

Town of Grant-Valkaria  
Interim Council Meeting Minutes  
Wednesday, September 13, 2006 at 7 PM  
Grant Community Center

A. **CALL TO ORDER** – By Tim Reynolds, Interim Council Chair, at 7:05 PM

B. **PLEDGE OF ALLEGIANCE**

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

Bonnie Allan – present

Denni Burr – present

Lisette Kolar – present

Tim Reynolds – present

Jim Tonti – (not present during roll call yet arrived during additions/deletions to agenda)

D. **ADDITIONS AND DELETIONS TO AGENDA**

New business: G.3. – (Kolar) - Discussion of “myregion.org” activities

G.4. – (Burr) - Video recording of Candidate Forums (2 & 3)

G.5. – (Burr) - Posting of approved minutes

G.6. – (Tonti) - Emergency procedures

E. **CONSENT AGENDA:**

1. Approval of 9/6/06 minutes

Motion made to adopt the 9/6//06 minutes as written.

MOTION BY KOLAR; SECONDED BY ALLAN

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

F. **UNFINISHED BUSINESS:**

1. (Allan) – Update of draft process for public comment/speaking

Process summarized as follows: (i) Stand and state name clearly and town where you reside if not in Town of Grant-Valkaria, (ii) Interim Clerk may ask you to spell your name for accuracy, (iii) time limit, if needed on agenda items, will be determined by the Chairman, Tim Reynolds, (iv) public comments at the end of the agenda items are for anyone aspiring to speak on any item NOT on the agenda, (v) speaker card to be provided to Interim Clerk for speakers under the public comments portion of the agenda, (vi) time limit under public comments portion of the agenda will be 3-5 minutes or at the discretion of the Chairman, Tim Reynolds. Motion made to accept the drafted process for public comments/speaking as read.

MOTION BY KOLAR; SECONDED BY BURR

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

2. (Reynolds and Sandy Sanderson) – Dates through which the County received FPL Franchise Fees from Town services address after 7/25/06, date of Grant-Valkaria incorporation, and amount of fees collected and paid to the County during that period.

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Details concerning the transition of FPL franchise fees remain under investigation. Mr. Sanderson indicated that FPL is still working on generating this data. This topic is tabled pending Mr. Sanderson's presence at the 9/20/06 Interim Council meeting for the second reading of Ordinance 2006-02.

3. (Burr) – Update, if available, on cost of signs for advertising the Interim Council meetings

Jo Faden & Fran Putnam used signs on hand to repaint for announcement of the candidate forums which were provided by volunteer effort and represented no cost to the town.

Since there are no funds allocated to maintain visibility for the council, the procurement of signs to announce regular council meetings was deemed a subject to be addressed by the elected council.

Renee Bryan has 2 whitewashed signs left over from the GVPC which could be used for announcement of Grant-Valkaria activities.

Allan indicated that she had not seen a candidate forum announcement sign at the south end of the Town on US1 northbound. It was believed that one had been put up. Checking of the existence and location of that sign was to be performed.

For the number of signs required to cover the GV area, putting up signs and taking them down is a significant job, and should be allocated among a number of volunteers, rather than putting it all on one or two people.

Tonti stated that he had received some public feedback on the signs, indicating that putting all of the candidate forum information on a small sign made it too packed to read in passing.

It was requested that a list of candidates for Town office be made available on the Town website. Reynolds took an action to get them posted.

The upcoming town election has been briefly noted in both the Press Journal and Florida Today. Burr will be sending out a press release to both providing more information.

4. (Kolar) – Update, if available, on the Grant Community Club's agreement for posting a covered presentation box on-site for posting Interim Council meeting notices and the agenda

This item was brought up at the last Grant Community Club meeting and they agreed to establish a corkboard for posting of the meeting notice and the agenda. The community

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center had a glass covered posting board on the building in the past, and apparently it was vandalized. Walt Smith will be handling getting a new posting board that we can use.

5. (Kolar) – Update of letter sent to the State related to Ordinance 2006-01

Kolar will generate the letter, has the updated charter, and now just needs a signed copy of the ordinance to get the required information sent to the state.

6. (Kolar) – Confirmation of the purchase of a Town seal

Several of the official agreements made between the Town and businesses such as Florida Power and Light and the Florida League of Cities require authentication of the document with a town seal. Kolar has obtained our first town seal.

7. (Kolar) – Application from Florida League of Cities FMIT to be signed

The Town insurance application was signed and sealed at the meeting in preparation for sending to the Florida League of Cities. Kolar will return the application via mail.

8. (Kolar) – Status on funding of insurance payment to Florida League of cities FMIT with payment to be paid prior to 10/1/06

Payment needs to be provided to the Florida League of Cities for Town insurance coverage provided from the date of incorporation to the end of September. This bill needs to be paid before the end of the month. The Florida League of Cities has an office in Orlando, so the bill needs to get there before the end of the month.

