

Town of Grant-Valkaria  
Interim Council Meeting Minutes  
Wednesday, August 9, 2006 at 7PM  
Grant Community Center

A. **CALL TO ORDER** – By Tim Reynolds, Interim Council Chair, at 7:00 P.M.

B. **PLEDGE OF ALLEGIANCE**

C. **ROLL CALL** (by Interim Town Clerk)

Bonnie Allan - present  
Denni Burr - present  
Lisette Kolar - present  
Tim Reynolds - present  
Jim Tonti - present

Guests Present:

Karl Bohne, Town Attorney for Malabar  
Bob Hoag, Assistant to Karl Bohne for Town Attorney issues

D. **CONSENT AGENDA:**

1. Approval of 8/2/06 minutes

No discussion. Motion to accept final Interim Council minutes from 8/2/06 meeting as recorded.

MOTION BY ALLAN; SECONDED BY KOLAR.  
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

2. Qualification hours from noon on 8/24/06 until noon on 9/1/06

No discussion. Motion made to approve the candidate qualification hours from noon on 8/24/06 until noon on 9/1/06.

MOTION BY KOLAR; SECONDED BY BURR.  
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

3. S. Mainland Community Center on 8/23 for second reading at 7 P.M.

Explanation by Kolar that a firm Interim Council meeting location for 8/23 had to be arranged for adequate posting of that meeting for the second reading of the ordinance related to the change of candidate qualification period. Motion made to accept the location of the South Mainland Community Center for Interim Council Meeting at 7 P.M. for the second reading of the ordinance.

MOTION BY KOLAR; SECONDED BY ALLAN.  
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

E. **UNFINISHED BUSINESS:**

1. Town website and

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2. Town e-mail

Ray Kolar has conducted a web-hosting trade study. Ray has offered to pay for that hosting service for the first three months (August through October 2006). Bohne, Malabar Town Attorney, was asked if the Interim Council could accept the offer made by Ray Kolar. Bohne said “yes” as it equates to a contribution. Motion made to accept Artemis for hosting the town website and town e-mail for three months.

MOTION BY KOLAR; SECONDED BY BURR.  
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

3. Status of revenue sharing mechanisms

Reynolds contacted the Florida Department of Revenue and obtained a Federal I.D. number for the town last Friday. A remaining requirement for completing Form DR-700218, “Application For Revenue Sharing 2006-2007 State Fiscal Year” is the signature of an “appropriate fiscal officer”. Reynolds will be signing the form as the “mayor or chairman of governing body”, yet per the Grant-Valkaria charter, the chief fiscal officer would be the Town Administrator if we had one presently. Reynolds also stated the town needs to establish a financial institution for receipt of revenue sharing monies. Motion made to nominate Tim Reynolds as the town’s Chief Financial Officer.

MOTION BY KOLAR; SECONDED BY ALLAN.  
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

Kolar summarized her discussion with Sandy Sanderson from Florida Power & Light about the 5.9% electric service revenue the town would be entitled to as collected per the franchise fee on town residents’ electric bills. Bohne was to look over the agreement. The revenues from this franchise fee would be received in approximately two to three weeks after we provide a list of Grant-Valkaria households or businesses within the town to which the franchise fee collected should be revenue to the town. The listing should not be referenced to a mailing address but to electric service accounts within the town boundaries. Bohne stated the Brevard County Property Appraiser’s office should be able to provide a listing of all Grant-Valkaria addresses to include for franchise fee revenue. Action on this issue will be required.

Reynolds discussed a phone call he received from Scott Cody related to establishing a population estimate for revenue sharing. Reynolds provided Cody with the feasibility study for a current population estimate. Cody stated he would review the feasibility study this month and make well use that population estimate yet would be conducting a new population study in the spring of 2007 which would be valid for two years after that date for revenue sharing purposes.

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4. Election notice

Reynolds explained that a legal ad must be posted twice, on 8/10/06 and 8/17/06, providing information on the election of our first town representatives (mayor and council members). This ad will also be posted on the town website at grantvalkaria.org.

5. Public speaker card process

Various interim council and public comments were heard related to a formal public speaker card process. Allan agreed to draft a process for public comments to be provided at the next Interim Council meeting on 8/16/06.

