

Volusia Growth Management Commission

MEETING MINUTES FOR
Wednesday, February 28, 2007

County Council Chambers
Thomas C. Kelly Administration Center
123 W. Indiana Avenue
DeLand, FL

MEMBERS PRESENT

Gerald Brandon , Chairman
Robert Pascoe, Vice Chair
Joan Spinney, Secretary
Belinda Collins
Jay Erndl
Steve Katz
Rebecca Mendez
Karen Hall
John Heaphy
Ed Blackman
Sally MacKay Excused
James Kerr
Donna Steinebach Excused
Doug Weaver
Rachel Sieg
Tony Cole Excused
Suzanne Steiner
Joan Lee

REPRESENTING

Ormond Beach
Daytona Beach Shores
South Daytona
Daytona Beach
DeBary
DeLand
Deltona
Edgewater
Holly Hill
Lake Helen
New Smyrna Beach
Orange City
Port Orange
Volusia County
Volusia County
Volusia County
Volusia County
Volusia County

NON-VOTING MEMBERS

Sara Lee Morrissey (not present)
Peter Brown (not present)

REPRESENTING

Volusia Co. School Board
SJRWMD

OTHERS PRESENT

Paul Chipok, GrayRobinson, P.A.
Megan Wimer, MSCW
Jim Sellen, MSCW
Merry Chris Smith, VGMC Coordinator

CALL TO ORDER

Chairman Brandon called the meeting to order at 7:05 p.m.

ROLL CALL

Roll call was taken and it was determined there was a quorum present.

APPROVAL OF MINUTES

Commission member Belinda Collins noted two corrections: 1) page 4, 2nd paragraph, 5th line – April 1, 2006 should be changed to April 1, 2007; and 2) page 6, 2nd paragraph, 2nd line – add “information” following the word additional. Member Robert Pascoe also noted a change to page 3, 3rd paragraph, last line – modify to read “...for POP Committee approval and consideration by the full commission at a later date.”

There being no further comments or changes, the Commission accepted the minutes as amended.

PUBLIC HEARING

None

REMARKS OF INTERESTED CITIZENS

Sandra Walters, 480 Warrior Trail, Enterprise asked the Commission for clarification on how and when various reports from other agencies such as DCA are entered into the VGMC files. Specifically, Ms. Walters referred to a pending VGMC Case No. 06-073, City of DeBary. Chairman Brandon advised that DCA should send copies of their report to VGMC staff which then become part of the record. Chairman Brandon directed the VGMC Coordinator and Planning Staff to be sure to notify Ms. Walters when the DCA report is received on this particular file.

REPORTS OF OFFICERS

None

REPORTS FROM CONSULTANTS

Megan Wimer, MSCW, reviewed the pending case log and provided an update. Ms. Wimer added that within the past week, we've received 14 new small scale amendment applications. She also reported that we've started to follow-up with the applicant jurisdictions on the pending large scale amendment applications, several of which involve traffic studies which are underway.

Paul Chipok, Gray-Robinson, reported on February 22, 2007 the Volusia County Council adopted the small scale amendment changes which were previously reviewed by the VGMC and proposed to the County in 2005.

REPORTS OF COMMITTEES

- 1) POP Committee: Robert Pascoe, Chairman of the POP Committee, reported the committee met prior to the regular meeting to discuss a proposed contract with Don Sikorski. Mr. Pascoe stated the committee had concerns relating to the hourly rate and potential conflict, and asked if the committee could discuss this with Jim & Paul following the regular meeting. He added the committee discussed negotiating a rate of \$90/hour and the committee also believes the contract condition relating to additional employees needs to be addressed. Mr. Pascoe stated he felt once these items are addressed, the POP would be prepared to make a recommendation to the full Commission.

POP Committee Member Rebecca Mendez commented that the rate may be negotiable since it is a 12 month contract. She further stated there was considerable discussion pertaining to the administrative handling of the amendment applications, and the process of them being sent from the VGMC office, to MSCW, then onto Mr. Sikorski. Additionally, she stated the committee discussed possibly looking at a 30-60-90 day trial period and when comfortable, the applications could begin going directly to Mr. Sikorski.

Mr. Sellen stated on an initial basis with respect to the small scale amendments, MSCW would like to review Mr. Sikorski's reports to make sure all is covered. As far as large scale amendments are concerned, Mr. Sellen advised he would like MSCW to see all of those applications to make a determination as to whether or not the complexity would require their involvement.

- 2) Budget Committee: Committee Chair Joan Spinney reported that the committee, with all members present, met prior to the regular meeting and unanimously voted to recommend the Commission approve the proposed budget. She reported that the issue relating to the rent which was discussed at the last meeting had been solidified and the proposed budget for rent is \$8,400.

Chairman Brandon stated the total proposed budget is \$318,493 and the recommendation from the Budget Committee serves as a motion and a second.

Commissioner Steve Katz raised a question concerning the \$25,000 litigation contingency and whether there is a carry over of funds from prior budget years. Chairman Brandon advised that whatever monies are not utilized in a given budget year are basically given back to the County and not carried into the new budget year.

