

TOWN OF GRANT-VALKARIA, FLORIDA
SPECIAL TOWN COUNCIL MEETING MINUTES
WEDNESDAY, SEPTEMBER 17, 2008 7:00 P.M.
TOWN HALL BUILDING, 5120 HIGHWAY US1, GRANT-VALKARIA, FL 32949

Special Meeting of the Town of Grant-Valkaria, Florida, Town Council was called to order in accordance with the provisions of Article II, Section 2.08 (a) of the Charter of the Town of Grant-Valkaria at 7:00 p. m. by Mayor Del Yonts followed by the Pledge, and roll call to the Council Members, with the following present:

Mayor – Del Yonts	Town Administrator Richard Hood
Seat No. 1 – Joe Hackford, Vice Mayor	Town Clerk Susanne Krueger
Seat No. 4 – Cathy DeMott	
Seat No. 6 – Jason Mahaney	

EXCUSE COUNCIL MEMBERS BRYAN, MORGAN AND FADEN

Mayor Yonts stated for the record that Council Member Faden informed him that he will possibly be late, and Council Member Morgan has to work late due to her company merging with another. Town Administrator Hood stated that he spoke to Council Member Bryan who stated he was back in the hospital.

Motions by Vice Mayor Hackford, second by Council Member Mahaney, and vote unanimous to excuse Council Members Bryan, Morgan, and Faden.

AGENDA ITEM:

- 1) Discussion/Action Re: Miller Legg

Town Administrator Hood stated that this meeting is held because when he came on board he started going over the budget, numbers did not add up and were not in the correct categories. He stated that Miller Legg was extremely helpful in getting the data needed.

(For the record: Council Member Faden arrived at 7:10 p.m.)

Town Administrator Hood stated that no payments have been made to Miller Legg since May based on discrepancies between work authorizations and the contract. He stated he created spreadsheet comparisons (invoice to contract and invoice to work authorizations) with comparisons made between invoices and work authorizations broken down into tasks, and comparisons made between invoices and contract amounts based on Exhibit B and Exhibit C of the contract; that according to Todd Peetz, Exhibit B was not signed and Exhibit C was not initialed by the client therefore they went by the contract amounts; Town Council authorized \$64,000 for the comprehensive plan, \$35,800 for the land development regulations, but \$40,000 for meetings which the contract states \$30,000, \$40,000 for continuing planning service; Miller Legg can charge for additional meeting but no work authorization was issued for Task 3D.

Todd Peetz, Miller Legg, stated that there were additional meetings of the Local Planning Agency and additional time spent in planning services; services were done on emergency basis working with former town administrator Matt Brock and billed out of engineering; application fees for site plans were billed to applicant; requested to be reimbursed for attendance at additional meetings; the land development regulations will be consistent with the comprehensive plan; \$7,500 worth of review fees went to the County and Mr. Brock said he could not recoup it.

Town Administrator Hood stated that when Miller Legg was billing former town administrator Matt Brock there were three months of billing that Mr. Brock negotiated partial payments; after Mr. Brock left an additional payment was made which resulted in the lump sum payment being paid twice; one bill stated that \$4,117 was credited and in July \$17,000 was credited which was the difference of the overpayment; no breakdown was found in the files regarding the lump sum payments but we have obtained breakdowns from Mr. Peetz; according to our records we were billed \$297,000 but were billed \$276,000 and we paid out \$205,128 leaving \$71,624 amount due which is agreed upon with Mr. Peetz.

Vice Mayor Hackford inquired that if the money was paid to the County instead of the Town could we recoup the money. Town Administrator Hood responded that it is not feasible to do the research to determine if we are due monies because there are different county agencies involved in the review and fee process; the contract amount was hourly rate and Miller Legg did what they were told by them to do by prior administrator; prior administrator told anyone that called to contact Miller Legg directly and the town staff was not involved with what Miller Legg was handling; Miller Legg has been directed that all calls come through town first and that there would not be any more direct contact with clients.

At 7:50 p.m. Mayor Yonts stated for the record that Council Member Morgan called and stated she is still at work and will not be in attendance.

Mr. Peetz stated that there are three aspects of the meeting: 1) preparing for the meeting; 2) being at the meeting and receiving changes made; 3) re-evaluate data from meeting, addressing issues, and preparing for the next meeting.

Town Administrator Hood stated that the previous town administrator should have come back to Council to add more money for additional meetings when he noticed that they were reaching the number of meetings authorized. Mayor Yonts stated that the Local Planning Agency (LPA) did a thorough job reviewing the comprehensive plan, it did go beyond the original estimated amount of meetings because some things that pertained to the County was not taken out the first time that they should have taken care of and some changes were not made as indicated by the LPA. Lisette Kolar, Don Whitehouse, and Dan Robino agreed that some things were not done that should have been in the comprehensive plan and that the Town should not be paying for additional meetings.

Mayor Yonts stated that he is in agreement that the comprehensive plan is closed out somewhere between \$63,000 and \$76,000, and that there is a discrepancy of \$10,000-\$12,000 that needs to be resolved in the amount due. Town Administrator Hood stated that presently the outstanding work orders total \$64,000 and there is about \$10,600 that needs to be accounted for either in the Town's favor or Miller Legg's. Motions by Council Member Mahaney, second by Vice Mayor Hackford, and vote unanimous to approve up to \$75,700 maximum amount payment on the comprehensive plan.

Allen Webb stated that the land development regulations refer to the County codes and they should have come before us with these changes made. Todd Peetz stated that there will be no additional billing for the land development regulations except the three remaining meetings which equals

\$10,500. He stated that \$53,671 is due, and \$10,600 for additional meetings to come which brings the total budget for the meetings to be \$64,271. Town Administrator Hood stated that Mr. Peetz agreed that there will be no more charges for the comprehensive plan meetings; in order to cut costs he will send changes to Mr. Peetz and will have him come in only when needed or when there are questions he himself cannot address.

Motions by Council Member Mahaney, second by Vice Mayor Hackford, and vote unanimous to approve land development regulations costs at \$40,000 maximum. Motions by Vice Mayor Hackford, second by Council Member DeMott, and vote unanimous to approve \$64,100 as maximum amount for meetings. Motions by Council Member Mahaney, second by Council Member Faden, and vote unanimous to approve outstanding balance up to and not to exceeding comprehensive plan and land development regulations contract.

Town Administrator Hood recommended that outstanding bills be approved not to exceed \$43,000. Motions by Council Member Mahaney, second by Vice Mayor Hackford, and vote unanimous to approve payment of \$43,000 which exceeds the fee schedule and those that do in the future bring before Council.

Motions by Council Member Mahaney, second by Vice Mayor Hackford, and vote unanimous to adjourn the meeting at 9:55 p.m.

(signature on file)

Del Yonts, Mayor

ATTEST:

(signature on file)

Susanne Krueger, MMC, IIMC
Town Clerk