

Town of Grant-Valkaria
Town Council Minutes
Wednesday, December 20, 2006 at 7:00 P.M.
Grant Community Center

- A. **CALL TO ORDER** 7:02 P.M.
- B. **PLEDGE OF ALLEGIANCE**
- C. **ROLL CALL (by Interim Clerk)**
Mayor, Del Yonts – present
Council Member, Seat 1, Joe Hackford – present
Council Member, Seat 2, Danielle Morgan – present
Council Member, Seat 3, Pat Bryan – present
Council Member, Seat 4, Cathy DeMott – present
Council Member, Seat 5, Dan Faden – present
Council Member, Seat 6, Jason Mahaney – present
- D. **ADDITIONS AND DELETIONS TO AGENDA**
Additions included in minutes; no deletions
- E. **TREASURY REPORT**
(Cathy DeMott)
Bank balance as of 11/30/06: \$16,573.56
Total debits: \$6,172.47
Ending balance: \$10,401.09
(See attachment as submitted.)
Outstanding debits to Interim Council totaling \$3,694.57. All agree should be paid now. State revenue sharing monies should be deposited soon (\$5667.57) and FPL franchise fee payment will come at end of this month.
- F. **APPROVAL OF MINUTES**

Motion by J. Mahaney to approve minutes of 12/13/06 as wirtten; second by D. Faden
Voice vote on the motion carried unanimously.

G. UNFINISHED BUSINESS

1. (Yonts) - Range Rider Program (Guest: Dick Simmons
The Range Rider Program is sponsored by the Florida City and County Management Association and the International City/County Management Association. The program was developed to provide the expertise of retired city/county managers to current officials to assist administrative concerns. The Range Riders are retired managers or managers in transition (MIT) who are selected by the FCCMA Board of Directors. The Range Riders are available at no cost to provide assistance in dealing with council relations, choosing a manager, charter questions, financial and budgetary issues, questions of professional ethics, etc. Travel and per diem costs are covered by the FCCMA and ICMA. Mr. Simmons did some research making 10 phone contacts for the Town, providing 5 resumes of manager candidates who might be interested in our area. (Given to Danielle for follow up.) The Riders can provide interview questions, information on where to advertise, and recommended as an Interim Manager the town look at a retired manager who doesn't want full time employment vs. a MIT who is looking for a full time job or younger candidate who would be doing the job for money or status. He also recommended we require a college degree, masters preferred. ICMA has a biweekly newsletter and Mr. Simmons recommended our ad be placed there. He said the local newspaper is nice but the publications by the FCCMA and ICMA are read specifically by the population the town seeks to reach. Mr. Simmons recommended we move quickly as the candidate list changes rapidly. If an Interim Manager is hired he should be allowed to apply for a permanent job when the time comes. The following available candidate names were given and brief resumes given to the clerk: Matt Broch (MIT), Hugh Williams (retired), Tom Moffses (retired), Susan Boyer (MIT), and Steve Cattrell (MIT). Need to have Interim Manager agree to at least 3 to 4 months employment. Richard Kelton, who retires in January, had experience of setting up a town (Palm Coast). He may come as a courtesy or at travel cost to help consult. His ph#: (386)986-3702; fax (386)986-3703. Need to pay Interim Manager (IM) a good wage and transportation/lodging. He suggests phone conference with Council present in room and decide who might be worth bringing in for interview. Dan inquired as to what basics the IM would need. An office area was

