

Town of Grant-Valkaria
Town Council Minutes
Wednesday, January 3, 2007 at 7:00 P.M.
Grant Community Center

- A. **CALL TO ORDER** 7:03 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)

Current balance: \$10,401.09

Cathy finalizing amounts owed to GVIC for payment. New check ledger; Cathy getting password to access account on line and has written checks without a problem. Dan inquired whether FPL franchise fee for October arrived. Cathy has not yet obtained access to Town P.O. box. No electronic deposits to account.
- F. **APPROVAL OF MINUTES**

Motion by D. Faden to approve minutes of 12/20/06 as written; second by D. Morgan

Voice vote on the motion carried unanimously.

G. UNFINISHED BUSINESS

1. (Yonts) - Designation of Interim Town Clerk for 01-17-07
No response back from two interested candidates per Danielle. Wants to finalize job description and obtain Council approval. Karlene Foltz volunteers to act as Interim Clerk for 01-10-07 meeting.

2. (Morgan) - Town Manager & Town Clerk Job Descriptions
Danielle modified Town Clerk job description to add Treasurer experience helpful. Requesting approval to send them to temp agencies. Council needs to decide on a wage. It was noted that a temp agency will charge more to Town than they pay the Clerk. Danielle will add to matrix form sent to other municipalities and states that it may be best broken into hourly wage. Discussion ensued, and with input of current Interim Clerks present (Karlene Foltz, Chris Hackford, Jo Faden), it was decided that 20 to 25 hours per week would be reasonable work time allowed to include the additional tasks currently performed by Del, Lisette Kolar, and Denni Burr, plus reimbursement for driving. Karlene Foltz commented on the potential need for computer equipment and work site. Jason asked if we could let someone use a home computer... no, liability issue prevents this. Dan suggested the possibility of purchasing a lap top. Denni suggested that the position be posted on the web site to invite local candidate interest. Del stated that if it was completed tonight it could go to the web site. Jo Faden suggested the essentials of the job be identified now and that the Interim Clerk be hired for the basics only. Denni and Danielle to get together to slim down the job description to a minimum for now and put it out on the web site. Danielle offered that the Florida Job Link and local colleges offered free advertising, however if hired through Job Link the person cannot go through a temp agency. Danielle will also contact the two retired clerks who had previously expressed an interest, obtain resumes, and inform them that it would be a part-time paying job. Range Rider follow up: Danielle e-mailed all 5 candidates discussed last week and received resumes from Mr. Cottrell and Mr. Brock. Ms. Boyer also responded and inquired whether the Interim Manager would be considered for a permanent position. Response affirmative as stated in previous meeting discussion. Danielle will forward this information to the potential candidate and request a resume. Del stated that Mr. Bohne

has informed him that one Council Member can speak with the candidates but cannot share information obtained with other Council Members unless in the sunshine. If an individual Council Member has a question for any particular candidate, they can feel free to contact them, however a full interview will be a planned process. Denni Burr commented that a telephone interview is quite common. Danielle inquired as to the feasibility of doing a conference call from the GCC. Can do but need phone brought with speaker capabilities. Robert Staples asked about public comment policy and it was explained. Bonnie Allan stated that one person could do interview and report back. Danielle said she thought it would be best to have a Council Member and a citizen present as two people could have a better perspective on the outcome of the interview. Hugh Williams from Merritt Island introduced himself as a prospective candidate with experience (resume on file as supplied on 12-20-06 meeting) stated that a phone interview for a Town Manager was totally unheard of. Jeff Caveneer also introduced himself as a potential candidate for Town Manager, states Town has his resume (Council concurs).

3. (Faden) – Update on FPL Franchise Fees

Franchise check should have been sent 12-28-06 according to FPL. Dan asked Cathy if she received the electronic transfer form he sent a week ago, she states she did not. Dan will send the form to her e-mail address directly. Dan will present report on 01-10-07 or 01-17-07 on available franchise fees. States there is quite a bit available. Dan adds that he has found that the only 30 year interlocal agreements he has found have related to potable water. Most others are 3 to 5 year or open-ended. There has been difficulty with county contacts since Ed Washburn's retirement. Bonnie Allan asked if the Communications Service Tax form had been obtained from Tim Reynolds. Cathy asked about it but did not yet receive it. Bonnie commented that she thought that if it was filed by March the Town would be eligible for this year. Cathy to obtain the "blue folder" from Tim Reynolds. Dan and Del state that an evening workshop devoted to franchise fees should take place. Del also stated that he provided Bell South with proof that Grant-Valkaria has incorporated as requested. Will look at workshop for the week of 01-17-07. Cathy requested she be FPL contact as CFO in Tim Reynolds place.

