



**Minutes of Meeting**  
**Board of County Commissioners**  
**St. Johns County, Florida**  
Regular Meeting  
County Administration Building  
500 San Sebastian View  
St. Augustine, Florida 32084  
February 20, 2024 - 9:00 a.m.

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## **CALL TO ORDER**

Commissioner Arnold called the meeting to order at 9:00 a.m.

Present: Sarah Arnold, District 2, Chair  
Roy Alaimo, District 3, Vice Chair  
Christian Whitehurst, District 1  
Krista Joseph, District 4  
Henry Dean, District 5

Staff Present: Joy Andrews, County Administrator  
Brad Bradley, Deputy County Administrator Chief of Staff  
Colin Groff, Deputy County Administrator  
Christine Valliere, Assistant County Attorney  
Lex Taylor, Deputy County Attorney  
Saundra Hutto, Deputy Clerk

## **ROLL CALL**

The clerk called the roll. Commissioners Whitehurst, Arnold, Alaimo, Dean, and Joseph were present.

## **INVOCATION**

Pastor Mike Krulick, Anchor Faith Church, gave the invocation.

## **PLEDGE OF ALLEGIANCE**

Shauna Holton, United States Navy Petty Officer First Class, led the Pledge of Allegiance.

## **PUBLIC SAFETY UPDATE**

Sean McGee, St. Johns County Fire Rescue Chief, highlighted a recognition received by Dr. Kerry Bachista, St. Johns County Medical Director, who has led the charge pioneering a lifesaving change for patients suffering from cardiac arrest in the field, known as Neuro Protective Cardiopulmonary Resuscitation (CPR).

Skip Cole, St. Johns County Sheriff's Office Criminal Investigations Director, introduced Bobby Folkes, St. Johns County Sheriff's Office Financial Crimes Detective, who spoke on frauds, schemes, and scams. Discussion ensued on the support of the Secret Service and highlighted key indicators to watch out for to protect against fraudulent activities.

### **CLERK OF COURT'S REPORT**

Brandon J. Patty, Clerk of the Circuit Court and Comptroller, announced that the office earned the Certificate of Achievement for Excellence in Financial Reporting, Exhibit A, and provided a brief summary of its significance.

### **SERVICE DELIVERY UPDATE**

Greg Caldwell, Public Works Director, spoke on the St. Johns County Solid Waste Department's new litter initiative "Get Hooked"; and on the success of the New Year's Trash Bash that was held in January where more than 300 volunteers collected over 700 pounds of trash.

Wayne Larson, Public Affairs Director, announced the launch of the County's new website and mobile application (app). Additionally, Caldwell highlighted the feature allowing residents to submit service requests and complaints, via the mobile app.

### **LEGISLATIVE AFFAIRS UPDATE**

Adam Tecler, Grants and Legislative Affairs Manager, provided an update on the 2024-2025 State Budget; Significant Legislation on House Joint Resolution 7017, House Bill (HB) 1417, 1061, and 1053; Senate Bill (SB) 1638, and 536; St. Johns County priority projects; and St. Johns County policy initiatives and partnerships. Additionally, Whitehurst spoke about meeting with the Department of Education Executive Team that would focus on school facility capacity, teacher recruitment, and school security. Further discussion ensued on widening State Road 16, workshops for public engagement, and the importance of passing HB 1053.

The Board members expressed their positions on holding another joint meeting with the St. Johns County School District.

Public Comment: Judy Spiegel, Charlie Hunt, David Williams, and Michael McDonald provided public comment.

**Motion by Whitehurst, seconded by Alaimo, carried 5/0, to have a joint meeting with the St. Johns County School District to keep the momentum coming from the last joint meeting and from the meeting with the Department of Education to be held in the next six months.**

**Yea: Whitehurst, Alaimo, Joseph, Arnold, Dean**

**Nay: None**

Whitehurst expressed his concerns with the school opening in Shearwater on County Road 16a regarding the egress and ingress to accommodate the school traffic. Andrews responded to bring back a discussion item before the Board to address any concerns; discussion ensued.

## **DELETIONS TO THE CONSENT AGENDA**

Taylor requested that Consent Agenda Item 2 be pulled.

Public Comment: There was none.

## **APPROVAL OF CONSENT AGENDA**

**Motion by Alaimo, seconded by Dean, carried 5/0, to approve the Consent Agenda, as amended.**

**Yea: Alaimo, Dean, Whitehurst, Arnold, Joseph**

**Nay: None**

1. Motion to approve the Cash Requirement Report
2. Motion approving the final plat for Reverie at Silverleaf, Phase 2

*Consent Agenda Item 2 was pulled.*

3. Motion to adopt **Resolution No. 2024-59**, approving the final plat for Silverleaf 29b-1, Lots 96, and 97 Replat
4. Motion to adopt **Resolution No. 2024-60**, approving the final plat for Silver Meadows (Silverleaf Parcel 33), Phase 3
5. Motion to adopt **Resolution No. 2024-61**, approving the final plat for Seabrook Village, Phase 2
6. Motion to adopt **Resolution No. 2024-62**, approving the terms of and authorizing the county administrator, or designee, to execute a Purchase and Sale Agreement, for property needed for a pond site, for the improvements along Woodlawn Road
7. Motion to adopt **Resolution No. 2024-63**, accepting an Easement Agreement for Utilities and a Temporary Access and Construction Easement from West Saint Augustine Land and Timber, LLC, for a reclaimed water transmission main to be located along Allen Nease Road
8. Motion to adopt **Resolution No. 2024-64**, accepting an Amended and Restate Easement Agreement for Utilities from West Saint Augustine Land and Timber, LLC, at the intersection of County Road 214 and Allen Nease Road

