

**Grant-Valkaria  
Town Council Minutes  
Wednesday, May 9, 2007 at 7:00 P.M.  
Grant Community Center**

**A. CALL TO ORDER 7:04 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**

1. Add an agenda item: J.3 (J. Mahaney) – Code Enforcement: Land clearing

**E. CPO REPORT (C. DeMott)**

Previous balance	163,292.16
Deposits	16,348.65
Checks issued (total)	<u>1,243.46</u>
<b>Ending balance</b>	<b>178,397.55</b>

**F. TOWN ADMINISTRATOR REPORT (M. Brock)**

- Matt signed a copy machine agreement today with Sharp for \$156.00 per month (which is the national bid rate) and it will be delivered next week. It is multi-functional as a scanner/printer/copier/fax. He will check on cost of a color printer with option to purchase. Florida state statute price is \$0.15/copy for non-Town business copies.
- Internet cable is in at the Town Hall.
- Matt has received 35 responses to the Town Clerk ad to date.
- Tuesday Matt has a meeting with a consultant to discuss the sound system at the Town Hall
- The same cleaning service that does Malabar town hall is interested in also doing Grant-Valkaria. Frequency of cleaning to be established.
- Monday Bell South will install phone lines and Tuesday there should be phone access. Tim Reynolds will eventually transfer the current Town phone number but to run a new line there had to be a new number. Denni Burr to be notified when she no longer needs to answer the Town phone.
- Space Coast League of Cities meeting is Monday evening
- Friday at noon the City Manager's meeting will be held in Palm Bay
- The security system at the Town Hall may need upgrading. (Thanks to Joe Mullins for his assistance.)
- Del and Matt met with Brevard County regarding National Flood Insurance. The Town will qualify.

## G. PUBLIC COMMENT (Non-agenda items only)

Tom Taranto: General question about right-of-way which is currently 50'. Mr. Taranto asking about plat map which currently shows 25' right-of-way. Will these lots be build able? Response was that currently County says no because of emergency service access. The eventual answer may be with the comprehensive plan, or such parcels may be grandfathered. Matt is following this issue.

Bonnie Allan: Recent fire on the south end of town was behind her property. The fire fighters have been diligently managing the fire and the residents and GCC have been providing meals and use of the GCC building for rest breaks. Bonnie asked if the Town could also donate a gift card to help defray the costs and express gratitude for their hard work. Volunteer workers are not sure how much has been spent thus far. Discussion ensued concerning the amount to donate.

**Motion by P. Bryan to purchase a \$250.00 gift card from Wal Mart to purchase food for the fire fighters; second by J. Hackford**

Discussion: Council agreed that the Town would be glad to split the cost with the Grant Community Club. Jo Faden offered to purchase card and deliver it Thursday evening at the CERT class. Cathy and Jo to work out details.

**Voice vote on the motion carried unanimously.**

Bonnie also inquired as to who is responsible for mowing, etc. since the Town owns the right-of-way. Brevard County Roads and Bridges continues to provide that service.

Nick Shah: Interested in purchasing property on the southeast corner of Grant Road and Babcock Street to build a gas station/convenience store. Marco Rosado was present representing the current property owner. Mr. Shah states that he will comply with any architectural aesthetics required by the Town. Del explained the moratorium which is in place until 07/07/07, and may be extended. The property would require a zoning change from Agricultural to BU2. Applications should be submitted to the County after the moratorium is off. Although the Council is moving diligently forward the applicant is currently looking at least 2 to 3 months in the future.

