Stern mentioned that she did not think that she could support this today, and explained why. Ansbacher mentioned that he understood the general concerns and spoke on the extension. Stern asked if November 13th was the date given to Ansbacher that the power would be restored. Ansbacher stated that was what they originally told them, then they subsequently told them that they wanted to do a loop to better service the whole area of Marsh Creek, which would make it a longer process of six to eight weeks. He suggested giving a weekly, rather than monthly, report. Stern requested maybe a letter of support from the Chairman of the Board to Jacksonville Beach indicating the urgency of this matter, and that she agreed with the weekly update of the repairs. Young replied that he would continue to give a weekly update. (12:20 p.m.) **Amendment to the motion by Stern for a 20 day [extension] instead of a 30 day [extension], seconded by Maguire, carried 3/1 with Rich in opposition and Bryant absent.**

(12:21 p.m.) Patrick Doran, 248 Royal Tern Road, Ponte Vedra, spoke on the sewer spill, and on getting an update on what had been done to correct it. He stated that they had no sign that everything was clear and he recommended that the Board not buy St. Johns Service until everything had been taken care of.

(12:26 p.m.) Young explained how they were monitoring things and what was being done. Rich requested that Doran meet with Young to get an update. (12:30 p.m.) **The motion carried 4/0 with Bryant absent.** Maguire asked Bosanko to write a letter for him requesting that they expedite the repairs based upon the health and welfare of the community. Stern left the meeting.

*The meeting moved to Item 5b.*

[\(10/26/05 - 5 - 11:06 a.m.\)](#)

#### 5A. RFQ NO. 06-25 - ST. JOHNS COUNTY LOBBYIST SERVICES

Joe Burch, Purchasing Manager, reviewed this item. Stevenson asked what expertise they looked. Burch replied, with discussion ensuing. Stern mentioned that she would like to see all the proposals, have a chance to review them and then come back with a decision. Burch replied that he would submit copies to the commissioners. Bryant mentioned that they didn't need to mess with the process of ranking proposals. Stevenson spoke on the issues covering health care, but stated that transportation needed to be addressed also. Rich agreed with Stevenson and Stern, and stated that he would like to look at all the proposals also. Maguire voiced his concerns, and stated that he supported Stern's request on seeing all the proposals, and continuing this item until next Tuesday. Bryant stated that he had no problem supporting the number one ranking member, Wharton. Maguire stated that he suggested that Mark Anderson submit a package. Maguire stated that they would continue this item to next Tuesday. Adams stated that there had been no influence from Administration to any of the staff who selected the proposals. Maguire stated that there was no influence by the commissioners either. Bryant mentioned that he was going to be in a meeting this afternoon with Senators Wise, Hill and King trying to protect what they had done with health issues.

(11:30 a.m.) Maria Colavito, 104 San Royal Road, stated that she was a reviewer on these proposals and she recommended to the Board that when they reviewed the proposals they also review the criteria very carefully. She spoke on how she ranked the proposals.

(11:34 a.m.) Tom Crawford, Director of Housing and Community Services, as one of the rankers, explained the critical parts, and stated that he asked Ted Zebrowsky about the upcoming priorities. Maguire stated that this item would be continued to Tuesday.

(11:37 a.m.) Bryant left the meeting.

*The meeting returned to Item 3.*

(10/26/05 - 6 - 12:31 p.m.)

5B. DUPONT MICKLER FARMSTEAD

Maguire stated that the BCC needed to give direction to staff, and that was what this item was about. Rich stated that he was familiar with this piece of property and he encouraged the Board members to allow Mary Ann Blount to go forward with this issue. (12:32 p.m.) **Motion by Stevenson, seconded by Rich, to direct staff to continue to proceed with the acquisition of the Cornelius DuPont homestead, a turn of the century residence.** Blount stated that the aerial shown on the overview was of 4.39 acres that became available for sale, and that there were several people interested in it, including the County. She mentioned that it was advantageous to the County because it was contiguous to the Southeast Branch Library, and backed up to the St. Johns River Water Management District land. She stated that staff would proceed to try and negotiate and acquire this site and bring the executed contract back to the Commission for approval. She stated that there was no dedicated funding source, and when they bring it back, if they were successful in negotiating a contract, the funding would be addressed at that time. (12:34 p.m.) **The motion carried 3/0, with Stern and Bryant absent.**

(10/26/05 - 6 - 12:35 p.m.)

5C. STATE FUNDED SUBGRANT AGREEMENT FOR PARTICIPATION IN THE SCHOOL CONCURRENCY PILOT PROGRAM

Teresa Bishop, Planning Director, explained that the County was in the DCA's School Concurrency Pilot Program and that the grant agreement needed to be signed by November 1st.

(12:37 p.m.) **Motion by Stevenson, seconded by Rich, carried 3/0 with Stern and Bryant absent, to approve the State Funded Subgrant Agreement between St. Johns County and the Department of Community Affairs for participation in the School Concurrency Pilot Program, and to authorize the County Administrator to execute same in substantially the form attached hereto.**

**Motion by Stevenson, seconded by Rich, carried 3/0 with Stern and Bryant absent, to adopt Resolution No. 2005-331, recognizing unanticipated revenue in the amount of \$100,000, and increasing the General Fund Physical Environment State Grant (0001-33430) and State Grant Expenditure Budget of Planning (0001-0018-55305) in the same amount.**

RESOLUTION NO. 2005-331

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2006 GENERAL FUND

TO RECEIVE UNANTICIPATED REVENUE AND  
AUTHORIZE ITS EXPENDITURE BY THE PLANNING  
DEPARTMENT

Maguire announced that the Rotary Club of St. Augustine was having a golf tournament next Monday, October 31<sup>st</sup> at the Royal St. Augustine.

Maguire announced on November 7<sup>th</sup> at South Hampton, Project Special Care was having a golf tournament.

Maguire announced that the ESHC (Emergency Shelter and Homeless Coalition) was trying to raise funds, and Belks was hosting a benefit sale on Friday and Saturday the 28<sup>th</sup> and 29<sup>th</sup>.

(12:39 p.m.) Adams announced daylight savings time was this weekend.

(10/26/05 - 7 - 12:40 p.m.)

6. OTHER BUSINESS AS NECESSARY

There was no other business.

(12:40 p.m.) Motion by Rich, seconded by Stevenson, carried 3/0 with Stern and Bryant absent, to adjourn. With there being no further business to come before the Board, the meeting adjourned at 12:40 p.m.

Approved \_\_\_\_\_ December 27 \_\_\_\_\_, 2005

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

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

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland  
Deputy Clerk