6. Legal assistance from Bohne

After an introduction of Bohne to the Interim Council and public attending the meeting, Mr. Karl Bohne introduced himself and Mr. Bob Hoag, his assistant. Bohne stated he is a municipal attorney with seventeen years of experience who studied under Judge Barlow. He is working or has worked for the municipalities of West Melbourne, Indian Harbor Beach, and Malabar and is currently a code enforcer for Barefoot Bay. He has proposed a rate of \$160 per hour to provide municipal legal assistance to Grant-Valkaria which is within the budget specified in the feasibility study. His practice is composed of 80% municipal law and 20% commercial litigation. Bohne stated he presently works for Malabar as their town attorney and if he provided legal assistance to Grant-Valkaria also, he would have to excuse himself from representing either town (conflict of interest) for any issues between Malabar and Grant-Valkaria should such a circumstance arise. Bohne said he would bill for his services and the charges could accrue until the town revenue stream begins. Motion made to engage Mr. Bohne as Interim Council attorney.

MOTION BY TONTI; SECONDED BY BURR.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

7. Depository institution

SunTrust Bank in Sebastian had offered their municipal banking services to Grant-Valkaria as presented in the 8/2/06 Interim Council meeting. Other interim council members and public representatives named many banking institutions in the area which could probably perform the municipal banking services we would need such as Bank of America, Wachovia in Barefoot Bay, Riverside National Bank (bank for the Town of Malabar), SunTrust in Melbourne, etc. Motion made to use SunTrust as the temporary financial institution.

MOTION BY BURR; Discussion created an amended motion.

Amended motion made to use SunTrust as the Grant-Valkaria financial institution.

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AMENDED MOTION BY BURR; AMENDED MOTION SECONDED BY ALLAN.  
VOICE VOTE ON THE AMENDED MOTION CARRIED UNANIMOUSLY

Bohne stated all interim council members should be signatories on any account set-up with certain persons established as primary or secondary signatories. Motion made to establish Reynolds and Burr as primary signatories on the SunTrust account and establish Kolar, Allan, and Tonti as secondary signatories.

MOTION BY ALLAN; SECONDED BY BURR.  
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

8. Town insurance – Florida Municipal Insurance Trust  
Interim Council's discussion revisited Florida Municipal Insurance Trust's proposal for \$2,508 premium for general liability and errors and omissions coverage in the amount of \$1 million with policy period from 7/31/06 to 10/1/06. Discussions included how we might pay for the half-year premium payment for the two-month coverage, and consideration of coverage from 10/1/06 until the elected Town Council can take over and take out an eleven month policy (the insurance company ends all policies on 10/1 of each year). A member of the public, Harold Anglebeck, addressed the Interim Council and proposed to pay the \$2,508 premium and then be repaid with or without interest at a later time. Bohne said he would check into that offer as he wasn't sure it is workable or advisable. Motion made to engage Florida Municipal Insurance Trust as the town insurer for \$1 million coverage from 7/31/06 until 10/1/06.

MOTION BY TONTI; SECONDED BY BURR.  
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

Burr accepted the action to look into deferring cost of insurance policy (bring back to 8/16/06 meeting).

9. Public speaking card process  
Not discussed as this was a duplicated agenda item (see UNFINISHED BUSINESS, agenda item 5.).
10. Report on 8/2/06 meeting with County on pending land and zoning issues  
Kolar reported that Del Yonts, Grant-Valkaria Preservation Committee member, and herself attended the 8/2/06 Friday meeting in Representative Voltz' chambers. Stated discussions with the county and discussions during the Interim Council meeting on 8/9/06 include the following:

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County has jurisdiction until 12/31/07 and after that an inter-local agreement would be needed. Fire and fire services and sheriff were mentioned for needing this inter-local agreement. It was suggested that the Interim Council should begin drafting the required inter-local agreement to provide the permanent Town Council after the November election.

New building permits were stopped by the county yet they are now accepting new requests and continuing on as of the 8/2/06 meeting. A memorandum from the county dated 8/9/06 stated authorization of the staff to take whatever action is necessary take whatever action necessary to help Grant-Valkaria with the building code/permitting issue including inter-local agreement and to proceed with the permitting processes that are underway.

Information provided by the county indicated that Grant-Valkaria may have to adopt an ordinance to allow the county to perform code enforcement. Bohne was requested to work the required ordinance.

Rezoning requests in progress as of 7/25/06 are no longer under consideration of the county.

Comment on a received Conditional Use Permit (CUP) was made.

There is a legal description error for the boundary of the town. The area related to an eight acre parcel near County Beginnings Day Care which was annexed during the Grant-Valkaria charter process after the legal boundaries of the town were established. Bohne stated he believe the special act containing the town charter will supersede the annexation.