## H. APPROVAL OF MINUTES

1. **Motion by C. DeMott to approve minutes of Planner Workshops dated 04-30-07, 05-01-07, and 05-02-07; second by D. Morgan**  
**Voice vote on the motion carried unanimously.**
2. **Del made 3 corrections in the minutes from Town Meeting 05-02-07.**  
**Motion by P. Bryan to approve minutes from Town Meeting of 05-02-07 as amended by D. Yonts; second by J. Hackford**  
**Voice vote on the motion carried unanimously.**

## I. NEW BUSINESS

1. **(Yonts) – Selection of Code Enforcement Board**

Danielle stated for the record that A.J. Morgan was withdrawing his application. Nancy Turner also withdrew her application for the board. Prior to discussion of remaining Code Enforcement Board applicants, Council was made aware by Del of a certified letter that was received with attached complaints involving Homer & Christine King. Mr. King requested a copy of the letter, Del to comply. There was discussion with input from Mr. & Mrs. King and also from Commissioner Helen Voltz who was in attendance and stated she was familiar with the situation and that the accusations made were thus far unsubstantiated. Del stated that the spouse of one of the Council members was appointed to the Planning & Zoning Advisory Board, but since then he has fielded comments from the public referencing a potential "good old boy" network. As per previous meeting discussion, according to Mr. Bohne it is legal for spouses to serve on Town boards, but in appearance not always wise. Del states that although applicants may be well qualified for the

positions he will not vote for the spouse or family member of a Town Council member. At this time Renee Bryan withdrew her application for the Code Enforcement Board. The applicants present introduced themselves: Peter de Voss (present), Al Janesky (absent), Homer King (present), John Krupp (absent), Mark Pagliarulo (present), Jeff Robertson (present), John Shatzer (present), Royce Stifflemire (present), and Terry Wolfe (present). The board will consist of 7 members and 2 alternates. Discussion ensued. The following applicants were recommended for 4 year terms: Homer King, Mark Pagliarulo, Jeff Robertson, & Terry Wolfe. The applicants recommended for 2 year terms: Peter de Voss, John Krupp, & Royce Stifflemire. The 2 alternates recommended for 2 year terms were Al Janesky and John Schatzer.

**Motion by J. Hackford to approve selection of Code Enforcement Board as stated; second by D. Morgan**

Del added that since Terry Wolfe had been working on Code Enforcement with Jason previous to board selection she should call the first meeting to order for selection of chair and vice chair.

**Voice vote on the motion with amendment carried unanimously.**

**2. (Yonts) – Planner Group Discussion and Selection**

There were 7 planner groups scheduled to make presentations to the Town last week. The presenting groups were: Calvin Giordano, CSA, DRMP, Kimley-Horne, LaRue, & Miller-Legg. The Ragsdale Group did not show for their scheduled time slot and were eliminated. Discussion ensued. Town Administrator, Mayor, Council, and LPA provided input to selection then discussion was opened to the public for comment. Decision was made to rank the top 4 groups. The top group will be contacted and if negotiations are not successful, the second ranked group will be contacted and so on through all 4 if necessary. Ranking discussion continued.

**Motion by J. Hackford to rank the planner groups as follows: 1) Miller-Legg; 2) Kimley-Horne; 3) Calvin Giordano; 4) DRMP; second by D. Morgan**

**Voice vote on the motion was 5 in favor with P. Bryan and D. Faden voting nay.**

**Matt will contact Miller-Legg to submit their proposal and in the mean time will initiate a background check on the group.**

**3. (Yonts) – Audit Committee**

There are currently 3 volunteers for the audit committee: Linda Landrum, Tim Reynolds, & George Wolfe. The committee will serve as an advisory board to review RFP's of accounting firms interested in performing the fiscal audit for the Town. They will then rank and recommend no less than 3 firms to the Council who will select a firm. Cathy will follow up with Karl to determine if the committee must meet in the sunshine. It was brought to the attention of the Council that Linda Landrum is the sister of Cathy DeMott and her name was withdrawn.

**Motion by P. Bryan to appoint Tim Reynolds and George Wolfe as the Audit Committee and continue to search for a third person; second by D. Morgan**

**Voice vote on the motion carried unanimously.**

## **J. UNFINISHED BUSINESS**

### **2. (Yonts) - Discussion of Method for Naming of the Town**

Diagram has been refined and just requires insertion of a timeline. Del to e-mail copies to the Council and will utilize projector for discussion and finalization at the next meeting.