9. Motion to adopt **Resolution No. 2024-65**, approving the terms of and authorizing the county administrator, or designee, to execute a Purchase and Sale Agreement, for an easement required, for the County Road 210 widening from Cimarrone Boulevard to Greenbriar Road
10. Motion to adopt **Resolution No. 2024-66**, approving the terms of and authorizing the county administrator, or designee, to execute a Purchase and Sale Agreement for a temporary construction easement to serve construction of right-of-way and drainage improvements for the Kings Estate Road Corridor Improvements Project
11. Motion to adopt **Resolution No. 2024-67**, accepting an Easement for Utilities, a Bill of Sale, Final Release of Lien, and Warranty associated with the water, sewer, and sewer force mains systems to serve Trailmark, East Parcel - Phase 2B, located off Pacetti Road
12. Motion to adopt **Resolution No. 2024-68**, accepting an Easement for Utilities, a Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve Entrada, Phase 3 - Unit 5, located off State Road 207
13. Motion to adopt **Resolution No. 2024-69**, accepting a Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve Arbors at Lightsey Crossing, Phase 3, located off State Road 207
14. Motion to adopt **Resolution No. 2024-70**, approving the terms, conditions, provisions, and requirements of a Memorandum of Understanding - Utility Transmission Commitments and Reimbursements between Elevation Pointe and St. Johns County, and approving the county administrator, or designee, to execute the Memorandum of Agreement on behalf of St. Johns County
15. Motion to declare the twelve 800mghz radios from St. Johns County Fire Rescue, as identified on the attached list by model and serial number, as surplus, and to authorize the county administrator, or designee, to donate the radios to the City of Crescent City Fire Department
16. Motion to declare the attachments as surplus and authorize the county administrator, or designee, to dispose of same in accordance with the Purchasing Policy 308 and Florida Statute 274
17. Motion to adopt **Resolution No. 2024-71**, authorizing the county administrator, or designee, to execute and submit grant applications, on behalf of the County, to various state and federal agencies for those grants and grant programs identified herein for calendar year 2024; and waiving section 203.3 (Grant Application Policy), allowing for the submission of grant applications for those grants and grant programs identified herein, without being presented to the Board of County Commissioners for approval prior to submission
18. Motion to adopt **Resolution No. 2024-72**, authorizing the county administrator, or designee, on an ongoing basis, to execute and submit a Waterway Assistance Grant Application to Florida Inland Navigation District, on behalf of the County, for projects

identified in the County's Capital Improvement Plan that may qualify for grant funding under the program

19. Motion to adopt **Resolution No. 2024-73**, approving the terms and conditions of Florida Department Environmental Protection (FDEP) Agreement 24SJL, for the State share of the future Ponte Vedra Beach North Beach and Dune Restoration project, and authorizing the county administrator, or designee, to execute the agreement, along with any supplemental documentation on behalf of the County
20. Motion to adopt **Resolution No. 2024-74**, authorizing the county administrator, or designee, to execute a one-time funding agreement with the Florida State Park Foundation, for the purpose of reconstructing Fort Mose at Fort Mose Historic State Park, for an amount not-to-exceed \$200,000
21. Motion to appoint Jennifer Cook to the Mid-Anastasia Design Review Board for a full 4-year term, scheduled to expire February 20, 2028; and Motion to appoint Sarah Ryan to the Mid-Anastasia Design Review Board for a full 4-year term, scheduled to expire on February 20, 2028
22. Motion to approve minutes: February 6, 2024; BCC Meeting

#### **ADDITIONS/DELETIONS TO THE REGULAR AGENDA**

There were none.

#### **APPROVAL OF REGULAR AGENDA**

Alaimo requested to move Regular Agenda Item 12 as Regular Agenda Item 3a.

**Motion by Dean, seconded by Alaimo, carried 5/0, to approve the Regular Agenda, as amended.**

**Yea: Whitehurst, Alaimo, Dean, Arnold, Joseph**

**Nay: None**

#### **TIME CERTAIN PUBLIC COMMENT**

Public Comment: Carol Gangi, Linda Hansen, Heather Harley Davidson, Jessie Fox, David Gangi, (Exhibit A), Sherry Badger, Michael McDonald (Exhibit B), Charlie Hunt, Susan Millerick, Pamela Adams, Bruce Milliken, and Zach Villaverde provided public comment.

