

Volusia Growth Management Commission

MEETING MINUTES FOR
SPECIAL MEETING HELD
Wednesday, February 10, 2010

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

MEMBERS PRESENT

Gerald Brandon, Chairman
Steve Katz, Vice Chairman
Rachel Sieg, Secretary
Richard Walton
Terry Griffiths
Danny Allen Excused
Sandy Lou Gallagher
John Heaphy
Roger Sonnenfeld
Rick Tresher
Robert Storke
Sue Elliott
Debbie Connors
Joan Spinney
Sandra Walters
Dwight Lewis
James Wachtel
Kenneth Kuhar

REPRESENTING

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

NON-VOTING MEMBERS

Sara Lee Morrissey
Peter Brown

REPRESENTING

Volusia Co. School Board
SJRWMD

OTHERS PRESENT

Paul Chipok, GrayRobinson, P.A.
Barry Wilcox, MSCW
Merry Chris Smith, VGMC Coordinator

CALL TO ORDER

VGMC Chairman Gerald Brandon called the meeting to order at 6:00 p.m.

ROLL CALL

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

VGMC Case No. 09-022B, County of Volusia--Farmton Local Plan

Chairman Brandon stated that the Commission would be considering a request from the County to continue this item to the regular meeting of the VGMC scheduled for March 24, 2010.

Paul Chipok, VGMC legal counsel, addressed the commission concerning the request. Mr. Chipok stated that while this amendment was scheduled for public hearing this evening, the VGMC received letters on February 4th and 5th from Volusia County asking for a continuance to March 24, 2010 and also requesting a waiver of the 90-day rule. He explained that our rules require the VGMC to take action on an application within 90 days of receipt or the application is deemed approved without further action by the commission. He also stated there is a provision in the rules allowing an applicant jurisdiction to request a waiver of the 90 day rule, which the County has done in their letter of February 5, 2010.

Mr. Chipok stated the February 5, 2010 letter from the County also requested a specific continuance for the public hearing to the March 24, 2010 VGMC meeting. He stated that pursuant to the commission's 20 day rule, VGMC staff prepared their report, however, since that time, the County Council held a special meeting and gave further direction to their staff who has modified a number of the provisions in the goals, objectives and policies. Mr. Chipok stated that the modifications were received by VGMC staff the day prior to this meeting, however, staff has not yet had the opportunity to review the information in detail nor prepare a supplemental staff report for the benefit of the commission members. With that, Mr. Chipok stated VGMC staff recommends the commission grant the request for continuance.

In another order of business, Mr. Chipok stated that we've received a request to intervene from the Miami Corporation and he recommends that request also be rolled over and considered at the continued hearing.

Steve Katz made a motion to grant the County's request for a waiver of the 90-day rule relating to VGMC Case No. 09-022B, Farmton Local Plan; seconded by Joan Spinney. Motion carried unanimously.

Steve Katz made a motion to continue the public hearing for VGMC Case No. 09-022B, Farmton Local Plan, to March 24, 2010; seconded by Dwight Lewis. Mr. Chipok confirmed that the motion is to continue the hearing to the regular meeting of the commission scheduled to begin at 7:00 p.m. on March 24, 2010. He also stated the March 24, 2010 meeting is presently scheduled to be held in the City of Daytona Beach Commission Chambers, however, if the location is changed to the County Council Chambers in Deland, adequate public notice will be provided. Steve Katz amended his motion to include Mr. Chipok's comments; seconded by Rachel Sieg.

Following a roll call vote, the motion carried 14-2, with Commissioners Walters and Gallagher voting in opposition of the motion.

Mr. Chipok confirmed that the commission has continued the entire hearing on this amendment to the March 24, 2010 meeting, including the motion to intervene by Miami Corporation. He further stated that since tonight's meeting is a special meeting which was called for the sole purpose of hearing the Farmton Local Plan amendment, the commission has concluded their actions for this meeting and the only appropriate action at this time would be a motion to adjourn.

ADJOURNMENT

Dwight Lewis made a motion to adjourn the meeting; seconded by Joan Spinney. Motion carried and the meeting was adjourned at 6:10 p.m.



Attest:



Chairman

VGMC ROLL CALL VOTE

Date: 2/10/10

MOTION: Steve Katz made a motion to approve the County's request for a continuance to the March 24, 2010 VGMC regular meeting relating to VGMC Case No. 09-022B; seconded by Rachel Sieg.

	Member	City Population	Percentage	Vote	
				Yes	No
DAYTONA BEACH	Richard Walton	65,208	12.86%	*	
DAYTONA BEACH SHORES	Terry Griffiths	5,475	1.08%	Y	
DeBARY	Danny Allen	18,741	3.69%	Not present	
DeLAND	Steve Katz	27,123	5.35%	Y	
DELTONA	Sandy Lou Gallagher	84,264	16.61%		N
EDGEWATER	Vacant	21,394	4.22%	--	
HOLLY HILL	John Heaphy	12,851	2.53%	Y	
LAKE HELEN	Roger Sonnenfeld	2,878	0.57%	Y	
NEW SMYRNA BEACH	Rick Tresher	23,449	4.62%	Y	
OAK HILL	Vacant	1,984	0.39%	--	
ORANGE CITY	Robert Storke	10,203	2.01%	Y	
ORMOND BEACH	Gerald Brandon	40,832	8.05%	Y	
PIERSON	Sue Elliott	2,651	0.52%	Y	
PONCE INLET	Vacant	3,266	0.64%	--	
PORT ORANGE	Debbie Connors	56,732	11.19%	Y	
SOUTH DAYTONA	Joan Spinney	13,530	2.67%	Y	
UNINCORPORATED AREA*		116,524	23.00%*		
	Dwight Lewis		4.60%	Y	
	James Wachtel		4.60%	Y	
	Rachel Sieg		4.60%	Y	
	Kenneth Kuhar		4.60%	Y	
	Sandra Walters		4.60%		N
TOTAL:		507,105	100.0%	14	2

*Not present at time of vote

Affirmative votes required: 9

Total weighted vote required: 39.11%

RESULT: Motion carried 14-2 with 56.99% of the weighted vote.