Other interim issues were presented by Reynolds. Quarterly revenue sharing from the county to the town should occur in January 2007. Additionally, coverage under the National Flood Insurance Program will require Interim Council action. The National Flood Insurance Program needs a letter from the governing body to indicate the town will participate in the program. The program has a six-month grace period during which a letter of intent will continue the program coverage. The letter was drawn up and signed by Reynolds. The permanent Town Council should follow-up with an official letter of participation after the November election.

11. Remaining candidate packages for pick-up

It was announced to all in attendance that the remaining candidate paperwork package is available for pick-up at the end of the meeting. Additionally, the information is available at the Grant-Valkaria website.

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**F. NEW BUSINESS:**

1. First reading of Ordinance 2006-01, Amending Section 6(8)(c), Candidate Qualifying Period  
Reynolds read Ordinance 2006-01 by title only. Motion made to accept Ordinance 2006-01 as written.

MOTION BY KOLAR; SECONDED BY ALLAN.

ROLL CALL VOTE UNANIMOUS:

Kolar	aye
Tonti	aye
Allan	aye
Burr	aye
Reynolds	aye

2. Legal ad: Ordinance 2006-01  
A legal ad for Ordinance 2006-01 will appear in the paper Saturday, 8/12/06 and will also appear on the Grand-Valkaria website.
3. Future Interim Council meeting places  
The next two Interim Council meetings on 8/16/06 and 8/23/06 will be conducted at the South Mainland Community Center. Options for future meetings presently include Sunrise Elementary School and possibly renting Tumulo's. The school might be available at no charge although they presently would require completion of a form and proof of liability insurance. Tumulo's is a 2,500 square foot building with parking next door. Allan agreed to take action to investigate future meeting places and bring that information back to the Interim Council at the 8/16/06 meeting.
4. Save Brevard charter amendment input requested by Brevard County Manager and
5. Save Brevard charter amendments: Request from Save Brevard for Interim Council member to attend County Commission Charter Amendment Workshop, August 23, 2006, 1 P.M., County Commission Chambers  
A letter from Peggy Busacca, Brevard County Manager dated July 27, 2006 is on file related to the Save Brevard Charter Amendments. Grant-Valkaria has been requested to provide input prior to 8/22/06 or to attend the Board of County Commissioners meeting on 8/22/06. No action taken.
6. Temporary record-keeping at South Mainland Library  
Motion made to accept the South Mainland Library as the place to keep town record for public review.

MOTION BY ALLAN; SECONDED BY BURR.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

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7. New building permits  
(Addressed in agenda item E.10. above)
8. Establishment of a “Financial Officer” for state revenue sharing  
(Addressed under agenda item E.3. above)
9. Candidate qualifying volunteers  
Six volunteers have been established for qualifying candidate for the November 2006 election. Motion made to appoint Kolar as the Qualifying Officer.

MOTION BY BURR; SECONDED BY TONTI.  
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

10. Assistant Interim Council Clerk  
Kolar suggested having Claire Zoryk as the Assistant Interim Council Clerk to assist in posting the agenda and minutes for public viewing and advertising public notices. Agenda item removed from further consideration as duties are being covered by various persons presently and Clair Zoryk wanted to assist in duties but did not want the designated Assistant Interim Council Clerk.
11. Interim Council procedures: Draft for assemblage of agendas and
12. Interim Council procedures: Use of Interim Council e-mail accounts and e-mail archive accounts  
Bohne clarified Sunshine Law affecting correspondence between Interim Council members in that you can send an e-mail and even state your position but cannot solicit the other member’s response and that all e-mails are public record. Archiving of Interim Council e-mails was also discussed and Reynolds stated that the system can be set-up to create an automatic e-mail archive for all e-mails sent from the town website. Discussion ended as Reynolds requested the drafted procedures submitted from Kolar and the Interim Council Clerk be provided for reading and consideration at the next meeting on 8/16/06.

**G. PUBLIC COMMENT**

No specific public comment agenda item will be provided in future meetings as public comment is heard when the agenda items are being discussed and considered by the Interim Council.

**H. ADJOURNMENT**

MOTION BY KOLAR; SEONDED BY ALLAN  
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Meeting adjourned at 9:07 P.M.

BY:

\_\_\_\_\_  
Interim Council Chairperson

ATTEST:

\_\_\_\_\_  
Karlene Folts  
Interim Clerk

DATE: \_\_\_\_\_