

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
FEBRUARY 7, 2007
(1:30 P.M.)**

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

Present were: Ben Rich, District 3, Chairman
Thomas G. Manuel, District 4, Vice Chair
Cyndi Stevenson, District 1
Ron Sanchez, District 2
James Bryant, District 5
Waldemar Kropacek, Interim County Administrator
Patrick McCormack, County Attorney
Terry Bulla, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Court

(02/07/07 - 1 - 1:37 p.m.)
CALL TO ORDER

Rich called the meeting to order.

(02/07/07 - 1 - 1:37 p.m.)
ROLL CALL

Rich stated that all five commissioners were present.

(02/07/07 - 1 - 1:37 p.m.)
Rich gave the Invocation and Sanchez led the Pledge of Allegiance.

(02/07/07 - 1 - 1:38 p.m.)
PUBLIC COMMENT

Bill Rosenstock, 57 White Court, St. Augustine Beach, spoke in opposition to giving a grant to the Cultural Center in the amount of \$750,000. He asked that the Historic Bath House be reopened and renovated for use by the public.

(1:42 p.m.) Marci Silkenbaken, 1145 Neck Road, Ponte Vedra, spoke regarding solicitation in her neighborhood. She questioned if there were solutions to the problem. Discussion by the Board ensued.

(1:51 p.m.) Marty Martin, 237 Monterey Ave., spoke in support of the West Augustine Park and its development, and asked for their support of the bond issues.

(02/07/07 - 1 - 1:53 p.m.)
ADDITIONS/DELETIONS TO SPECIAL MEETING AGENDA

There were none.

(02/07/07 - 1 - 1:53 p.m.)
APPROVAL OF SPECIAL MEETING AGENDA

Motion by Sanchez, seconded by Manuel, carried 5/0 to approve the special meeting agenda.

(02/07/07 - 2 - 1:54 p.m.)

1. FY 2006 BOND PROJECTS WORKSHOP

Doug Timms, Director, Office of Management and Budget, gave the presentation. He reviewed materials that had been requested by the Board at an earlier meeting regarding CRA's as they related to their debt service and the bond issues. He said the result of the Governor's proposal would move the dates back from one to three years. General discussion ensued.

(2:04 p.m.) The Remote Site Prison Farm proposal was presented by Col. Herb Greenleaf, Department of Correction, and Major Frank Cyr and Lt. Dan Chitwood from the Sheriff's department gave a PowerPoint presentation and explained the rationale for the requested funding. (Exhibit E) They showed slides of similar facilities in Brevard and Marion Counties.

Rich explained that the property in question was located behind the Fairground area. He disclosed ex-parte communications with the Sheriff and his staff. He further disclosed that he had directed the County Administrator to investigate whether a small strip of land between the Fairgrounds and the proposed site was for sale.

Bryant supported the Chairman on using the site as opposed to purchasing another site. He also encouraged the use of Mental Health treatment personnel at the facility, which would further help to reduce the recidivism rate.

General discussion followed regarding activities which could be performed at the facility including recycling activities, production of food to augment the food bank and to lower the cost of feeding inmates and educational opportunities through IFIS.

Rich said the low risk inmates were currently housed with more serious offenders, and the current proposal was for those individuals who were low risk.

Stevenson stated she had visited the Marion County facility which was a lovely farm which provided good opportunities for rehabilitation and job skill training. She expressed reservations about the location because of the land acquisition, but said those concerns had been alleviated.

Rich asked Timms about land acquisition funding and what the status was. Timms said the original land acquisition was \$575,000 and was in the 2007 budget, which could be supplemented with Law Enforcement Funding. Rich said he was trying to free up bond funding by supplementing it with Law Enforcement funding. Timms said technically that could be done if the land proved to be suitable.

(2:34 p.m.) Patrick McCormack, County Attorney, said the State statutes had a provision relating to a Public Safety Coordinating Council, and each locale was to have a representative from various agencies to attend. He said the County had set up the framework in 2005, and the council was for the purpose of determining correction facility needs. He said the Board had never met and some had not even been assigned, and it might be a good time to determine who the representatives were and to try to get them to meet within the next month or so. McCormack said a letter should go out to each of the entities, they should determine who their representative would be, and then have the committee to meet to access the inmate population and the facilities for them. Bryant said it should be researched, and that they did have a first meeting, but not many of the members had attended.