1. Confirmation of Daniel Whitcraft as Facilities Management Director. Daniel Whitcraft has been selected as the Facilities Management Director and will be starting on March 4, 2024. Mr. Whitcraft is well versed in the unique aspects of managing facilities for local governments including jails, courthouses, courtrooms, medical examiners offices, and more. Additionally, he has experience working with constitutional officers, judges, and various county departments such as Fire Rescue and Parks and Recreation. Mr. Whitcraft

has ten years of experience working for Alachua County and four years of facilities management at the University of Florida (UF). At UF, he oversaw critical operations such as managing the university's veterinary hospital, heating, ventilation, and air conditioning (HVAC) chiller assets, building envelopes of 450 buildings, and 46 miles of underground piping for chilled water and steam. His past experiences highlight his extensive understanding and adeptness in handling complex facilities and infrastructure. Mr. Whitcraft has a master's degree in Facilities Management/Construction Management, is a Certified Facilities Manager with the International Facilities Management Association, and is a State of Florida Certified General Contractor

Joy Andrews, County Administrator, presented the details of the Facilities Management Director position and provided the work history of the selected candidate, Daniel Whitcraft. Whitcraft expressed his gratitude for being selected for the position.

Public Comment: Michael McDonald provided public comment.

**Motion by Whitehurst, seconded by Alaimo, carried 5/0, to confirm Daniel Whitcraft as the new Facilities Management Director.**

**Yea: Whitehurst, Alaimo, Arnold, Dean, Joseph**

**Nay: None**

Andrews then highlighted Ben Bright, Interim Director of Facilities Management, for leading the selection team and overseeing the completion of several projects. Bright expressed his appreciation for the opportunity to serve in this capacity.

2. Presentation of the St. Johns County Surplus and Other Post-Employment Benefits (OPEB) Investment Portfolios. The St. Johns County Board of County Commissioners Investment Policy, Section XVII Reporting, and OPEB Trust Investment Policy, Section XV, requires the clerk, or designee, to prepare and submit a written report annually on all invested funds to the Board. Included in the report shall be a complete list of all invested funds, the name or type of security in which the funds are invested, the amount invested, the maturity date, earned income, the book value, the market value, and the yield on each investment. PFM Asset Management, LLC, is the County's investment advisor and has prepared the annual reports for the quarter ended September 30, 2023

Brandon J. Patty, Clerk of the Circuit Court and Comptroller, introduced Richard Pengelly, Managing Director, and Scott Sweeten, Senior Managing Consultant, with PFM Asset Management, LLC, who presented the details of the investment portfolio. Discussion ensued on the Environmental Social Governance (ESG) mandate.

Public Comment: Heather Harley Davidson, Michael McDonald, and Charlie Hunt provided public comment.

Patty addressed the public's concerns about potential loss of funds. Discussion ensued on the fees and payments for PFM Asset Management, LLC.

**Motion by Whitehurst, seconded by Alaimo, carried 5/0, to accept the investment reports, as presented, by the Clerk of Court and Comptroller and the County's investment advisers, PFM Asset Management, LLC.**

**Yea: Whitehurst, Alaimo, Dean, Arnold, Joseph**

**Nay: None**

3. Hastings Community Center and Library and new Southwest First Coast Technical College Campus. This agenda item provides updates and requests direction on 1.) the St. Johns County Board of County Commissioners (BCC) new Hastings Community Center and Library (Community Center) project and 2.) the BCC-approved American Rescue Plan Act funding for the St. Johns County School Board (School Board) new Southwest First Coast Technical College (FCTC) campus in Hastings. First, as part of their April 19, 2022, regular meeting, the BCC authorized the county administrator, to enter into a partnership with the school board to support construction costs associated with the new FCTC campus utilizing American Rescue Plan Act (ARPA) funds, in an amount up to \$7,665,000. (The American Rescue Plan Act of 2021 was signed into law by President Biden on March 11, 2021). The first motion is for the BCC to consider executing a funding agreement with the school district to comply with the ARPA requirements for the construction of the new FCTC campus. Second, the school board has requested that the BCC convey the property, known as the old Hastings High School building (and formerly owned by the school board), to the school board as allowed by Section 125.38, Florida Statute. The second motion is for the BCC to consider executing a County Deed conveying the old Hastings High School property to the school board. Third, as the Public Works Department partnered with the community to achieve an appropriate design for the new Community Center, Library Services and the Grants and Legislative Development secured two grants to assist in the construction of the community center. The County received an announcement, from the Office of Governor Desantis (included in the agenda backup information), that the BCC is the recipient of a \$4,000,000 Multipurpose Community Facilities Projects Program Award to be used for the Community Center (the grant contract will be brought to the BCC for execution in a subsequent BCC meeting). In addition, the County has been awarded a State of Florida, Division of Library and Information Services Public Library Construction Grant, in the amount of \$500,000. The third motion is for the BCC to accept the terms of the Library Construction Grant Agreement and to recognize and appropriate the grant within the Fiscal Year 2024 County Budget. Fourth, on July 20, 2021, the Board authorized (Res. No. 2021-298) the submission of a Section 108 Loan Guarantee Application, in the amount of \$5,075,000, to the U.S. Department of Housing and Urban Development (HUD) for the construction of a Community Center and Library, located in Hastings, Florida. St. Johns County has participated in the Community Development Block Grant (CDBG) Entitlement Program since 2016, and as such receives an annual allocation of funds for projects, which are in conformance with its 2021-2025 Consolidated Plan. The Section 108 Loan Guarantee Program is an important public investment tool that provides communities with federally guaranteed loans sufficient to transform a small portion of their CDBG funds into larger projects. The loan and fees will be paid by current and future CDBG Entitlement funds. The fourth motion is for the BCC to execute a HUD contract and note and recognize and appropriate within the Fiscal Year County Budget. Finally, to ensure continuity of community services during construction

of the new Community Center, and in order to facilitate the construction of the FCTC campus, Library Services will serve the community from the Walter E. Harris Community Center. It is estimated that the transition of resources to the Walter E. Harris Community Center will cost \$50,000. The fifth motion is for the BCC to approve the transfer of reserves for the transition and set-up of the temporary library branch

Jesse Dunn, Office of Management and Budget Director, and Greg Caldwell, Public Works Director, presented the details of the request. Discussion ensued on the design of the new library and the criteria that must be met when the County accepts grants. Dunn also provided historical context regarding the taxation of the Hastings Community.

