

Volusia Growth Management Commission

**MEETING MINUTES FOR
REGULAR MEETING HELD
Wednesday, March 26, 2014**

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

MEMBERS PRESENT

James Wachtel, Vice Chairman
Roger Sonnenfeld, Secretary
Richard Walton
Jack Lenzen
Sandy Lou Gallagher
Robert Lovelace
Robert Storke
Don Romanik
Debbie Connors
Richard Kane
Glyn Slay

REPRESENTING

Volusia County
Lake Helen
Daytona Beach
DeBary
Deltona
New Smyrna Beach
Orange City
Ponce Inlet
Port Orange
South Daytona
Volusia County

MEMBERS NOT PRESENT

Gerald Brandon, Chairman
Timothy Bustos
Kenneth Kuhar
Douglas deLeon
Sandra Walters

Ormond Beach
DeLand
Volusia County
Volusia County
Volusia County

NON-VOTING MEMBERS

Sara Lee Morrissey (not present)
Cathy Foerster (not present)

Volusia Co. School Board
SJRWMD

OTHERS PRESENT

Paul Chipok, GrayRobinson, General Counsel
Merry Chris Smith, VGMC Operations Manager

CALL TO ORDER

VGMC Vice Chairman James Wachtel called the meeting to order at 7:12 p.m.

ROLL CALL

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

CITIZEN COMMENTS

There were no citizens present who wished to speak.

APPROVAL OF MINUTES

Sandy Gallagher made a motion to approve the minutes of the regular meeting held on February 26, 2014 as presented; seconded by Glyn Slay. The motion carried unanimously.

PUBLIC HEARING

There were no items scheduled for public hearing.

REPORT FROM PLANNING CONSULTANT

No planning report at this time.

REPORT FROM LEGAL COUNSEL

No legal report at this time.

REPORT FROM COMMISSION OPERATIONS MANAGER

Ms. Smith provided a brief update to the pending case log since its distribution with the agenda package. She also distributed an up-to-date copy of the Consistency Certification Rules and Rules of Procedures to each of the members present. Ms. Smith also reported there a number of member terms expiring on June 30, 2014. She would be writing to the local jurisdiction(s) and will copy the affected member.

REPORTS OF COMMISSION CHAIRMAN

No report at this time.

REPORTS OF COMMITTEES

POP Committee Report: James Wachtel, Chairman of the POP Committee, stated the committee had met immediately prior to the regular meeting. Mr. Wachtel reported the POP Committee

reviewed and made revisions to the Request for Statement of Qualifications (RSQ) for contract planning services. He stated the RSQ is expected to be released on April 21, 2014 with a closing date of May 21, 2014 to receive proposals from interested firms. Thereafter, the committee will go through the process of reviewing and evaluating the proposals, and it is anticipated a recommendation to award a contract will be brought before the commission at the August 27, 2014 regular meeting, with the contract to commence on October 1, 2014. Mr. Chipok commented that the VGMC presently has two planning contracts, one with Miller Legg which was approved last year, and the other with VHB MillerSellen which is the one that is scheduled to be put out for bid with the RSQ.

Budget Report: Roger Sonnenfeld, Chairman of the Budget Committee, reported the committee met immediately prior to the regular meeting. Mr. Sonnenfeld stated the committee reviewed the current fiscal YTD budget expenses and they appear to be in line with the approved budget with the exception of contract services. He stated we are well under budget in contract services with only 13% expended through 3/10/14 and we will have excess funds in our budget. To that point, Mr. Sonnenfeld stated the commission has additional expenses in personal services with the change in status of the commission staff member becoming a County employee which now provides benefits to the position which were not originally budgeted. He pointed out the expenses to date as a result of funding the prior year's retirement and current year retirement benefits, adding that we anticipate health care expenses as well which have not yet been reflected in the year to date expense report. Mr. Sonnenfeld explained that monies will have to be transferred into those line items and the County has proposed the funds be transferred from contract services into the personal services accounts to cover the overage. He stated the Budget Committee has unanimously recommended, in the form of a motion and second, that the commission authorize Ms. Smith to approve the transfer of funds from contract services to personal services to cover the overage and proportionately adjust the purchase orders with our legal and two planning staffs if necessary.