Commissioner Ed Blackman asked if we could save time and costs by utilizing email in place of mailing hard copies. Following discussion, Paul Chipok advised there would be no legal ramifications since this is a dissemination of internal material. He further added the Commission may wish to poll the members to determine individual preferences for document delivery.

The motion to approve the proposed budget carried unanimously.

UNFINISHED BUSINESS

- 1) Scheduling of the School Concurrency Presentation – There were no objections for scheduling the presentation for the March 28, 2007 regular meeting. Chairman Brandon asked the VGMC Coordinator to notify Saralee Morrissey.
- 2) VGMC Vision – Jim Sellen addressed the Commission regarding their desire to expand their role to become more proactive in providing upfront recommendations to the communities relating to smart growth, before the amendment applications are submitted to the VGMC. A discussion draft of strategies prepared by Mr. Sellen was provided to the commission members.

Mr. Sellen began reviewing the draft and suggested setting a goal of developing principles and strategies for the communities to use based on a horizon year of 2050, which is consistent with the development efforts put together by the MyRegion project. Mr. Sellen added that this effort is not about meeting regulatory requirements, but rather should be a community and consensus building process about where the County is going, and fostering intergovernmental coordination. Mr. Sellen stated the use of incentives is key in encouraging the use of smart growth techniques.

With respect to public participation, Mr. Sellen stated that this process would be a great opportunity to bring members of the public into the conversation and the VGMC could act as a convener. He added that if the Commission wishes to go forward with the process, we would need to involve and invite not only the public, but local governments and other groups. Mr. Sellen commented that the VGMC has struggled in making people aware of what the Commission does and this process could help educate the public as well.

Commissioner Katz suggested the Commission look at issuing press releases and also forwarding VGMC communications to the local governments. Mr. Sellen added that once or twice per year, each member of the Commission should appear before their respective local governing body to report on actions of the Commission.

Mr. Sellen discussed the suggested scope of work over the next approximately 12 months and the techniques to utilize in preparing a guidebook which could be updated periodically. Mr. Sellen stated the VGMC should create a constituency for growth management and smart growth, with the commission serving as the convener. He added that this constituency would benefit all of the local governments.

Commission member Karen Hall asked who would be our constituents. Mr. Sellen responded that as word gets out, he suggested individuals and groups with specific agendas, members of the public, small and large community groups, local governmental representatives and others would attend meetings. Mr. Sellen added that having a specific agenda can be a good thing if it gets out on the table for all interested parties to review and understand.

Commission member Suzanne Steiner commented that she likes the idea of including members of the public and also asked about budget impacts in developing and implementing the process. Mr. Sellen advised he would anticipate the process could be done over an approximate 12-month period which could be carried over the current and next budget year.

Commission member Joan Lee commented that she supports the idea and asked if it would require an amendment to the charter. Mr. Sellen responded that this would be a matter of the commission preparing themselves to review the plans and felt it would not require an amendment to the charter. Mr. Chipok concurred.

Chairman Brandon reported that he recently attended a Volusia League of Cities luncheon and had a discussion with several governmental officials who suggested the VGMC look at the smart growth recommendations and determine what areas the Commission would envision being able to handle. Chairman Brandon stated they suggested the VGMC aim as high as possible, and he felt that this would build a better and stronger commission for the community and County at large.

Referring to the work scope, Mr. Sellen stated that there has already been good work efforts done in defining the context and these should be reviewed as a first step. He added that the economic development phase is extremely important. Mr. Sellen discussed past work efforts relating to strategic comprehensive plan policies, land use and transportation network maps, environmental mapping as well as recent efforts to identify approaches to smart growth such as MyRegion. He commented that it is important to review these items to gain the education and foundation for going onto the next step.

Mr. Sellen indicated the next step is to identify the trends and issues. He stated that MyRegion has done some of that, however, he suggested that Volusia County needs to be looked at in more detail. Mr. Sellen stated once the trends are identified, we need to define the issues in order to provide a foundation to determine alternative strategies to overcome the issues. He added that we need to utilize language and terms that are understandable to the layman and those that people can relate to.

From identifying the trends and issues, Mr. Sellen stated we can develop a list of key principles and alternative strategies. Then, Mr. Sellen stated, the alternative strategies need to be evaluated to determine those that can be implemented. He suggested that we enlist the support of experts from various groups such as the Audubon Society, to give their opinion on what strategies work best.

Mr. Sellen stated ultimately, we would select the strategies which we feel are best suited for the county over the next approximately 40 years in terms of guiding growth in areas such as economic development, environment, infrastructure, housing, education, development pattern, and others. In the end, Mr. Sellen stated we would prepare a guidebook for strategic planning and smart growth.

Commission member Joan Spinney stated if adopted, the proposal as it develops would create opportunity for press releases which would be a good method of bringing attention to the Commission. Mr. Sellen suggested a press release be issued at each stage of the process. Commission member Rebecca Mendez added that people have to be present in order for the process to be successful.