Public Comment: Willie Simon, Michael McDonald, David Williams, Charlie Hunt, Heather Harley Davidson, Jena Dennis, Jessie Fox, and B.J. Kalaidi provided public comment.

Andrews addressed the public's concerns on the temporary use of the W. E. Harris Community Center and expressed the County's commitment to work with The Simon's House to accommodate their needs.

**Motion by Arnold, seconded by Alaimo, carried 5/0, to adopt Resolution No. 2024-75, authorizing the county administrator to execute a funding assistance agreement by and between St. Johns County and the School Board of St. Johns County, Florida, for a capital distribution of a sub award of \$7,614,108, from the American Rescue Plan Revenue Fund Budget.**

**Yea: Arnold, Dean, Whitehurst, Alaimo, Joseph  
Nay: None**

**Motion by Arnold, seconded by Alaimo, carried 5/0, to adopt Resolution No. 2024-76, authorizing the chair of the Board, on behalf of the County, to execute a County Deed conveying the old Hastings High School property to the School Board of St. Johns County, Florida.**

**Yea: Arnold, Dean, Whitehurst, Alaimo, Joseph  
Nay: None**

**Motion by Arnold, seconded by Alaimo, carried 5/0, to adopt Resolution No. 2024-77, accepting the terms, provisions, conditions, and requirements of a Library Construction Grant Agreement between St. Johns County, Florida, and the State of Florida, Department of State, Division of Library and Information Services; authorizing the county administrator, or designee, to execute the agreement on behalf of the County; and recognizing and appropriating the grant within the St. Johns County Fiscal Year 2024 Budget.**

**Yea: Arnold, Dean, Whitehurst, Alaimo, Joseph  
Nay: None**



**Motion by Arnold, seconded by Alaimo, carried 5/0, to adopt Resolution No. 2024-78, authorizing and approving the HUD Contract for Loan Guarantee and Note, in the principal amount of not-to-exceed \$5,075,000, to finance the costs of the Hastings Community Center and Library Project; and recognizing and appropriating loan proceeds, debt service, and debt service reserve within the St. Johns County Fiscal Year 2024 Budget.**

**Yea: Arnold, Dean, Whitehurst, Alaimo, Joseph**

**Nay: None**

**Motion by Arnold, seconded by Alaimo, carried 5/0, to authorize the transfer of General Fund reserves, in an amount up to \$50,000, for the transition and set-up of a temporary library branch in Hastings.**

**Yea: Arnold, Dean, Whitehurst, Alaimo, Joseph**

**Nay: None**

Discussion ensued on additional funds to accommodate The Simon House. Whitehurst requested *Board consensus to work with The Simon House and direct staff to come back before the Board with viable options to vote on. Consensuses was given.*

Dean spoke on the history of the Hastings Community regarding taxes, infrastructure, and drainage. He also highlighted the support provided by Commissioner Arnold and Jena Dennis with Hastings Main Street.

3a. Interim County Attorney Discussion. At the February 6, 2024, Board of County Commissioners meeting, the Board of County Commissioners and the County Attorney agreed to separate effective February 9, 2024. The Deputy County Attorney is allowed to perform the duties of the County Attorney for no more than fourteen days without approval by the Board of County Commissioners per Ordinance No. 2003-64, Section 3. Additionally, the Board subsequently approved a motion authorizing the chair and the county administrator to enter into contract negotiations with Rich Komando of Bradley, Garrison and Komando, to serve as the Interim County Attorney. A draft contract will be presented for the Board's review and consideration

Formerly Regular Agenda Item 12.

Joy Andrews, County Administrator, presented the details of the request.

Rich Komando of Bradley, Garrison and Komando, provided information on the concerns regarding any conflict of issues.

Public Comment: Ann Marie Evans (Exhibit A), Michael McDonald, Charlie Hunt, Heather Harley Davidson, B.J. Kalaidi (Exhibit B), and Chuck Labanowski provided public comment.

Arnold requested that the contract be posted on the overhead for the public viewing. Andrews placed the contract on the overhead (Exhibit C) and provided further information regarding the previous County Attorney and the timeline of the assembly the contract.

The Board members expressed their positions on the request.