Mr. Chipok stated there is flexibility within our budget to transfer monies within the approved budget and questioned whether anything over 10% required County Council approval. Ms. Smith referenced Article IX, Section 4 of the VGMC Rules of Procedure which requires any budget deviation exceeding 10% of any material line item be reported to the Chairman of the Budget Committee within ten days of discovery. She added the recommended transfer of funds would not require County Council approval. Mr. Sonnenfeld stated most of the monies in the contract services budget are encumbered and may require the purchase orders be amended to unencumber the monies to facilitate the transfer.

Robert Storke made a motion to approve the recommendation of the Budget Committee; seconded by Glyn Slay. Motion carried unanimously.

OLD BUSINESS

None

NEW BUSINESS

Consider Approval of the 2014-15 Proposed Budget

Mr. Sonnenfeld stated at the February 26, 2014 regular commission meeting, the Budget Committee brought forward a proposed 2014-15 budget for discussion and comment. He stated at the time, there was little or no discussion by members of the commission. Mr. Sonnenfeld stated at the committee meeting held earlier this evening, the committee discussed the proposed budget again and are recommending the commission approve the 2014-15 proposed budget as presented.

Robert Storke made a motion to approve the recommendation of the Budget Committee to accept the 2014-15 proposed budget as presented; seconded by Glyn Slay. Mr. Wachtel asked what the rationale was for a \$229,000 proposed contract services budget when it's been several years since the expenses were that high. Mr. Sonnenfeld responded there was discussion at the committee concerning contract services and the recommendation for approval was not a unanimous vote. He added that the proposed contract budget is based upon estimates received from the three VGMC consultants. Ms. Connors commented there was discussion at the budget committee meeting that over the past several years we have seen a very low number of development proposals, and now that it is picking up it may jump significantly and we want to be prepared. Mr. Sonnenfeld added that in the years covering 2008-2011 our contract services expenses exceeded \$200,000 annually and asked Ms. Smith what the circumstances were in those years. Ms. Smith discussed several applications that involved controversial and/or large projects during that timeframe, including Farmton, the DeBary Marina, Lady Godiva and Edgewater Restoration. Mr. Sonnenfeld stated the general consensus of the committee is that we've had a lull in the economy the past several years, however, it seems to be turning around.

Mr. Chipok briefly discussed the budget process. With respect to the budget estimates provided by legal and planning staffs, he stated they typically look at historical averages when providing the information since it is often unknown what will come before the commission that far in advance. He also stated the commission went through an intense rules review process that added to costs several years back. Prospectively, Mr. Chipok stated the Farmton amendment is currently in the process of being reviewed in the preliminary stages of the Master DRI, and Jim Sellen, along with other required agencies, have been reviewing it in order to get it ready for submission. When Farmton does submit the Master DRI as a formal application, it will come back before the VGMC for review. Mr. Chipok stated given the size and uniqueness of the Farmton project, it is anticipated it will generate a number of public hearings and be both labor and time intensive. He added that it will likely come back to the VGMC within the next budget year.

Mr. Wachtel and Mr. Sonnenfeld briefly discussed the possibility that the proposed budget the VGMC submits to the County could be modified when reviewed by the County.

Mr. Wachtel called the question on the motion to approve the recommendation of the Budget Committee to accept the 2014-15 proposed budget as presented. The motion carried unanimously.

COMMISSIONER REQUESTS OR REMARKS

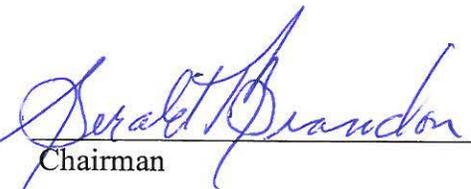
None

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:34 p.m.



Attest: Secretary



Chairman