4. (Morgan) – Town Representation on committees
Danielle working with Tres Holton from Commissioner Voltz' office. Space Coast League of Cities dinner coming up 01-08-07 and he recommends the Town attend. Del states he received the invitation today and shared copies. Jack Hisey from the Melbourne Chamber of Commerce is contact. Cost is \$25.00 per plate. Jason states that the Town should pay for someone to attend. Del volunteers and will RSVP his plan to attend representing Grant-Valkaria to Nancy Grace and asked Danielle to do expense report form. Del states he forwarded an e-mail from the Brevard Water Authority about our potential future involvement. Discussion ensued regarding our need to be involved at this time. Dan stated that currently there were more important committees in which the Town should participate.

5. (Mahaney) – Status of Code Enforcement
Jason submitted 12 questions to Mr. Bohne and distributed copies of responses to Council. He also has 4:00 P.M. appointment with Barefoot Bay former Code Enforcement Officer. He was employed there for 3 years and laid off when additional hurricane staff was no longer needed. Jason to present resume and questions at next meeting including salary requested for part time employment. Also according to Mr. Bohne if a complaint comes in written form it becomes public record. Jason needs to clarify with Mr. Bohne the status of a phone call complaint. There are ways to file a complaint anonymously with the county. Also need to get a schedule of fines for code enforcement and a procedure to follow. Hugh Williams asked Jason to obtain a copy of the resolution he wrote for code enforcement at Barefoot Bay. Dan commented that as soon as information to distribute to Council is obtained it should be electronically forwarded so Council can have time to review it prior to the meeting. Del added that it is not fair to the public to add on agenda items at the meeting. These things should be announced when the agenda is published to give the citizens notice. Pat said that he reviewed the new Brevard County landscaping ordinance and does not feel comfortable giving recommendation. States that it seems to be more stringent and environmentally sensitive but since Council will need to vote on adoption Pat asks if Mr. Bohne should perhaps review both old and new and provide a summary of differences. Dan comments that he is going to be meeting with County Planning & Zoning and could address the changes with them.

Tres Holton states that the ordinance was the “brain child” of Ernie Brown and Dan should let Tres know when he will be meeting and he will see if Mr. Brown can also attend.

6. (Yonts) – Status of Conditional Use Permit (CUP)
Hearing date is for 02-14-07. Advertising to go out by 01-14-07. Del to do mailing to residents within 1500’ of property in question and will contact Lisette Kolar to do newspaper ad as required by Charter.
7. (Hackford) – Seafood Festival Permits
Permit package has gone to Jack King who performs this task annually. He stated that everything seemed to be in place. Del concerned that there will be no hitches in county permitting. Joe to stay on top of this issue. Tres Holton has offered assistance as needed.
8. (Yonts) - County Contact Status
County states that the Town should speak with the Sheriff’s Department and Mr. Washburn recommended that a resolution be passed by the Town to continue MSTU for services. Mr. Bohne recommends it be done by ordinance. Dan said that his understanding was that the Town had to collect the MSTU and pay it to the County. Del responded that the payment could “pass through”. Mr. Bohne to draft an ordinance to move forward with MSTU participation as it currently stands. Del has not yet heard back from the County regarding the Berry Road right-of-way. Bob Staples provided a hardcopy of lot configurations near his residence at Las Palmas. Homes in existence in that area are on 2 – 3 acre sites currently. He is concerned that the three 1/3 acre parcels will be buildable. Shows on drawing how drainage ditch cuts through all 3 of those parcels making the available building space minimal. Discussion regarding grandfathering of current zoning and current area zoning (properties west of Brabrook are Residential 1 and east of Brabrook are Residential 4) ensued. Will follow issue.
9. (Yonts) – Additional Status Updates
Nyah White property: Moving forward with extension.
Fountainhead: Wants to build mausoleum. County does not want to handle. County has been granting staff to change zonings from Residential to Institutional. Del requested information as he heard that Fountainhead wanted a

crematorium also which requires a BU2 zoning. This issue will be coming up in the future.

10. (Yonts) - Questions for the Town Attorney

Bobbi Lane: Mr. Bohne advised to have jurisdiction determined prior to proceeding. If deemed a Town issue hearing and informative mailings would be costly, would concerned parties support that cost? If county issue they will most probably request Town input. According to Janis Walters this issue is on the County Commission agenda for 01-12-07. Del asked Tres Holton to either have it removed or move it forward.

11. (Bryan) - Zoning and Land Use Committee

Dan contacted Mr. Bohne with questions regarding formation of P & Z Board. Legal counsel advises that the board be created through ordinance. People appointed to this board need to do a state disclosure statement and must meet in the sunshine. Outside committee can research and provide information to the appointed P & Z Board which will provide recommendations to the Council. A non-Council member of the board needs to take minutes and make them public. Pat states that the committee has begun research and looked at other municipalities to begin to define options available to the Town. They are formatting a packet to be distributed to the Council with options detailed. A fact-finding committee can meet and do cataloging outside the sunshine but Pat recommends keeping as much as possible public, maintaining the spirit of the Charter and citizen participation. Del stated that the town needs Comprehensive Plan and Future Land Use Plan done ASAP, zoning then will follow. Del recommends that Pat contact Rick Enos, County P & Z Director for more information. The Comprehensive Plan needs to be totally in the sunshine. Joann Adams can generate a wall sized non-detailed map showing zoning. Able to provide a FLU map also which includes variances already granted by the county. Del to obtain more information on this granting from Mr. Enos. Del inquires if perhaps Town should place a moratorium on zoning for now. Suggests creating an ordinance to put all citizens on notice that Town is not hearing zoning changes at this time. Mr. Bohne recommends the Town hire a planner ASAP to get going on these issues. Perhaps after a Town Manager is hired this could be handled at that level. Pat suggested that Royal Palm Charter School may be amenable to be a meeting site in the