**Motion by Alaimo, seconded by Whitehurst, carried 4/1, with Joseph dissenting, to appoint Rich Komando of Bradley, Garrison and Komando, as Interim County Attorney, approving the terms and conditions of the Agreement for Legal Services, and authorizing the chairman, or designee, to execute the agreement on behalf of the County.**

**Yea: Alaimo, Whitehurst, Dean, Alaimo**

**Nay: Joseph**

4. County-wide Vulnerability Assessment Presentation of Findings. The Florida Department of Environmental Protection, through the Resilient Florida Grant Program, offers funding to assist Florida communities to understand and address their risk associated with tidal, future high tide, storm, and rainfall-induced flooding and sea level rise. St. Johns County was awarded a grant, in the amount of \$500,000, through the Resilient Florida Grant Program to fund the development of a county-wide Vulnerability Assessment (VA) and preliminary Adaptation Plan. Completion of a vulnerability assessment, in accordance with the criteria set forth in Florida Statute 380.093, allows the County and its municipalities to apply for implementation projects for vulnerable critical assets through the Resilient Florida Program with a cost-share of 50 percent. Staff will present to the Board of County Commissioners, 1) the vulnerability assessment process overview, 2) the findings of the sensitivity analysis and the draft focus areas, and 3) the initial ranking of assets based on vulnerability plus adaptive capacity

Westly Woodward, Engineer, introduced Mark Nelson, Senior Consultant, and Jarrod Hirneise, Senior Project Manager, with Jones Edmunds, who presented the details of the county-wide vulnerability assessment.

Joseph inquired about the possibility of viewing an itemized list of asset prioritization and whether this information would be incorporated into the Comprehensive or Strategic Plan. Woodward assured that the finalized information would be made available. Additionally, Mike Roberson, Growth Management Director, clarified that the research would not be integrated into the Comprehensive or Strategic Plan.

Public Comment: There was none.

5. North Ponte Vedra Beach nourishment update and Contract Award. St. Johns County (SJC) Purchasing Division issued a formal Invitation for Bids (IFB) (IFB No. 1677), in accordance with SJC Purchasing Policy, to complete the dredge beach restoration of North Ponte Vedra Beach, as specified. Bids were received on February 13, 2024, and the bid tabulation is provided as part of the presentation. Due to the size of the exhibits included in the bid documents, they are available upon request from SJC Purchasing. As part of the IFB, bidders were able to provide bids on two bid options: Bid Option A, which provides for completion by or before October 7, 2024; and Bid Option B, which provides for completion by or before March 2, 2025, in order to provide maximum consideration for cost feasibility by completion time. Staff will issue a Notice of Intent, based upon Board's

approval/denial, which initiates the protest period. Provided no protest is received, Staff will proceed based upon the Board's direction.

Joseph Giammanco, PhD, Director of Emergency Management, presented the details of the request.

Discussion ensued on the implementation of live webcams to monitor the machines' work, exploring alternative options for contractor parking, and addressing potential disruptions from ongoing construction in the area during the beach renourishment project.

Public Comment: There was none.

**Motion by Joseph, seconded by Dean, carried 5/0, to adopt Resolution No. 2024-79, authorizing the county administrator, or designee, to award Bid No. 1677, North Ponte Vedra Beach Restoration to the lowest, responsive, responsible bidder, and to execute a contract, in substantially the same form and format as attached, at the total not-to-exceed bid price for completion of the project.**

**Yea: Joseph, Dean, Arnold, Alaimo, Whitehurst**

**Nay: None**

Arnold recessed the meeting at 12:23 p.m. and reconvened the meeting at 1:03 p.m., with Deputy Clerk Artricia Allen present.

6. Public Hearing - PLNAPPL 2023-03, 2353 State Road 13 North, Venue and Events. A request to appeal the Planning and Zoning Agency (PZA) denial of a Special Use Permit (SUPMAJ 2023-07) to allow for an indoor/outdoor wedding and special event venue, meeting the general special use criteria of Land Development Code Section 2.03.01.A. The property is zoned Open Rural (OR) and has a Residential-B (RES-B) land use designation. The site is specifically located at 2353 State Road 13 North with the emergency vehicle access to the pole barn by way of adjoining property, located at 2369 State Road 13 North. On November 2, 2023, the PZA denied SUPMAJ 2023-07, with a vote of 5-0. This request was scheduled for a public hearing with the Board of County Commissioners on February 6, 2024; the item was not heard as the applicant requested a continuance to a date certain of February 20, 2024. The Board approved this continuance with a vote of 5-0

The Board disclosed ex parte communication.

Jennifer and Christian Corbitt, owners, presented the details of the request.

Whitehurst requested that the applicant provide the history of the building plan process and property to the Board.

Public Comment: Jeff Diamond (Exhibit A), Michael McDonald, Luis Caballero, Bryan Eberly, B.J. Kalaidi, Charlie Hunt, and Judy Spiegel provided public comment.

Jennifer Corbitt addressed the public's concerns regarding the daycare building, and Mike Herzberg, AICP, representing the applicant, responded to the public's concerns regarding the

previous property use, traffic capacity, and noise level. Herzberg clarified that the meeting with the neighbors was not quasi-judicial criteria of the application; and spoke about the criteria of applicable codes and displayed a complaints letter submitted to the St. Johns County Sheriff's Office (Exhibit B).

Discussion ensued on the airbnb criteria, noise level reduction, that included neighborhood compatibility, and property buffers. Additionally, Herzberg provided a noise level graph on the overhead (Exhibit C) and spoke on noise level concerns.

Saleena Randolph, Senior Planner, responded to Whitehurst's concerns regarding adhering to inherent conditions and displayed a map for the applicant to mark specific locations (Exhibit D), discussing fence height and type, as well as specifying hours on the record.