Town financial condition was discussed, and it was indicated that the town had received an installment payment from the State of Florida for the period for the Town's allocation for local option gas tax. The council is of the opinion that remittances to the Town are placed in the Town's general fund, and that for items such as the gas tax, (which is dedicated for road-related use), the account dedicated for use on roads is credited with the remittance value. Susan Kabana, Malabar Town Clerk, was consulted for information on how town finances are normally managed, and it was suggested that we might want to get insight from other town clerks on how they manage and allocate funds, in order to further evaluate the council's approach. Reynolds agreed to send a question to Cathy Wysor, Indian River Town Clerk, asking about allocation of funds. This issue must be resolved by the 9/20/06 Interim Council meeting so the method of payment for the insurance premiums can be determined - paid from existing funds or covered by individuals with repayment after more Town revenues are received.

9. (Burr) – Update of freeing up days Sunrise Elementary School has reserved for Grant-Valkaria

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The town currently had Thursday evenings reserved for town use at Sunrise Elementary through the end of December 2006. In consideration of holding most of our weekly Town meetings at the Grant Community Center, Burr contacted Sunrise Elementary to advise them of the only evenings we will need the school (Candidate Forums and Sept. 20<sup>th</sup> in the Q-Fest timeframe). This will allow them to free up the remaining Thursday evenings, and to relieve staff from having to be on call to maintain the room after our departure.

10. (Reynolds) – Conditional use permit requested by Mario Nicolo

The topic of a Conditional Use Permit (CUP) which would allow Mr. Mario Nicolo to serve liquor at his business site was discussed.

Mr. Nicolo was present at the meeting and indicated that the business previously at that location had had an alcoholic beverage permit. Issuance of a CUP at that location had been recommended by the P&Z Advisory Board, but had failed to be acted upon by the County Commission prior to the incorporation of the town. He indicated that he had been informed by George Ritchie at the county that they could issue a permit if asked to do so by the Town.

The council informed Mr. Nicolo that legal staff at the County had provided the Town with the opinion that the County could not provide P&Z or any other quasi-judicial control within the Town. Any of these functions must be performed by elected representatives of the people of the Town. The Interim Council also informed Mr. Nicolo that under the terms of the charter, only the elected council can make decisions on P&Z matters. Additionally, the Town Charter does not give authority to the Interim Council to make such decisions. Reynolds agreed to contact Mr. Ritchie to clarify the County position on this matter.

**G. NEW BUSINESS:**

1. (Reynolds) – Conduct with candidates

Over the course of incorporation, many volunteers have participated in gathering, consolidating and formalizing information to help with the incorporation effort.

Now many of these volunteers have transitioned from the pursuit of incorporation to the pursuit of elective office, but have also continued to assist the town in gathering and consolidating information which will assist us in forming our first town government. Participation of Town candidates for office with the Interim Council in providing this help, while of considerable value to the Town, poses a problem from the standpoint of fairness to the candidate base as a whole.

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In order to provide fairness to the candidates, it was recommended that when any candidate for office is invited to participate in a Town business meeting involving an interim council member, that the other candidates also be provided the opportunity of attending the same meeting.

2. (Reynolds) – Public hearing: Inter-local agreement with Palm Bay re: Country Beginnings/Oakwood School permitting

The status of the permitting of the Country Beginnings/Oakwood Charter School was discussed. A copy of an inter-local agreement currently in works to allow permitting of the temporary buildings for the school was made available at 4:30 P.M. today. It was stated that Palm Bay received a copy of the agreement at approximately the same time as the Town council.

This document was considered lacking due to several factors: Insufficient time was available for review by the Interim Council prior to the meeting at 7:00 P.M. cursory review which was done indicated that the document is not complete, lacking items such as addresses and property descriptions. Question was raised about the scope of the agreement as-provided, as it appeared to convey powers to Palm Bay which are in excess of those needed to complete a building code review of the initial buildings. Other scope considerations included powers granted to Palm Bay for zoning, and a firm date for severability of the agreement. Consensus of the discussion was that the agreement needs to convey just enough power to Palm Bay to get the permitting done and obtaining the Certificate of Occupancy and no more. The agreement should cover only the initial installation of temporary buildings, with no future guarantees of site use determined by Palm Bay, as Palm Bay is not the governing body for the Town of Grant-Valkaria. To afford the interim council confidence on the specifics of the agreement, copies (sealed) of all plans, permits, and agreements relating to the development should be available for review by the Interim Council prior to final consideration on the inter-local agreement.

Reynolds took an action to get with Mr. Bohne to assure that the inter-local agreement provided data to: (1) tie the building permit number to the agreement; (2) restrict / remove land use and zoning changes from the agreement; (3) provide language which provides an assured term clause that is not severable and is clearly spelled out; (4) clearly identifies the parcel of land covered by the agreement; and (5) to get a copy of the binding site plan which has been approved by Palm Bay.

Kolar took an action (related to 5.) in the preceding paragraph) to secure copies (sealed) of all plans, permits, and agreements relating to the development, for review of the council prior to finding on the inter-local agreement.