(2:39 p.m.) Troy Blevins, Parks and Recreation, reviewed the requests by his department and gave a PowerPoint presentation. (Exhibit D) He highlighted the areas for growth, the children served by region, the ratio of players per field or court and the proposed budgets for the South, Northwest and Northeast sections of the County broken out by projects.

Blevins then reviewed the West Augustine District Park Project. Rich questioned budget line items. Blevins explained those items and said they would be reflected in the next phase. Rich asked where they anticipated acquiring their funding and reminded them of the tightening of funding as a result of the State's initiative. Blevins said it was for the Little League baseball fields, and stated what the \$2 million dollars would cover. Stevenson asked what the remaining need was. Blevins said the \$2 million would open the facility and provide the infrastructure needs and another \$2 million was needed to complete the district park.

Tom Crawford, Housing Community Services, emphasized the importance of the park, and emphasized that it was a critical element to the efforts they were making in West Augustine redevelopment. He said tax revenues were about 27% of projections and were way ahead on all CRA's. He said the CRA's were designed to get the improvements in, which would create additional tax revenues. He said the overall projections for payback were designed to be shortfalls at first but that money would be freed up as time went by to add back to the general fund.

Blevins discussed the Landfill Soccer Fields and complex, and said lights were not intended within the requested amount. He said the budget was for bare bones soccer fields. Bryant said there shouldn't be that much site work for drainage as it had already been contoured for drainage. He said there were additional grants available to do secondary development at landfills and suggested they investigate those funding sources. Vonasek explained some of the funding requirements in that vein.

The meeting recessed at 3:17 p.m. and reconvened at 3:33 p.m.

Troy Blevins reviewed the statistics for the Hastings pool. Bryant said the pool had been proposed for four years and as a result all the districts were included for potential pools, but that Ponte Vedra was a unique area and there was very little land available in that area. He noted they had been good corporate neighbors and exporter of tax dollars, and asked the Board to support the pool at Cornerstone. He said it should be funded from the general fund.

Sanchez asked they delay making a decision on the pool issue for now as he was working on a proposal which might help in the matter.

(3:39 p.m.) Manuel said he would like to add two projects to the list. The first was for the Council on Aging building and the second was for the Cultural Council. He gave the potential funding sources. He spoke in support of the arts and senior citizens and said the amounts for funding were \$770,000 for the arts and \$3 million for COA.

Rich said Sanchez's request to delay the decision on the pool issue was justified as he had been asked by the Board to look into possible solutions and he was close to making a recommendation.

(3:44 p.m.) Stevenson said the constituency for community pools was not limited to young people, as it provided recreation for all ages, and that senior citizens had requested pools in the recreation centers. She said it was difficult to have to choose between well deserved issues, but her intention was to be more fiscally responsible and not to fund new projects.

(3:48 p.m.) Sanchez said his comments were not tied into the new projects. He said the money was also coming from some people who did not want pools. He said it was also

going to cost money to run the pools, and he was concerned about having enough money. He said the additional projects proposed would not cause the overhead of operating expenses for the pools in the coming years.

(3:53 p.m.) Manuel said there was a creeping level of service in the County, and the reality was that we were an unincorporated area and they should not provide the level of service that this County did. He said on a per capita basis our county stood at the top of all 67 counties, and his goal was to shrink the size of the budget.

(3:57 p.m.) Stevenson said it was her intention not to add projects but to address projects within the Capital Improvement Project. She said the list should not be expanded but should be scaled back in order to save costs, and the people should decide what they wanted to be funded.

(4:00 p.m.) Pamela Kessler, 1136 All Creek Dr., President PV Athletic Association, gave a review of what the athletic association did for St. Johns County, and quoted statistics of children who were served. She said they needed pools, tennis courts, fields and other activities. She said they provided huge dollars worth of services to the County, they were valuable and the Board needed to recognize their contribution. General discussion followed.

