

Abandoned & Neglected Cemeteries Commission Meeting Summary

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What: Fact-finding meeting of the Abandoned and Neglected Cemeteries Commission.

In attendance: Task Force Members: Jerry Spinks, Chair. Brenda Ezell, Jon Ferguson, Emily Lisska, Hazel Mack, Richard Mueller. Concerned Citizens: Brent Handley, Daryl Joseph, Greg Matovina, R.C. Nasworthy, Shannon Palmer, John Pittman, Shorty Robbins, Larry Rosenblatt, Linda Rosenblatt, Leon Ross, Dwight Sayles, Thomas Waters, Martha Weeks, Bill Yarbrough, Jr. JCCI Staff: Steve Rankin.

Meeting Time: 9:00 – 10:30 a.m.

Discussion: Mr. Spinks welcomed everyone and reminded them that a site visit would be made to Gravely Hill Cemetery on Saturday, October 27, beginning at 9:00 a.m. The purpose of the visit is to observe preservation and maintenance techniques as demonstrated by the volunteer group, *Gravely Hill Friends*. Gravely Hill Cemetery is located inside Riverside Memorial Park at 7242 Normandy Blvd. The public is invited to attend.

The three topics to be covered at today's meeting were as follows:

1. Mr. Spinks noted that the first scheduled speaker for this meeting, Leslie Pierpont, a Board member from Greenscape of Jacksonville, Inc, was unable to attend, but indicated in conversation that her group viewed the work of the Cemeteries Commission as important. Greenscape is a local non-profit that leads and sponsors landscaping projects on local streets, major highway intersections and other public sites. Ms. Pierpont also runs a nursery specializing in native plants and Xeriscape which produces attractive landscaping results while requiring little or no water or regular maintenance. This concept provides the potential for many cemeteries to retain a pleasant appearance at a low maintenance cost. Ms. Pierpont and the Executive Director of Greenscape, Anna Dooley, are receptive to the idea of including some of the smaller cemeteries under the Commission's purview in their list of annual projects. They have asked that the Commission make a presentation to their Board after completing the recommendations.
2. Greg Matovina presentation - Owner of Matovina & Company, a residential land development firm in Jacksonville, Mr. Matovina described the somewhat rigorous and costly process his company went through to gain the right to develop a 100-acre site (now called Picket Cove) located just east of I-295 on Lane Avenue. When the company began its due diligence of the site, they discovered that deeds for the property included a one-acre protected parcel (deeded in 1901) surrounding the gravesite of Thomas Suarez, a former owner of the property who died in 1868. Mr. Matovina commissioned a Cultural Resources Survey to determine whether the Suarez gravesite was the only one on the property, and to make certain that there was nothing else of historical or archaeological value that might pose challenges to the proposed development of the site. Ultimately, it was determined that no additional restrictions were applied, but it took a lengthy bureaucratic process and \$35,000 in expenditures to get to that point.

The major stumbling blocks were obtaining clear title to the grave yard property and overcoming the title exceptions for grave yards. For example, Florida Statutes governing grave yards require ingress and egress so that family members can visit, and this was satisfied by Matovina with construction of a road adjacent to

the Suarez grave. In addition, obtaining title required determining the last deed of record, heirs to the last-known deeds, and current owners of the grave yard property. These issues were ultimately satisfied, but they required surveying, the cultural resources survey, title searches, and genealogical research.

Once title was secured, it was then incumbent on the developer to plan the development around the grave site, and to incorporate it into the final development plan so that it did not detract from the overall environment and desirability of the project. Mr. Matovina emphasized that in this specific case where only one grave site was discovered, the process was less onerous than it would be if multiple graves were found. The risk a developer runs can thus be considerable. He noted that Florida Statutes prescribe a significant penalty for intentionally disturbing a grave site, so developers are well served to hire out the proper discovery work in advance of beginning construction. If remains are located on a property to be developed, he said that it is important to conduct the appropriate survey work to determine exactly where the grave(s) is, and to ensure that there are not any more graves on the site.

Mr. Spinks noted that from Mr. Matovina's description of the process, the title companies serve almost as "gatekeepers" in protecting what may be located on the development sites from a historic or archaeological perspective. He also suggested that it may be beneficial for the Commission to consider merging its inventory of cemeteries and burial grounds with the lists maintained by the title companies, which may be aware of some the Commission is not.

3. R.C. Nasworthy presentation – Head of the division of the City of Jacksonville's Parks and Recreation Department that has responsibility for maintaining cemeteries, Mr. Nasworthy described the city's involvement in eight cemeteries under its guidance. These include three city-owned facilities (Old City, Mt. Herman, Hillside) and five for which maintenance agreements exist (Gravelly Hill, Memorial, Pinehurst, Mount Olive, and part of Sunset Memorial). These facilities were classified by the city as "public nuisances", and the city ultimately took over responsibility for their maintenance. Mr. Nasworthy explained that maintenance provided is primarily mowing and weeding, but the city does not do any repair work on headstones or other preservation activities. He noted that the city contracted out the maintenance work until recently on what totals approximately 40 acres, but they took it over themselves when the latest contract bidding was considered too expensive.

Mr. Mueller asked if records could be provided that would show the Commission how much it costs per acre to adequately maintain a cemetery. He also inquired about the Cemetery Trust Fund created by the City Council in 1994 under the leadership of Councilwoman Denise Lee that included an initial amount of \$660,000. The fund has apparently been gradually depleted since then and now has just over \$131,000 in its account with a provision that it cannot be less than \$123,000. Ms. Lisska noted that the Commission should not lose sight of the fact that the City Council arguably set a precedent with creation of the Cemetery Trust Fund, and it is not unreasonable to suggest that provisions should be in place for its replenishment as needed.

Linda Rosenblatt, representing *Gravelly Hill Friends*, noted that fallen dead trees in a cemetery pose one of the major impediments to volunteer groups that wish to do cleanup work in city-maintained cemeteries. She said that a consistent plan for removal of fallen trees is important because when present, they discourage interest from well-meaning volunteers who recognize the trees create a roadblock to their activities.

Mr. Rankin reminded the Commissioners that the final two regularly-scheduled meetings (October 31, November 7) would be devoted to development of recommendations and an action plan. He asked that each Commissioner provide him with any changes or suggestions they may have on the draft of the Findings of the Commission prior to the October 31 meeting so that a final corrected copy can be available on which to base recommendations.

The meeting was adjourned at 10:30 a.m.