suggested with someone to do typing unless the IM has good keyboard technique. Also, filing cabinet, computer, word processor, transportation (needs to get to know community) and basic office supplies. Ask the IM what is necessary, informing them that the Town does not have large funds available. It was recommended that the Town not import a manager from out of state. Jason asked how you go about interviewing. Has to be done in the sunshine. Mr. Simmons offers to help with the interview process. Stated that he has helped locally on many occasions. Individual Council Member can make contact and determine candidate interest. Tres Holton (District 3 Commission office) recommended that we narrow the field to 5 or 6 candidates and do thorough background checks. Then he advises that we schedule a social function with the community and see how they interact. The next day private rotating interviews with each Councilperson should be held. Del will follow up with Tres to discuss perhaps a less costly method such as phone interviewing. Danielle will take resumes and scan them in to e-mail to all Council. She will also request a more detailed resume from each candidate. Bobby Putnam questioned if the Town would limit its candidate search to the names given. Stated that former Barefoot Bay manager may be interested. Dan stated that this information should be included in the information letter that will be going out in the beginning of the year. Dan Robino questioned why the Town wouldn't hire a Town Manager right off the bat if the candidate seemed good. He feels that the change over will require the new hire to re-work same things. Dan Faden commented that it would be good to rent with the option to buy if everything works out well over time. Del commented that if the Interim Manager works out and wants to stay he can apply. Mr. Simmons provided information and contact numbers to all Council (filed). He was thanked by the Council and Town's people in attendance for his time and interest.

2. (Morgan) - Town Manager & Town Clerk Job Descriptions
These are working documents and in transition at present. Still awaiting information from contacts made regarding job descriptions and salaries. Will add treasury experience required to Town Clerk description.

3. (Faden) – Update on FPL Franchise Fees
Check will be sent December 28th for \$19,633.00 for the month of October. Fees from July 25 – October 1 went to the county. A monthly electronic transfer will be arranged. Recommends Town get legal assistance to procure these funds. No easy task. Dan has been working with Tim Reynolds who originated a letter to the County. Tim said he had no response back to date. Lisette Kolar stated that all monies due were to be put into interlocal agreements. Ed Washburn, who is retiring, was the contact. Dan stated that the Town has the option of negotiating franchise fees. Del stated that Bell South requires a letter verifying the date of incorporation. Joe Hackford stated that Waste Management is e-mailing information on franchise fees.

4. (Morgan) – Town Representation on committees
Del has sent letter to the County Commission requesting representation from Grant-Valkaria on the Valkaria Airport Advisory Board (VAAB). Stated that he has resigned his position (Truman Scarborough, District 1). Danielle asked Tres Holton for recommendations. He commented that reappointments are in January. He noted the MPO, Citizen Advisory Committee (Commissioner Voltz), and Technical Advisory Committee (Bob Comm). Lisette added Space Coast League of Cities (Carol McCormick.) Tres will e-mail a list of recommended boards to Council. Danielle to follow up.

5. (Mahaney) – Status of Code Enforcement
Jason is still receiving code enforcement complaints. Reminds everyone to call 911 if it is an emergency. Contacted the County for their Code Enforcement officer requirements. They do background checks and 14 weeks of field training (Jason has manual). Palm Bay requires previous law enforcement experience as well. Legal advise is required to answer the question of changing an ordinance once a complaint has been filed. New landscaping ordinance is not yet updated. Pat will compare the documents to identify changes. As stated last week, the Sheriff will respond to noise complaints. Jim Shelton states that there have been more than 400 complaints about Ozzies Crab House. Del states that if a property is zoned BU1 or BU2 they cannot legally have outside music. The Town currently has no method by which to apply for permitting. Mr. Shelton states that he does understand the situation but wondered if there was a time frame. Del said once we install an Interim

Manager things should move along more quickly. Joe will give information on potential code enforcement candidates to Del. Jason states that the Fellsmere CE officer is part time there and has expressed an interest in our Town and owns property here. Del requested a resume.

6. (Yonts) - Status of Conditional Use Permit (CUP)

Need to put on agenda for 4th meeting in January or 2nd meeting in February to have the lawyer present. Del has copy of the ad that the county uses in these situations. There are approximately 90 notifications to do by mail. He will pick up names of residents within 1500' from the county tomorrow. Per the Charter we need 30 days so most likely will be at the 02/14/07 meeting.

7. (Hackford) - Boat Ramp

Copies of revised letter to all Council and read aloud by Interim Clerk. Approved by Council as read, Interim Clerk to mail to Commissioner Voltz. (Done 12/21/06)

8. (Yonts) - County Contact Status

County is gathering information from within. Awaiting responses. Del will talk with Ed Washburn next week for an update.