The item was tabled for the Board to allow the applicant and staff to negotiate an agreement, then return to vote on the proposed solution/conditions. Mike Roberson, Growth Management Director, explained the enforcement process for the special use permit.

Christian Corbitt provided the Board with the conditions discussed with staff that included: 1) an *8 foot high, wooden fence; minimum of two locations on site, 25 feet from front property line and one area at rear of site*; 2) *36 inches high viburnums at planting; 6 plants spaced 3 feet apart; as shown on (Exhibit D)*; 3) *Noise Level Reduction (NLR) rated building at 25 decibels for one building onsite*; and 4) *amplified hours Friday-Saturday until 10 p.m. and amplified hours Sunday-Thursday until 9 p.m., (Exhibit E)*.

**Motion by Whitehurst, seconded by Alaimo, carried 4/1, with Joseph dissenting, to approve PLNAPPL 2023-03, of SUPMAJ 2023-07, overturning the decision of the Planning and Zoning Agency and approving the request for a Special Use Permit to allow for an indoor/outdoor wedding and special event venue, subject to eight findings of fact and eleven conditions, as provided in the staff report, as amended, to include the conditions [stated on Exhibit D and E], plus limiting the hours Sunday-Thursday to amplified sound ending at 9 p.m. and operations ending at 10 p.m., and Friday-Saturday amplified sound ending at 10 p.m. and operations ending at 11 p.m.**

**Yea: Whitehurst, Alaimo, Arnold, Dean**

**Nay: Joseph**

7. Public Hearing - NZVAR 2023-20, Alternate Bald Eagle Management Plan, for the Shiprek Palm Valley properties, located at 4485, 4485B, 4485C, and 4495 Palm Valley Road, for Bald Eagle nest SJ-38. Bald Eagle Nest SJ-38 is located on Tract A of the Plantation at Ponte Vedra Unit 5, that directly abuts the eastern portion of 4485B Palm Valley Road. This Bald Eagle nest has been confirmed active by St. Johns County since the 2007 nesting season. The properties proposed as part of this request are currently four lots of record as defined by Section 12 of the Land Development Code and therefore must adhere to Federal, United States (US) Fish and Wildlife, regulations for the protection of the Bald Eagle. The federal regulations include a primary nest protection zone of 330 feet and a secondary nest protection zone of 660 feet. The applicant desires to reconfigure the lots and add an additional lot which would render them no longer lots of record and

therefore the full provisions of Section 4.01.10 of the St. Johns County Land Development Code would apply to development of these properties. This would include a 750 feet primary nest protection zone and a 1500 feet secondary nest protection zone. The request for a non-zoning variance is in accordance with Section 4.10.10.C.4 of the St. Johns County Land Development Code which states an alternative site-specific Bald Eagle Management Plan may be development for a Bald Eagle nest when changes to the provisions of Section 4.01.10 are requested, subject to approval by the Board of County Commissioners. The applicant has obtained an approved Incidental Take Permit (ITP) MBPER0032532 from the U.S. Fish and Wildlife Service for the construction no closer than 75 feet from the nest tree

The Board disclosed ex parte communication.

Doris Shipley, owner, and Travis Minch, representing the applicant, presented the details of the request. In addition, he responded to Joseph's questions regarding the building height requirements and construction during nesting season.

Public Comment: Charlie Hunt, B.J. Kalaidi, and Michael McDonald provided public comment.

*Discussion ensued on the applicant committing to stem wall construction as a condition and not exceeding 35 feet in height with the lot adjacent to the Bald Eagle Nest. The applicant agreed to these terms.*

**Motion by Joseph, seconded by Whitehurst, carried 5/0, to approve NZVAR 2023-20, an Alternate Bald Eagle Management Plan for Bald Eagle Nest SJ-38, for the Shiprek Palm Valley properties, based on five findings of fact, as provided in the staff report, as amended, to include the previous stated conditions.**

**Yea: Joseph, Whitehurst, Arnold, Alaimo, Dean**

**Nay: None**

8. Public Hearing - REZ 2023-19, ML Conner Rezoning. Request to rezone approximately .85 acres of land from Commercial Neighborhood (CN) to Residential, Single Family (RS-3), specifically, located at 6297 and 6289 A1A South / 6298 and 6288 Costanero Road. The Planning and Zoning Agency heard this request at their regularly scheduled public hearing on January 18, 2024, and recommended approval with a unanimous vote of 6 to 0

There was no ex parte communication.

Bill Miller, representing the applicant, presented the details of the request.

Mike Roberson, Growth Management Director, responded to Alaimo's questions regarding the construction timeline for the Treasure Beach crosswalk.

Mike Roberson, Growth Management Director, responded to Alaimo's concerns on the completion timeline for the hawk signal at A1A and Treasure Beach, to be completed about late summer or early fall.

Public Comment: There was none.

