

Volusia Growth Management Commission Meeting

MINUTES FOR MEETING HELD Wednesday, February 27, 2019

City of Daytona Beach
City Commission Chambers
301 S. Ridgewood Avenue
Daytona Beach, FL

MEMBERS PRESENT

Debbie Connors, Chair
James Wachtel, Vice Chair
Loretta Arthur
Doug Gutierrez
Larry Saffer
Sid Vihlen, Jr.
Mary Swiderski
Teresa Pope
Joseph Hammett
Mark McGee
Robert Storke
Harold Briley
Christy Gillis
John Meikle
Jack Surette
Thomas Wright

REPRESENTING

Port Orange
Volusia County
Holly Hill
Daytona Beach
Daytona Beach Shores
DeBary
Deland
Edgewater
Lake Helen
Oak Hill
Orange City
Ormond Beach
South Daytona
Volusia County
Volusia County
Volusia County

MEMBERS NOT PRESENT

Sandy Lou Gallagher
Glyn Slay

Deltona
Volusia County

NON-VOTING MEMBERS

Sara Lee Morrissey (not present)
Steven Fitzgibbons (not present)

Volusia Co. School Board
SJRWMD

OTHERS PRESENT

Heather Ramos, GrayRobinson, General Counsel
Chris Dougherty, S&ME, VGMC Planning Consultant
Merry Chris Smith, VGMC Operations Manager

CALL TO ORDER

VGMC Chair Debbie Connors called the meeting to order at 7:00 p.m.

ROLL CALL

Roll call was taken and it was determined there was a quorum present. Chair Connors welcomed Sid Vihlen, Jr. back to the commission following his temporary term serving on the DeBary City Council. She also announced that Robert Lovelace recently resigned from the commission and we are awaiting a new appointment from the City of New Smyrna Beach.

CITIZEN COMMENTS

There were no citizens present who wished to speak at this time.

APPROVAL OF MINUTES

Mary Swiderski made a motion to approve the minutes of the September 26, 2018 regular meeting of the commission as presented; seconded by Harold Briley. Motion carried unanimously.

PUBLIC HEARING

There were no scheduled public hearings.

REPORT FROM PLANNING CONSULTANT

Chris Dougherty, planning consultant, reported that 2019 has not started as busy as last year. He stated several planning reports were recently issued, and there are currently three pending applications under review.

REPORT FROM LEGAL COUNSEL

No report at this time.

REPORT FROM COMMISSION OPERATIONS MANAGER

No report at this time.

REPORTS OF COMMISSION CHAIRMAN

No report at this time.

REPORTS OF COMMITTEES

POP Report: POP Committee Chairman James Wachtel reported that the committee met immediately prior to the regular meeting and reviewed the Operations Manager's performance. He stated that all members of the committee ranked her performance outstanding, and he expressed appreciation to Ms. Smith for her work.

Budget Report: Budget Committee Chair Loretta Arthur reported the committee met immediately prior to the regular meeting as well. She stated current YTD expenditures are well within budget.

With respect to the 2019-20 budget, Ms. Arthur stated the committee reviewed the proposed draft and are suggesting that the legal budget be increased from \$45,000 to \$50,000, and the legal expenses budget (litigation contingency) be reduced from \$15,000 to \$10,000. She stated the County typically does not approve the litigation contingency, and the change would not change the proposed bottom line.

Commissioner Vihlen asked Ms. Smith if she thought the proposed changes would be approved by the County. Ms. Smith responded that the County has never approved the requested litigation contingency, but the current legal budget is \$50,000 so she felt confident it would be approved.

Commissioner Wachtel commented on current year-to-date contract services expenses, and stated there has been a lot of activity and applications, however, most have been non-controversial. He also reminded the commission members that in accordance with the charter, the County is required to pay all expenses of the commission regardless of the budget. Mr. Wachtel stated the budget proposed by the Budget Committee is in line with the activities of the commission.

Commissioner Wright asked for clarification. Ms. Arthur responded that the suggestion is to lower the proposed litigation contingency from \$15,000 to \$10,000, and increase the proposed legal budget from \$45,000 to \$50,000. Mr. Wright commented that there appeared to be no basis for increasing the legal budget, except to recapture some of the litigation contingency. He further commented that he did not feel there was a need to request a litigation contingency if the County is required to pay all expenses of the commission.

Ms. Arthur stated the Budget Committee feels that it would be better to request the increased legal budget during the budget approval process, than to have to go back to the County at a later date to request additional funding. Mr. Wright stated unless there is a known reason to increase the legal budget, he did not feel it should be increased from \$45,000 to \$50,000, nor did he feel there was a need to request the litigation contingency. Ms. Arthur stated the estimate submitted by GrayRobinson for the 2019-20 fiscal year was \$45,000, but the current approved budget is \$50,000 so it would not be an increase over what is currently approved. Ms. Smith added that you cannot predict precisely what legal or planning activities and costs will occur in the following fiscal year. She stated the figures are estimates and just one controversial amendment could increase legal and/or planning costs significantly. Ms. Smith suggested keeping the proposed legal budget at the current approved budget of \$50,000, adding that any unused funds at the end of a fiscal year remain with the County.

Commissioner Storke asked Mr. Dougherty if there will be more EAR based amendments submitted next year. Mr. Dougherty responded that we've already reviewed several EAR amendments over the past year, so he doesn't expect all of them to be submitted for review at one time.

Commissioner Vihlen asked for clarification on the budget process moving forward. Ms. Smith explained that tonight's discussion was to gather comments from the full commission. The Budget

Committee will meet again next month and bring a recommendation back to the full commission for a vote on the final proposed budget at that time.

OLD BUSINESS

There was no old business for discussion.

NEW BUSINESS

- 1) Consideration of VGMC Resolution #2019-01, Apportionment of Voting Weight

Heather Ramos, VGMC Legal Counsel, stated that Section 202.3 of the County Charter provides that each voting member will have a weighted vote based upon population. She stated this is updated annually utilizing the most recent annual population estimates in the Bureau of Economic and Business Research of the University of Florida.

James Wachtel made a motion to approve Resolution #2019-01; seconded by Sid Vihlen. Motion carried unanimously.

COMMISSIONER REQUESTS OR REMARKS

Chair Connors commented that the commission has not been meeting as much since most of the applications are processed and approved without the need for a public hearing. She stated that the commission will be meeting again on March 27, 2019 in DeLand to consider the 2019-20 proposed budget.

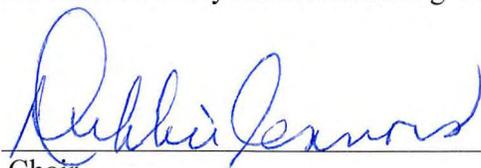
Commissioner Wachtel stated there is a provision in the VGMC Rules of Procedure that requires the Budget Committee to meet a minimum of four times per year. He reported that the POP Committee will be bringing a resolution forward to the full commission at the next meeting proposing a change to reduce the required minimum number of Budget Committee meeting to two times per year.

ADJOURNMENT

There being no further business, Chair Connors thanked everyone for attending and the meeting was adjourned at 7:21 p.m.



Attest: Secretary



Chair