future for committee meetings. John Mafera brought a fee schedule from the county to the last committee meeting and costs to the petitioner are significant. (A CUP costs \$849.00 and a PUD \$5000.00 plus \$45.00 per acre.) Pat suggests that this revenue stream will ease the cost burden to the Town. Janis Walters said that she noted when attending Malabar town meetings that the P & Z Board and Council are the same body. Discussion continued that the County practices the same way but they also have a P & Z Board appointed by the Commissioners to review and advise them regarding zoning issues. Denni Burr asked if the Town could hire a Planner for a part time position to participate in the planning process. Pat to follow up. Target date for completion of Comprehensive plan 07-25-07.

Motion by P. Bryan to move forward with the ordinance to place a moratorium on zoning; second by D. Morgan.

Discussion: Denni Burr recommended that a time line be included in the ordinance and Council members agree.

Voice vote on motion carried unanimously.

12. (Faden) – Rental Property availability

.Dan recommends that we look to a Real Estate agent to assist us in locating rental property. Del is in favor of looking more seriously at Grant Grocery Store. Bonnie Allan states that cost would be \$600.00 plus electric per month. In that space there can be 2 to 3 work areas and need handicapped access. Joe states that Senne Lumber has a building for \$800.00 per month that may require some work but would be large enough to hold Town meetings also. Joe will obtain more information and Dan will follow up with a realtor. A.J. Morgan stated that it was important to find out a time frame for rental, make sure it had adequate parking, and volunteers to assist with any renovations that may be necessary.

H. NEW BUSINESS
None identified.

I. REPORTS
D. Yonts

1. Ron Weis from the State of Florida Division of Forestry advised Del that it will be necessary to carry out controlled

burns in the area before March. They will begin south of Valkaria Airport. He has volunteered to come to a Town meeting to advise the citizens of their plan and answer any questions. He is also willing to do a "post burn" tour for anyone interested. Discussion with Council and citizens present at meeting. Del requests he be placed on the 01-10-07 agenda (Unfinished Business #2).

2. The furniture and storage project on US 1 has requested an extension. More information was requested from owner.

3. Del will be meeting with Sebastian Beach and Tennis Club personnel tomorrow to walk the site. Pat states that he walked near one of the areas in question and only one corner remains dirt. Del stated he would ask what the builders might be able to do to keep the dirt down in that area until they are ready to work on it.

P.Bryan

No reports.

D. Faden

1. Dan will have cost and rough draft of the Town news letter within the next 2 weeks. Royce Stifflemire will work with Dan to move forward with research and draft for input and approval.

D. Morgan

1. Danielle will not be attendance for the February 7, 2007 Council meeting.

J. Hackford

1. Boat ramp meetings to start up again. He will keep everyone informed. Community invited to attend.

2. Harris Sanitation will be contacted to speak at a Town meeting in February. Tres Holton will follow up with Joe regarding letter to Commissioner Voltz in which the Town requested participation in name of the ramp.

3. Work parties begin this Saturday 8:00 A.M. - 12:00 P.M for the Grant Seafood Festival. Anyone can report to grounds if interested in volunteering. Lunch will be served after work done. Joe will check on availability of GCC during festival prep time. Town may be able to change rooms as Bonnie Allan stated that the library uses the same meeting room for book donation collection and sorting.

J. Mahaney
No Reports.

C. DeMott

1. In process of acquiring information to reimburse exact amounts owed to Interim Council.
2. Waiting to hear from Melbourne and Malabar about town accounts and management.
3. Will obtain key to P.O. Box as soon as possible and will get an extra key.

J. PUBLIC COMMENT

1. Bonnie Allan states that she has had a problem viewing the December meeting minutes on the web site. Said that when she clicks on minutes the agenda comes up. Del will follow up and report back.
2. Bonnie Allan also questions the placement of utility poles and whether it has an impact on who collects the franchise fees. Dan will follow up and report back.
3. Janis Walters states that the First Amendment Foundation has an informative web site that can be utilized as a resource for questions relating to Sunshine Law and public records. Will send e-mail address to Council.

K. ADJOURNMENT

**Motion made by P. Bryan to adjourn; Seconded by D. Morgan
Voice vote on the motion carried unanimously
Meeting adjourned at 8:50 P.M.**

BY:
(Signature on File)

Del Yonts
Mayor, Grant-Valkaria

ATTEST:
(Signature on File)

Jo Faden
Interim Clerk, Grant-Valkaria

DATE: 1/10/07