**Motion by Alaimo, seconded by Dean, carried 5/0, to enact Ordinance No. 2024-8, approving REZ 2023-19, ML Conner Rezoning, based on four findings of fact, as provided in the staff report.**

**Yea: Alaimo, Dean, Arnold, Whitehurst, Joseph**

**Nay: None**

9. Land Acquisition Management Board (LAMP) Riverdale County Road 13/Atlantic Road property, Phase II, environmental Sight Assessment (ESA) report update and request for direction from the Board of County Commissioners (BOCC). Resolution No. 2023-332, authorized the county administrator to execute a Purchase and Sale Agreement for the acquisition of approximately 30 acres of land, located off County Road 13 South, for conservation. On November 21, 2023, upon consideration of the County's inspection of the property and the results of the Phase I Environmental Site Assessment, the Board of County Commissioners approved extending the inspection period and closing date of the Purchase and Sale Agreement and directed staff to obtain a Phase II, Environmental Site Assessment on the property. Addendum I to the Purchase and Sale Agreement provides an extension to the inspection period to March 6, 2024, and an extension of the closing date to on or before April 5, 2024. The Phase II Environmental Site Assessment report update is presented herein, and staff is seeking direction from the BOCC on potential options. The Seller is agreeable to enter into a second addendum to extend the inspection period for 60 days to allow for the additional testing recommended in the report. The Board also has the authority under the purchase and sale agreement to find the property unsuitable for the county's purposes and terminate the sale agreement with full refund of the \$70,000 deposit

Corey Bowens, Director, Land Management Systems, and Ryan Mauk, Growth Management, provided the details of the request.

Discussion ensued on the environmental assessment and terminating the Purchase and Sale Agreement.

Public Comment: Nicole Crosby provided public comment.

**Motion by Dean, seconded by Whitehurst, carried 5/0, to adopt Resolution No. 2024-80, authorizing the county administrator, or designee, to terminate the Purchase and Sale Agreement dated September 8, 2023, between 400 Orange Ave, LLC, and St. Johns County, Florida.**

**Yea: Dean, Whitehurst, Arnold, Alaimo, Joseph**

**Nay: None**

10. Consider appointments to the Housing Finance Authority. Currently there are two vacancies on the Housing Finance Authority due to the expiring terms of Robert Marshall and Michael O'Donnell. The vacancy ad was placed and ran for thirty days. Please find

attached for your review and consideration a letter of recommendation from the Housing Finance Authority and four applications: Eli Gillmore, Dist. 3; Robert Marshall, Dist. 3; Michael O'Donnell, Dist. 5; and Timothy White, Dist. 5

Joanne Spencer, Senior Assistant to the Board of County Commissioners, presented the details of the vacancies.

Public Comment: There was none.

**Motion by Alaimo, seconded by Whitehurst, carried 5/0, to re-appoint Robert Marshall to the Housing Finance Authority, for a four-year term, scheduled to expire on February 20, 2028.**

**Yea: Alaimo, Whitehurst, Arnold, Dean, Joseph**  
**Nay: None**

**Motion by Alaimo, seconded by Whitehurst, carried 5/0, to re-appoint Michael O'Donnell to the Housing Finance Authority, for a four-year term, scheduled to expire on February 20, 2028**

**Yea: Alaimo, Whitehurst, Arnold, Dean, Joseph**  
**Nay: None**

11. Consider appointments to the Health and Human Services Advisory Council (HHSAC). The Health and Human Services Advisory Council's purpose is to evaluate human services programs in the community to ensure that the needs of the residents of St. Johns County are met. Currently, there are two vacancies due to expired terms. A vacancy ad was placed and ran for thirty days. Please find attached for your review and consideration, a letter of recommendation from HHSAC and twelve applications: Daniel Deptula, Dist. 1; Stephanie Royer, Dist. 2; Tara Haley, Dist. 2; Eli Gillmore, Dist. 3; Kayla Collins, Dist. 3; William A. Cover, Jr., Dist. 3; Susan Brown, Dist. 4; Robert Douglas Will, Dist. 4; Lucellie Wells-Johnson, Dist. 5; Matthew Ohlson, Dist. 5; Andrea Lyles, Dist. 5; and Claudia Costello, Dist. 5

Joanne Spencer, Senior Assistant to the Board of County Commissioners, presented the details of the vacancies.

Public Comment: There was none.

**Motion by Arnold, seconded by Alaimo, carried 5/0, to re-appoint William Cover to the Health and Human Services Advisory Council, for a four-year term, scheduled to expire on February 20, 2028.**

**Yea: Arnold, Alaimo, Whitehurst, Dean, Joseph**  
**Nay: None**

**Motion by Arnold, seconded by Alaimo, carried 5/0, to re-appoint Tara Haley to the Health and Human Services Advisory Council, for a four-year term, scheduled to expire on February 20, 2028**

**Yea: Arnold, Alaimo, Whitehurst, Dean, Joseph**

**Nay: None**

## **PUBLIC COMMENT**

Public Comment: Judy Spiegel, Bill Hennesy, Ann-Marie Evans (Exhibit A), Nicole Crosby, Susan Clulow, and B.J. Kalaidi (Exhibit B) provided public comment.

## **COMMISSIONERS' REPORTS**

### Commissioner Joseph

Joseph reported on attending the Library Advisory Board meeting and expressed concerns raised during the listening session about the strategic versus comprehensive plans. Andrews responded to Joseph's questions on improving communication and stated that Amy Ring, Growth Management, was the single point of contact. Additionally, Joseph mentioned attending the Feeding Northeast Florida food bank event.

### Commissioner Alaimo

Alaimo reported on the Canright House relocation project, noting that the property would need to be vacated by April 1, 2024. Andrews provided an update on the two potential relocation sites: Collier-Blocker Park, in the West Augustine Community Redevelopment Agency (CRA), and Crescent Beach Park.