(4:12 p.m.) Phil McDaniel, 51 Water Street, expressed support for the West Augustine District Park, and said he believed the County had plenty of money to pay for all of the requests and cited budget figures. He also spoke in favor of the Cultural Arts Center and asked them to please help them to finish that project.

(4:19 p.m.) Rich asked for consensus on delaying a decision on the pools issue. Stevenson emphasized that she had also been working on the pool issue for quite some time and would also have some contributions to make when Sanchez had completed his research. Sanchez said he welcomed Stevenson's information and noted that the YMCA was looking at building pools in several locations throughout the County and if they could relieve the County of some of the financial burden, he would be all for it. There was Board consensus to delay a decision on the pools.

(4:24 p.m.) Deputy Clerk Yvonne King entered the meeting; Deputy Clerk Terry Bulla left the meeting.

Sanchez questioned what had already been approved. Rich commented. (4:26 p.m.) *It was the consensus of the Board to delay the approval of the pools until further information was provided, and could be brought back during a future meeting.*

Rich commented on the remote site prison farm. Timms commented. Rich spoke on freeing up \$3,000,000 for the prison farm. Manuel supported Rich's suggestion. Sanchez commented on there being problems on the remote site prison farm. Rich spoke on the due diligence process. (4:33 p.m.) *It was the consensus of the Board to approve the Remote Site Prison Farm.*

(4:33 p.m.) Rich addressed the West Augustine District Park. (4:34 p.m.) *It was the consensus of the Board to approve the West Augustine District Park.*

(4:34 p.m.) Rich commented on the transportation projects.

The meeting recessed at 4:36 p.m. and reconvened at 4:48 p.m.

(02/07/07 - 4 - 4:48 p.m.)

2. DISCUSSION OF POSSIBLE ACQUISITION OF INTERCOASTAL UTILITIES

Michael Hunt, Deputy County Attorney, reviewed this item.

(4:49 p.m.) William Young, Utility Director, provided a brief summary on the possible acquisition of Intercoastal Utilities, providing the reason for the acquisition.

(4:51 p.m.) Joel Sedenbrini, 225 Water Street, Jacksonville, reviewed where they were in the process of the possible acquisition. Manuel asked several questions of Mr. Sedenbrini, to which, he responded.

(4:57 p.m.) Deputy Clerk Lenora Newsome entered the meeting and Deputy Clerk Yvonne King left the meeting.

Rich asked about the date the proposal would come before the Board. Young responded February 16th. Hunt stated that this concluded this item and they would wait to get the appraiser's report. Then they would come back before the Board to get the Commissioners' comments and direction on how to go forward with it.

The meeting moved to the Commissioners' Reports.

The meeting recessed at 5:24 p.m. and reconvened at 5:38 p.m.

(02/07/07 - 5 - 5:38 p.m.)

3. PRESENTATION OF TREASURE BEACH CANALS

Mike Rubin, Construction Services Director, gave a presentation on this item, Exhibit A. Rich asked about bulkheading. Rubin responded.

(5:54 p.m.) Douglas Martin, 253 Treasure Beach Road, introduced himself, stating that Charlie Novak had a prepared statement to read.

(5:55 p.m.) Charlie Novak, 243 Pizarro Road, President of the Treasure Beach Property Owners' Association, read a statement regarding ideas on working together for the common good of the county.

(5:58 p.m.) Martin gave a PowerPoint presentation, Exhibit B. Manuel spoke on the bulkhead issue being the homeowners' responsibility. Martin stated that the County issued permits for building the bulkhead and asked for assistance in the enforcement of the County Bulkhead Code. Bryant spoke on the financing for fixing the bulkheads. Martin mentioned that it would be a great idea if it could work for the ones who couldn't afford it, and spoke on funding. He stated that they needed some help now, that was why they were there. Bryant offered ideas for budget to review. McCormack stated that this was going extremely well and spoke on how the property owners had paid for everything so far. He spoke on the code enforcement activity. Manuel stated that once the improvements were done property values would skyrocket. McCormack stated that he reviewed a packet that he borrowed from Bryant, and reviewed how Treasure Beach was formed. He suggested that the best solution might be a special district. He asked the Board if they would like him to investigate a special district. Stevenson spoke on dredging. Martin spoke on building permits issued, and explained that spoils from the bulkhead once dried, made good dredging material. Rubin spoke on the expense of pipelining spoils, and stated that the County did not use the spoil site seven-and-a-half miles away. Rubin spoke on sampling miles of the canal and found that it was not contaminated. Martin spoke on pollution. Bryant gave the underlying problem of the original case. McCormack responded. Rich stated that they had a code enforcement issue, suggesting that Martin check the serious violators that he felt were in violation of the current Bulk Heading Ordinance. He directed the County Administrator to get with James Acosta to check into it, and McCormack to come back with recommendations on whether the Board should research those solutions further or not. He spoke on the issue of who owned the bulkhead. Bryant suggested going back and trying to assimilate the notes regarding the bulkheads, with Rubin responding