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A public hearing to produce a finding on the document was deferred pending availability of information sufficient for the council, and the public, to receive finalized information.

Several other questions were raised with respect to this unique situation. Allan questioned who the contractor was who was doing the work. Due to the unique circumstances which have precipitated this problem, the question was raised as to whether the costs (mainly legal) incurred in generating the associated inter-local agreement should be borne by the Town of Grant Valkaria alone, since actions taken by individuals and governmental units outside the jurisdiction of the Town of Grant Valkaria, and without consideration of the impact of the ongoing incorporation process, have necessitated generation of this agreement. Reynolds stated he would ask Bohne about any reimbursement which might be sought.

3. [Added agenda item] (Kolar) - Discussion of "myregion.org" activities

Kolar provided information on the organization "myregion.org". Myregion.org works with the Economic Development Council of Central Florida to support regional planning for central Florida. This planning is intended to cause the coordination of planning in adjoining governmental units, with the intention of reducing the adverse impacts usually associated with development across the region as a whole.

Kolar indicated that myregion.org has a meeting planned on September 20<sup>th</sup> at FIT, and that interesting parties might want to attend, but that this meeting conflicts with the Interim Council Meeting. A member of the audience also indicated that another conflict was the boat ramp discussion on the same night.

Bobby Putnam has attended several of the myregion.org meetings to see what they are all about, and should be able to provide additional insight into the organization and its objectives.

4. [Added agenda item] (Burr) - Video recording of Candidate Forums (2 & 3)

Denny Burr provided information gathered from investigating the possibility of getting the last two candidate forums video-recorded, in order to allow residents who could not attend the forums to view the candidate question and answer sessions.

Bobby Putnam provided Burr with information obtained from the Space Coast Government Television Department through Mr. John Bober. They will play a public service announcement but they do not provide telecast support for events that advocate the election of any candidate. Unfortunately, the Television Department needs a 30-day notice for advertising an event. Burr said she would try to get the 10/26 candidate forum information to Space Coast Government Television for advertising.

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Burr inquired as to what the Council would expect to pay if professional services were secured to support the forums. Numbers in the \$200 to \$600 range were mentioned as possible rough guesses, but no formal numbers were agreed to.

Burr mentioned that Bobby Putnam had also provided her with contact information for Mr. Phil Wallace at BCC TV. No contact had been made to-date so it's unknown if they provide the service we are looking for.

Del Yonts' son had been identified as a person who does video recording / event documentation (professionally) and who could be a potential provider. Burr agreed to contact Del's son to assess whether or not his services could be available to support the two forums.

Pat Bryan questioned whether the video result needed to be "professional" and asked how the result of Del's recording of the first couple of Interim Council events turned out. Del indicated that the video results were marginal, since the field of view was not very good, but that the intent had been mainly to get audio of the meeting. He added that due to the acoustic environment of the meeting rooms, the audio result was echo ridden and should not be considered very good.

Additional possibilities were identified. The room at Sunrise Elementary has been set up to support Audio Visual (AV) work. Kolar's neighbor is a media specialist at the school. Kolar took an action to contact her and see if there were any AV projects at the school which would support recording of the event, or if existing equipment might be able to be borrowed for taping of the events.

5. [Added agenda item] (Burr) - Posting of approved minutes

A question was addressed concerning posting of minutes at the library, and whether signed copies of the minutes would be posted. The volunteer Interim Clerk expressed concern about placing personal signatures in uncontrolled areas.

It was agreed that an original of the signed minutes is maintained in the Town records, and that the copies posted in the libraries and on-line would contain the annotation: "Signatures on file" to indicate that the copy is the approved version of the document.

6. [Added agenda item] (Tonti) - Emergency Procedures

Tonti has contacted Bob Lay to transfer the emergency management focal point for Grant-Valkaria to Mr. George Wolfe. Mr. Wolfe will work with the Brevard Office of Emergency Management to establish formal contacts. Tonti will be Mr. Wolfe's point of contact with the Town government.

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Discussion indicated that certified as emergency response team members residing in the Town of Grant Valkaria include both George Wolff and Bonnie Allan, and that certification involves completion of an 8-week course.

**H. PUBLIC COMMENTS:**

Burr provided a reminder that the first Candidate Forum would be tomorrow (Thursday, September 14th) at 7:00 P.M. at Sunrise Elementary, with the facility open for volunteers to set-up and food and beverage providers to set-up refreshments at 6:15 P.M..

Joe Mullins asked a question based on the County's casual comment about the Town being offered the opportunity to assume responsibility for parks in Grant-Valkaria. He wondered whether assuming responsibility for these parks would result in transfer of the parks and recreation MSTU from the County to the Town. No answer could be provided.

**I. ADJOURNMENT:**

Motion made to adjourn.

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

Meeting adjourned at 8:57 PM.

BY:

(Signature on File)

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Interim Council Chairperson

ATTEST:

(Signature on File)

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Karlene Folts  
Interim Clerk

DATE: 9/20/06