Chairman Brandon commented he feels the proposal would not only benefit the local jurisdictions and members of public, but it would also help the Commission. He stated the Commission reviews amendment applications from individual jurisdictions throughout the County and this proposal would allow us to see how the decisions made will impact the entire County over several decades. Mr. Sellen referred to that as the Commission has all of the jig-saw pieces, however, not the picture on the top of the box.

General discussion ensued relating to press releases, ways to seek interest, and establishing a relationship with the News Journal.

Mr. Sellen stated the Commission itself has to do a lot of the proactive work in getting appropriate notifications out to interested parties. Additionally, he stated the process needs to be sold on the backs of the public who go through and embrace the process. Mr. Sellen suggested the Commission members need to identify who in their respective communities need to be notified.

Commission member Ed Blackman commented that there must be strategies working in other communities in the nation and suggested we look for those. Mr. Sellen concurred and stated that we need to identify areas where strategies have been developed and successfully implemented.

Chairman Brandon stated the Commission needs to decide whether they wish to move forward with some type of vision. Chairman Brandon advised that VCOG invited the VGMC to a meeting on March 26th, and if the Commission desires to move forward, we would have Jim prepare and make a presentation.

Mr. Sellen stated he understands the County is looking at establishing guidelines, however, he feels our process would cover a much broader basis and does not feel it would be duplicative.

Commissioner Joan Lee suggested the Commission look at formulating some form of a vision statement if we continue to use the term "vision". She and several other members questioned whether "vision" was the appropriate term. Mr. Sellen suggested "strategies for smart growth".

Commissioner Steve Katz asked Mr. Sellen how he sees the Commission working with the school board on development. Mr. Sellen stated it is part of the work effort and we can help them with strategies of how to build schools into the whole community development process. Mr. Katz suggested we highlight that factor. Mr.

Sellen agreed. He added that we should specifically distinguish between the regulations that address school concurrency, infrastructure, buildings, etc., and those issues that are not addressed in the regulations such as quality of life, how a community can be built around schools, joint use of school facilities, etc. Mr. Sellen stated our process will address those issues and include strategies in how we design sustainable communities.

Commissioner Rebecca Mendez stated she is in favor of looking at incentives to direct growth appropriately.

Commissioner Joan Spinney commented on the importance of utilizing language and terms as presented by Mr. Sellen in order to capture attention and understanding from the public in a relative fashion.

Chairman Brandon advised the members to forward any additional comments they may have following the meeting to Merry Chris and she will forward onto Jim.

Chairman Brandon asked for a show of hands for all those in favor of proceeding forward with the strategy that Jim Sellen brought before the Commission. All members present were in favor of Mr. Sellen moving forward.

Chairman Brandon advised the members that VCOG is interested in getting an idea of how many of them would be attending the March 26, 2007 meeting as they need to plan for lunches. Approximately 12 members indicated they plan to attend. The VGMC coordinator will communicate more details to the members at a later date.

NEW BUSINESS

None

REPORTS AND REQUESTS OF COMMISSION MEMBERS

Commissioner Steiner advised that Item #2, VGMC updates to cities & county can be scratched as that has already been addressed.

Commissioner Steiner suggested that possibly through the POP committee, some form of educational sessions be set up for newly appointed members and interested members that do not have planning experience. Discussion ensued regarding existing materials such as the VGMC rules and regulations and VGMC History booklet. Chairman Brandon advised we need to look at redesigning the rules and regulations to be more reader friendly. Several suggestions included adding a flow chart and glossary. POP Committee Chair Robert Pascoe stated he would be happy to visit with anyone prior to a meeting. Commissioner Doug Weaver suggested we direct new members to visit with the planning staff of the jurisdiction they represent to get a general understanding of the planning and approval process. Chairman Brandon directed the VGMC Coordinator to include that suggestion in the new member package.

Commissioner Pascoe raised a question concerning DCA's review. Mr. Chipock responded that in addition to 163, DCA also has Rules 9J5 which are the actual rules for implementation of the statute. He reported that DCA compares the comprehensive plan submitted to the State's comprehensive plan and also to the rules of 163. DCA will issue an ORC Report (Objections, Recommendations and Comments) and the local governments must amend their comprehensive plan amendments to address the deficiency that DCA has pointed out. Mr. Chipok stated that VGMC is reviewing the amendment application for consistency certification at the same time DCA is handling their review.

Mr. Pascoe asked about the interlocal agreement VGMC has with DCA and how our consistency findings work with that. Mr. Chipok responded that one of the numerous elements the State looks at is intergovernmental coordination. Our interlocal agreement states that DCA will take our consistency certification as validation that the intergovernmental components have been met and will not look at that in their ORC report.

REPORTS AND REQUEST OF COMMISSION CHAIR

Chairman Brandon announced that the building housing the VGMC office has recently been sold. He advised that prior to closing, we were able to execute a one year renewal lease with a \$16.50 per month increase in rent. Our renewal lease expires on March 31, 2008.

ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Attest:

Chairman