9. (Yonts) - Additional Status Updates

Emergency Services grant request has to be in by the end of 2006. George Wolfe gives deadline to County as 01/23/07 for review. By 02/01/07 to the Department of Emergency Management and locked in on 02/19/07. Town will be in need of funds but there is no budget in place as of yet. Need to put the State on notice that we have just started up and don't know what we will be needing yet. Del stated that the worst thing to do is to request a grant and not use it. George will put something together stating we will be interested in the future. CERT is a priority area. The package defines what requirements are necessary. The CERT Team is independent of Grant-Valkaria, but we need volunteers to participate. There were 18 volunteers trained 08/05 for Grant-Valkaria and Barefoot Bay. Intend to do another training after the Seafood Festival. It will be an 8 week course one night per week. Cathy Demott, A.J. Morgan, & Jo Faden expressed an interest in participating. Dan stated the Town needs to know what equipment is important to purchase like a communication system. Opportunity

available through OEM in Rockledge for hand-held radios. If there is a repeater in the area the communities can communicate with them. Joe commented that the radios (GRMS) that they use for the Seafood Festival were donated by the former fire department; all have batteries and may be available for emergency use. Tres Holton states that the County Emergency Management Plan is on CD.

10. (Yonts) – Questions for the Town Attorney

Only one Council member sent questions to Karlene for the attorney by December 20th. Dan and Del stated that they will go directly to Mr. Bohne with their questions. Jason will add a couple to those already sent to Karlene to submit.

11. (Bryan) – Zoning and Land Use Committee

Pat, Lisette Kolar, John Mafera, Denni Burr, and Janis Walters met last week to discuss zoning and future land use. They listed 3 goals: Short term – A volunteer committee researching other municipalities regarding the administrative process for making zoning requirements. To present all options to Council. Intermediate - includes categories and ordinances. Long term – Comprehensive and future land use plan. How to be constructed and time line identified. Council agrees to proceed with research. Currently 4 volunteers, Pat would like the Council to appoint a board. Aware of the budgetary constraints and advertising. Dan stated that the Town needs a full assessment of current zoning. Ideally a color coded map. He requests we wait for next meeting to approve this board after legal questions have been answered. Lisette adds that the zoning maps are broken into areas so there may be several to serve the Town. Joanne Adams provides the maps from the County. Tres Holton will e-mail Pat with contacts tomorrow.

12. (Hackford) – Seafood Festival Permitting

Joe wanted to bring this report forward before Tres Holton left the meeting. Jack King will be handling the permitting as per usual. If the Town needs to do anything different because of the incorporation it is important to know now. Tres will be the liaison and verify jurisdiction of permitting. Lisette commented that Robin Tibbets handled the Q-Fest and all went smoothly.

H. NEW BUSINESS

1. (Yonts) – First reading Ordinance 2006-04

This ordinance certifies Ordinances 2006-01, 2006-02, 2006-03 and was read by title only with no objection.

**Motion by J. Hackford to accept Ordinance 2006-04;
second by C. DeMott**

Voice vote on the motion carried unanimously.

2. (Yonts – Time Extension for Nyah White Storage

Gail Jones working 1 year with County to get Boat & RV storage. FDOT requires permitting which is still being worked on. They have had one 6 month extension from the County and are requesting an additional 6 month extension from the Town Council. Area is zoned BU2 and they are working under those constraints, not asking for a change in zoning. County wanted input of the Council. Dan stated that this project didn't need County P & Z review. Approval was given on a staff level. Discussion within Council to better understand location and request. Ed Washburn stated that as a courtesy to the Town the applicant was instructed to come before the Council for approval of the extension. Del can e-mail Ed Lyons and Ed Washburn with outcome. Dan verified that environmental requirements have been satisfied and St. John's permit is in place. (Brochure and information provided to Council by applicant.)

**Motion made by D. Morgan to give 6 month extension;
second by P. Bryan**

Voice vote on the motion carried unanimously.