Ryan Kane, Park and Recreation Director, responded to Alaimo's questions regarding parking challenges at Crescent Beach Park. Discussion ensued on a funding source, with additional comments provided by Jesse Dunn, Management and Budget Director.

Public Comment: Charlie Hunt, Robert Nimmons, Lawson Dukes, and B.J. Kalaidi provided public comment.

Andrews requested that the dollar amount be included in the motion as requested by staff.

**Motion by Alaimo, seconded Arnold, carried 5/0, to direct staff to [ relocate the Canright House to the Collier-Blocker-Puryear Park, in West Augustine, up to the amount of \$250,000, to come out of TDC dollars if not the General Fund]. Motion was voted on twice due to waiving the Board Rule 4.304]**

**Yea: Alaimo, Arnold, Whitehurst, Dean, Joseph**

**Nay: None**

Taylor recommended that the Board make a motion to waive the Board Rule 4.304 regarding funding limitations.



**Motion by Whitehurst, seconded by Arnold, carried 5/0, to waive the Board rule 4.304.**

**Yea: Whitehurst, Arnold, Alaimo, Dean, Joseph**

**Nay: None**

**Motion by Alaimo, seconded by Arnold, carried 5/0, to relocate the Canright House to the Collier-Blocker-Puryear Park, in West Augustine, up to the amount of \$250,000, to come out of TDC dollars if not the General Fund.**

**Yea: Alaimo, Arnold, Whitehurst, Dean, Joseph**

**Nay: None**

**Motion by Whitehurst, seconded by Arnold, carried 5/0, to reinstate the Board Rule 4.304.**

**Yea: Whitehurst, Arnold, Alaimo, Dean, Joseph**

**Nay: None**

In addition, Alaimo expressed his condolences for the passing of William Mignon, a former educator and principal in St. Johns County.

Commissioner Whitehurst

Whitehurst provided clarification on providing public comments and on Crosby's comments regarding the appointment of Rich Komando, as Interim County Attorney.

Commissioner Dean

Dean congratulated Daniel Whitcraft and Rich Komando for joining the St. Johns County team. He referenced a draft letter to be submitted to Deborah Burr, Office of Environmental Services, regarding the management of a 20-acre property off the intercoastal, known to have about 200 roseate spoonbills. He stated the submission was related to the division of State plans, with a deadline for ranking projects of February 12, 2024, and requested the Board proceed with submitting the letter of support.

Public Comment: Nicole Crosby provided public comment.

**Motion by Dean, seconded Whitehurst, carried 5/0, to adopt a letter of support to submit to Deborah Burr, Office of Environmental Services.**

**Yea: Dean, Whitehurst, Arnold, Alaimo, Joseph**

**Nay: None**

Commissioner Arnold

Arnold requested Board consensus for the Rotary Club of St. Augustine Sunrise that's hosting a Pup-A-Pawlooza event at the fairgrounds, benefiting the St. Augustine Humane Society, *and*

*requested the Board waive the \$500 fairground fee for hosting the fundraiser events. **Consensus was given.*** In addition, she invited everyone to the Combined Strategic and Comprehensive Plans meeting at 6:00 p.m. on February 20, 2024, at Pacetti Bay Middle School.

## **COUNTY ADMINISTRATOR'S REPORT**

No report.

## **COUNTY ATTORNEY'S REPORT**

Rich Komando, Interim County Attorney, thanked the Board and expressed his gratitude to collaborate with St. Johns County. He mentioned a proposed ordinance for special care housing requiring a second public hearing, typically held at 5:01 p.m. He stated that if the Board voted, the hearing could be scheduled after 9:00 a.m. at the next Board of County Commissioners meeting.

**Motion by Arnold, seconded by Alaimo, carried 5/0, to hold the second public hearing after 9:00 a.m. at a regular scheduled meeting in lieu of holding the meeting after 5:00 p.m. for Regular Agenda Item 5, for of the February 6, 2024, meeting.**

**Yea: Arnold, Alaimo, Whitehurst, Dean, Joseph**

**Nay: None**

With there being no further business to come before the Board, the meeting adjourned at 3:40 p.m.

## REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 619965-619987, totaling \$57,368.25 and Voucher Register, Voucher Nos. 77832-77857, totaling \$66,816.06 (02/07/2024)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 619988-619992, totaling \$1,710.58 and Voucher Register, Voucher No. 77858, totaling \$455.11 (02/08/2024)
3. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 77859-77860, totaling \$8,768.52 (02/08/2024)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 619993-620164, totaling \$1,763,074.60 and Voucher Register, Voucher Nos. 77861-77932, totaling \$2,916,414.92 (02/12/2024)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 620165-620166, totaling \$21,506.43 (02/12/2024)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 620167-620178, totaling \$11,204.57 and Voucher Register, Voucher Nos. 77933-77937, totaling \$7,639 (02/14/2024)

## CORRESPONDENCE:

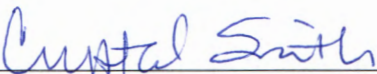
There was none.

Approved March 5, 2024

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By:   
\_\_\_\_\_  
Sarah Arnold, Chair

ATTEST: BRANDON J. PATTY,  
CLERK OF THE CIRCUIT COURT & COMPTROLLER

By:   
\_\_\_\_\_  
Deputy Clerk