that he would get the notes. Stevenson asked if the majority of the people wanted it done. Martin replied that he didn't think that there was a resident there that wouldn't like to have the canals refurbished back to the way they were, or even better, from when they were first dredged. Stevenson mentioned for the people who couldn't afford it to consider doing a major renovation. Martin replied that would be the worst thing one could do to a senior citizen. Sanchez stated that everyone was willing to try to help as much as they could, and that the people needed to decide what they wanted to do. Martin named the different types of property owners. Manuel stated that he could not support a long term obligation of the County to fix those canals over and over again, then he questioned the County having legal ownership. Rich mentioned that everyone had their direction from the Board.

(6:51 p.m.) Novak stated that reversed mortgages worked well if you owned a house that was on a foundation, but not if you owned a trailer.

The meeting then adjourned.

(02/07/07 - 6 - 5:01 p.m.)
COMMISSIONERS' REPORTS

Commissioner Stevenson:

Stevenson spoke on the prison labor opportunities. Kropacek responded that he thought it would be sometime in March. Vonasek spoke on working on an agenda item regarding the subject.

(5:05 p.m.)

Commissioner Sanchez:

No report.

(5:06 p.m.)

Commissioner Rich:

No report.

(5:07 p.m.)

Commissioner Manuel:

Manuel spoke on the potential use of a piece of property on CR 207 for transportation funds; and on the Hastings plan.

(5:09 p.m.)

Commissioner Bryant:

Bryant requested to have staff generate a proforma for in-house management of the amphitheater.

(02/07/07 - 6 - 5:10 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Kropacek stated they were going to try to tie the impact fee workshop with the incentive workshop on February 21st. Discussion ensued.

Kropacek spoke on the request to go forward with advertising in other papers, particularly up north. He stated that it would require an additional \$100,000 in the budget to do it. He stated that they spend \$50,000 a year now, so to add two more papers it would be at least that much. Manuel stated that he would like to make sure that the notices were in the papers in the northern part of the county. Bryant asked if the two papers mentioned by Manuel were weekly or daily editions. Kropacek replied weekly. Bryant stated that the timing needed to be considered. Stevenson suggested putting the ads in a prominent part of the paper instead of the legal notices, in the northern part of the county. Kropacek responded that some advertising was done for things that were in that area already and

that he would check into it. McCormack stated that the legal requirement was satisfied by advertising in the daily *Record*. He stated that since a legal ad was done in *The Record*, then the other papers would not have to be legal ads.

(02/07/07 - 7 - 5:19 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack stated that at 9:00 a.m. this morning they had a court hearing on the Toll Brothers versus St. Johns County case, which pertained to St. Augustine Shores. He stated that the judge was interested in having the parties conduct mediation. Bryant stated that he believed that they were on firm legal grounds and he was not interested in mediation. Rich agreed with Bryant to let the judge make the decision, and asked if it would create an issue for the County by not mediating. McCormack responded that it would not create a problem for the County. (5:23 p.m.) *It was the consensus of the Board to let the judge make the decision and not mediate.*

(02/07/07 - 7 - 5:23 p.m.)

CLERK OF COURT'S REPORT

No report.

The meeting moved to Item 3.

Motion by Bryant, seconded by Manuel, carried 5/0, to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 6:52 p.m.

Approved _____ March 6 _____, 2007

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Ben Rich
Ben Rich, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland
Deputy Clerk