3. (Yonts) – Sebastian Beach and Tennis Village/Brevard County

Company wants to move forward with community building to be constructed on area where dirt is impacting neighboring residents. Meeting with the County last week. Company needs approval from the County, Grant-Valkaria, Barefoot Bay (sewer plant) to move forward. All agree that as long as it meets County regulations there should be no problem. Del will e-mail response of the Town.

Motion made by P. Bryan to allow building to move forward; second by D. Morgan

Voice vote on the motion carried unanimously.

Brief discussion followed. Jason asked how they intend to handle the "split lots" (part in County and part in Grant-Valkaria. Possibility of annexation? Del states this would be decided in the future. Dan Robino inquired as to whether or not the 27,000 sq. ft. club house was entirely in our Town.

Response was yes and it can be used for meetings. George Wolfe stated that there is still a dust problem on the northwest corner of property even with the seeding and mulch. (Brochure introducing community plan given to Town for file.)

4. (Yonts) - Vacating Road Right-of-way on Bobbi Lane
Michael Lornitis states that 12/12/06 the County stated that they had no research to prove any dedication of road. Property deadlocked. Requests assistance from Town. Ken Fallon asks then what will happen with land. Already drainage issue. If vacated and home built there what about drainage? Wants guarantee that whatever goes there won't negatively impact current homeowners. Del stated that vacating doesn't mean house building. Permitting would be necessary. Dan added that water has to be contained for any home built under current County codes. Area is 50' right-of-way and appx. 600' in length. Mr. Lornitis stated that he tried to rezone 9.2 acre parcel and dropped it. By vacating right-of-way lots would be tied together. He would like to develop 4 home sites and meet the AU zoning with one or two waivers to build on 2.25 acre parcel instead of 2.5 as required by AU. Discussion ensued and Mr. Fallon and Mr. Lornitis came forward with a map to show Council. Mr. Lornitis said he was also considering a 2.25 acre site, a 2.5 acre site and a 4.5 acre site. Pat expressed concern about the County's ability to do administrative waivers. Need to follow up. Del stated that Mr. Fallon received a mailing that would have been sent under County jurisdiction. If Town is involved would the 1500' rule apply? Would we have to do another mailing? What about the 30 day rule? The County may decide not to hear this so the Town has to move forward cautiously. Tabled to first Commission meeting 01/10/07. Need to speak with the County and Mr. Bohne about our options. If the Town is only asked to make a recommendation and the County will be hearing the issue then there should be no problem. The County has agreed to refund money to the petitioner if they decide the ruling is for Grant-Valkaria to make. Patricia Magers commented that if the application was submitted prior to incorporation why the delays. She was informed that it was when the vote occurred that counts. Pat commented that we do want to resolve this post haste but we want it to be done legally. All agree, including public, to table until 01/03/07 meeting. Mr. Fallon was informed per policy that the paper he submitted was

Town property. Interim Clerk agrees to copy and return original to Mr. Fallon. (Done 12/21/06)

I. REPORTS

D. Yonts

1. Need a volunteer for Interim Clerk for 01/03/07. Jo Faden will do one more meeting. Suggests that next meeting this topic be brought up in the beginning of the meeting when more viable candidates are still present. Del requests it be first on the agenda for 01/03/07.
2. Council decided to meet every week in January and February. What about the 02/21/07 meeting? Will it interfere with the Seafood Festival preparation? To be put on the agenda for further discussion after more information obtained.
3. Letter received from Roberta and Joanne Mann requesting the Council sign in support of home sites on small lots in an area where most properties are large. Area residents cannot envision building like this in the area described. Council vocal about refusing to sign letter. Del will e-mail the requestors a basic explanation of refusal.
4. Del received the Disaster Debris Removal agreement from the county. Came from Waste Removal. George Wolfe will find out how this affects the state wide mutual aid agreement. Del will scan and send out to all Council. Put on agenda for 01/10/07.