### **3. (Mahaney) - Stabilization of Property Cleared on U.S.1**

The Town received a letter from Brevard County stating that the property owner will be stabilizing the illegally cleared acreage on U.S.1 with Bahaha grass and straw. This is the only activity authorized by the county at this time. Discussion ensued and included public comment. Dan Robino stated that a silt fence is essential after clearing like this to prevent run off. Joe stated that he had 2 phone calls today complaining that the workers were grubbing out roots not just planting grass and there was still heavy equipment on the property. He contacted the county and informed them that a silt fence needed to be properly installed. Matt will follow up with the County. Kurt Stafflinger suggested that FDOT be contacted. Response was that it is being done. Owner of property also owns the clearing company and according to the County is a repeat violator. Matt to contact County officials to come speak on this item at the next Town meeting.

### **1. (Yonts) - Valkaria Airport Proposed Masterplan (Delayed to follow items 2 & 3)**

Speakers who submitted cards were called and given 5 timed minutes to address the Council. Bernadette Knudson of Malabar stated that she had major issues with the airport activity which included property and livestock damage. Feels that the Valkaria Airport Advisory Board (VAAB) is unfairly weighted to aviation and the master plan process was flawed due to lack of public notification of meetings. She stated that the Malabar representative on the VAAB did not bring any of the information forward to the Town of Malabar. Ms. Knudson does not want night lights installed as it would be incompatible with the rural-residential character of our area. Dave Folts, resident, stated that he attended the County Commission meeting on 01/24/07 and there were a distinct set of instructions given to FIT which included no night lights among other things. The plan advocates a lighting increase in an incremental manner. The conductor directing the study seemed to be an advocate in expanding the scope of activity. The process was not conducted in a "neighborly" manner. Kurt Stafflinger, resident, stated that he was at the original meeting and is against night lighting and commercialization. Identifies that a "no bid" contract was given to FIT. Currently there are numerous complaints about helicopter training activity by Silver State. He attended planning meetings and feels that neighborhood input was "scoffed at" by Mr. Barker. Linda Mason requested the council not approve the plan. Commission promised no lights. The plan lays the ground work to justify the need. Don Darby, resident and VAAB member appointed by District 1 Commissioner Truman Scarborough stated that since the Town has been denied a seat on the VAAB he has done his best to represent the interest of the residents. He sited several sections of the master plan that were incorrect including p.2-21 which states that the airport is located in unincorporated Brevard County. Grant-Valkaria was mentioned only once. Jo Faden, resident, stated for the record that her spouse, who sits on the Council, did not have any knowledge of her prepared comments. Disclaimer was made as he had been wrongly accused of composing a past inquiry she made to the County Manager. She stated that the County paid FIT more that \$50,000.00 of taxpayer money to fund this plan and questioned its legality and the bias of the statistics presented in it. FIT has a major interest in the development of the airport. She also attended early master plan meetings and stated that when she brought up the items that