P. Bryan

1. Commends Town's folk who attend the meetings and especially those who hang on until the end.
2. Attended the Legislative Delegation Tuesday. Thanked the delegates for their support. Rep. Poppel in awe of the Town and citizens regarding the way we incorporated. Thad Altman (head of the delegation) complimented us referring to our area a "a jewel" and stating that we should keep it that way. Margarita Engall of St. John River Water Management District wants to come before the Council. She is the Intergovernmental Coordinator for the District. All approved to invite her. Del stated that he watched the proceedings and Pat represented our Town well.

D. Faden

1. Regarding the administrative rezoning previously discussed. He will obtain clarification from the County.

D. Morgan

1. Two former clerks will come whenever we want. Will contact temps for job descriptions (worker's compensation depends on the classification of job). Two temp agencies working with Danielle. Town can hire through temp agencies if we find a candidate of interest. Danielle will invite the former clerks to attend the 01/10/07 meeting.

2. Developed a purchase order form as requested last meeting. Sample to all Council.

3. Local restaurateur, R.J.'s, wants to cook a meal monthly for a needy local family. Asks for assistance in identifying families in need. Pat volunteered to assist Danielle with identification process.

J. Hackford

1. Gave Council copies of potential Town Council sites looked at thus far. Grant Grocery Store will be ready in 30 days. Del commented that the private home listed may not be viable depending on it's zoning.

2. Joe has accountant possibility - W.D. Barnes in Indialantic. Cathy given info and will contact.

J. Mahaney

1. Letter from County officially closing all code enforcement issues and referred them to Grant-Valkaria. Since there is no interlocal agreement the County advises us to evaluate them. Complaints should be managed according to current County regulations. Where to from here?

C. DeMott

1. Met with Tim and obtained bank records. Meeting with bank associate. Will get checkbook with stubs. Cathy wants to set something up to facilitate keeping up with the Town balance.

2. Tim Reynolds will send a list of potential accountants. All agree that accountant should do monthly audit. To check with other municipalities to see if clerks handle day-to-day accounting.

3. Currently the phone bill is coming to Tim. Must come to a home address, not P.O. box. Will change to Cathy's home address.

4. Town has P.O. box until January. Need a letter from Lisette Kolar, current key holder, to okay the change. Cathy agrees to be key holder.

J. PUBLIC COMMENT

1. Linda Landrum stated that procedures for public comment should be clarified on the agenda such as the fact that any paperwork submitted becomes Town property. Already explained under Public Comment section of agenda.
2. A.J. Morgan stated that the guest speaker length should be limited. Diana Nelson stated that it was difficult to keep the speaker on track. A.J. was not able to capture the entire meeting on video because the guest took over 45 minutes. (Discussion: Council feels it would be difficult to limit guest speaking time, but that in the future Del states he will become more adept at redirecting the guest speakers to be more timely.) A.J. also stated that we need to allocate funds for a second microphone set up. The system used tonight did not work. (Discussion: Council agrees.

Motion to approve purchase of second microphone setup made by D. Morgan; second by P. Bryan

Voice vote on motion carried unanimously.

Danielle will make out a P.O. tonight for purchase of a second set.) A.J. also stated that a sign requiring cell phones be turned off upon entering be posted on the door.

(Discussion: Council agrees. Jo Faden will make a sign for the next meeting.)

3. Alan Webb commented that there may be issues with trash and debris removal when vacating easements. Last hurricane the easements were utilized for debris.
4. Karlene Foltz reviewed the timeline for meeting minute and agenda review with the Council. Requested that each Council member confirm receipt of these documents even if they aren't requesting any changes be made. Some still having e-mail reception problem. Drafted agenda responses are due back to the Clerk no later than 4:00 P.M. Sunday and responses to the drafted minutes due back to the Clerk no later than 5:00 P.M. Monday.
5. No meeting 12/27/06 due to holidays. Minutes due out for Council review by 12/28/06.

K. ADJOURNMENT

**Motion made by D. Morgan to adjourn; Seconded by P. Bryan
Voice vote on the motion carried unanimously**

Meeting adjourned at 10:50 P.M.

BY:
(Signature on File)

Del Yonts
Mayor, Grant-Valkaria

ATTEST:
(Signature on File)

Jo Faden
Interim Clerk, Grant-Valkaria

DATE: 01/03/07