the commissioners agreed should be left out of the plan (supported by verbatim transcript of that meeting) she was told by Mr. Barker "that's political" and should be addressed to the commission after the plan is done. The Town has requested a seat on the VAAB and that was denied, the VAAB is not balanced and the Malabar representative stands to gain personally if the plan is approved. He should have recused himself from the vote. She stated that contrary to reports the Town of Grant-Valkaria does care and that was demonstrated by the incorporation effort and ongoing level of volunteerism. She requested that the Council not endorse the plan. Lisa McKasty, resident, stated that she was representing 9 other homeowners who could not attend. She concurred with the above statements and said that the current county ordinances at the airport are not enforced. The helicopters are training in the fixed wing pattern on the runways. She said that the intent the commissioners presented to the people was left out of the plan and it must be stopped. Curt Lorenc, resident, questioned the credentialing of FIT to legally perform master planning. Janis Walters, resident, said she read the verbatim transcript of the 01/24/07 meeting and viewed the disk several times and there were promises made by the commissioners. FIT did not observe the scope of services as presented by the commission. Is FIT licensed to offer this service? According to the disclaimer at the beginning of the master plan either they did not perform the scope of services or they were not qualified. After doing some research she feels that FIT misrepresented themselves and are not experienced as they stated. Discussion ensued. Del stated that communication was bad from the start with the interim council. Working paper #5 was announced to the Town the day before it was presented and e-mail notification was received for the last meeting only. Communications related to airport plans and activity needs to improve. Del said that the Council needs to decide their position and a method to present it. He requested additional time at the 05/17/07 meeting from Commissioner Colon, currently the Chair of the Commission, and she will allow the Town whatever it needs but wants an estimate. Del referenced the noise study which was at 65 DNL which compares acceptable sound to that of an urban setting. Helicopter training was not included in that study. Silver State is based at Melbourne and operates training out of Valkaria. He said that Interim Council Chair Tim Reynolds requested a seat on the VAAB once and he requested a seat twice. The final paper was not only voted for by the Malabar representative on the VAAB who will personally gain from the hanger plan, but he put the motion forward. Del continued that the working papers should have changed and been updated as time passed and sited specifics where this one was not. Del also disclosed a notification he received that the Department of Business and Professional Regulation had issued Mr. Barker of FIT and notice to cease and desist on the Valkaria Airport Master Plan project. Dan said he also read the entire document and made notes. He stated that the results may have been skewed by student input in the surveys and participation at the meetings. According to the disclaimer the County will need not only to pay FIT for the plan, but also for professional & licensed engineering, mapping, and surveys to implement it. He brought forward several other points and felt that the plan was poorly done. The items that the county wanted left out were not and lighting items not even discussed in the body of the paper appeared in the summary for 2008 completion. He also said that currently the county ordinances related to airport activity are not being enforced and requested Helen Voltz who was present follow up on that. Pat said that there seemed to be a lack of concern for the concerns of the community. He was apprehensive about the licensing issue and that RFP's were not done by the county to choose the planner. Pat stated that the Council should reject the entire plan. Jason said that just because you own property doesn't mean you can do whatever you want on it and inquired what can be done by the Town to manage the situation. Del stated he will collect all of the points and bring it forward to the next meeting to present for approval. He also stated he has jury duty the night of the 17<sup>th</sup> and may not be able to make the commission meeting. Pat will present the Town position if Del not able. Dan requests to speak as a resident, not Council member.

**J. REPORTS**

**P. Bryan**

- No report.

**D. Faden**

- Meeting with Matt Friday at Cocoa Beach Library at 3:30 P.M. to discuss revenues.

**D. Morgan**

- No report.

**J. Hackford**

- No report.

**J. Mahaney**

- Will meet with Matt and Terry Wolfe Friday 05/18/07 at 4:00 P.M. about Code Enforcement.

**C. DeMott**

- Met with Matt prior to the meeting to work out payroll issues.

**D. Yonts**

- Del and Matt met with Frank Skarvelis from the county about the National Flood Insurance Program. He was very helpful. They reviewed the ordinance (FEMA) and Matt will contact Mr. Bohne to finalize. As long as Town is moving forward there should be no problem. Ordinance should be ready soon.
- Monitoring of the Town Hall through cell phone and moveable panel that can move if location changes. Joe Mullins working on this.
- Need a thank you letter to go to Bill Lewis for donating and installing the flag poles at the Town Hall. Del will provide Matt with name and address information.
- Matt will follow up on a cell phone plan. Currently he has a \$40.00 plan with Sprint and is willing to split that cost with the Town. May need to increase minutes currently allowed.

**K. PUBLIC COMMENT**

Curt Lorenc: Thanked Council for decision regarding airport plan and encouraged them to make a related motion.

Don Darby: Requests motion on the airport issue.

Linda Mason: Stated she would feel better if a motion was made on the airport issue.

**Motion by P. Bryan to reject the master plan proposed for Valkaria Airport by FIT for reasons given tonight to be compiled and presented by Del next week; second by C. DeMott**

**Voice vote on the motion carried unanimously.**

**L. ADJOURNMENT**

**Motion made by P. Bryan to adjourn; second by D. Morgan**

**Voice vote on the motion carried unanimously**

Meeting adjourned at 11:13 P.M..

BY:  
(signature on file)

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**Del Yonts**  
**Mayor, Grant-Valkaria**

**ATTEST:**

(signature on file)

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**Jo Faden**  
**Interim Clerk, Grant-Valkaria**

**DATE: 5/16/07**