

**Volusia Growth Management Commission Meeting**

MINUTES FOR  
MEETING HELD

**Wednesday, September 26, 2018**

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

MEMBERS PRESENT

Debbie Connors, Chair  
Doug Gutierrez  
Larry Saffer  
Mary Swiderski  
Sandy Lou Gallagher  
Teresa Pope  
Joseph Hammett  
Robert Lovelace  
Robert Storke  
Harold Briley  
Christy Gillis  
John Meikle  
Glyn Slay  
Jack Surette  
James Wachtel  
Thomas Wright

REPRESENTING

Port Orange  
Daytona Beach  
Daytona Beach Shores  
Deland  
Deltona  
Edgewater  
Lake Helen  
New Smyrna Beach  
Orange City  
Ormond Beach  
South Daytona  
Volusia County  
Volusia County  
Volusia County  
Volusia County  
Volusia County

MEMBERS NOT PRESENT

Mark McGee  
Loretta Arthur, Secretary

Oak Hill  
Holly Hill

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.

### CITIZEN COMMENTS

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

### APPROVAL OF MINUTES

Harold Briley made a motion to approve the minutes of the March 28, 2018 regular meeting of the commission as presented; seconded by James Wachtel. Motion carried unanimously.

### PUBLIC HEARING

There were no scheduled public hearings.

### REPORT FROM PLANNING CONSULTANT

Chris Dougherty, planning consultant, reported that we have received over 60 new applications for review since the beginning of the year, with six currently pending. He also commented on the coordination with the cities of Lake Helen and DeLand relating to the application that was previously expected to come before the VGMC in a public hearing.

### REPORT FROM LEGAL COUNSEL

No report at this time.

### REPORT FROM COMMISSION OPERATIONS MANAGER

Ms. Smith pointed out several new security measures that are in place in and around the County Council Chambers. She also stated the annual member travel reimbursements will be submitted to the County for processing and the members should receive their checks within the next several weeks.

### REPORTS OF COMMISSION CHAIRMAN

Chair Connors welcomed three new members to the commission: Doug Gutierrez representing the City of Daytona Beach; and Jack Surette and Thomas Wright representing Volusia County. She also reported that Sid Vihlen was recently appointed to the DeBary City Council requiring him to resign from the VGMC. She stated that his term on the City Council runs through the end of 2018 at which time he may return to the VGMC.

### REPORTS OF COMMITTEES

POP Report: Chair Connors reported that the POP Committee met immediately prior to the regular meeting to review the proposed planning and legal contracts for the 2018-19 fiscal year. She stated these items are scheduled for discussion under new business later in the meeting.

Budget Report: Budget Committee member James Wachtel reported the committee met immediately prior to the regular meeting as well. He stated current YTD expenditures are approximately 61% of the approved budget, with the majority of expenses in contract services.

He also reported that the 2018-19 VGMC budget has been approved by the County and it is relatively consistent with the current approved budget.

### OLD BUSINESS

There was no old business for discussion.

### NEW BUSINESS

- 1) Consider renewal of GrayRobinson legal services contract for 2018-19 FY

Chair Connors stated there are no significant changes proposed in the 2018-19 FY legal contract and the POP Committee is recommending the commission approve the contract. The recommendation comes to the commission as a motion and second from the POP Committee, and the motion carried unanimously.

- 2) Consider renewal of S&ME planning services contract for 2018-19 FY

Chair Connors stated there was a typo on page 7, item 7, where the date was inadvertently left at September 30, 2018 and should be corrected to September 30, 2019. With that change, the POP Committee is recommending approval of the contract. The recommendation comes to the commission as a motion and second from the POP Committee, and the motion carried unanimously.

- 3) Consider renewal of VHB planning services contract for 2018-19 FY

Chair Connors stated that VHB primarily serves as a back-up planning firm for the VGMC. She stated the POP Committee is recommending the commission approve the contract. The recommendation comes to the commission as a motion and second from the POP Committee, and the motion carried unanimously.

- 4) Election of Officers

Ms. Smith pointed out that in accordance with VGMC rules, both Chair Debbie Connors and Secretary Loretta Arthur are eligible to serve another term in their respective office.

Chair Connors opened the floor for nominations for Chair. Harold Briley nominated Debbie Connors to serve as Chair; seconded by Sandy Lou Gallagher. There were no further nominations, and Ms. Connors was unanimously elected Chair of the commission.

Chair Connors opened the floor for nominations for Vice Chair. Debbie Connors nominated James Wachtel to serve as Vice Chair; seconded by Mary Swiderski. There were no further nominations, and Mr. Wachtel was unanimously elected Vice Chair of the commission.

Chair Connors opened the floor for nominations for Secretary. James Wachtel nominated Loretta Arthur to serve as Secretary; seconded by Christy Gillis. There were no further nominations, and Ms. Arthur was unanimously elected Secretary of the commission.

5) VGMC Overview, Ethics, Government in the Sunshine, and Public Records Law

Ms. Ramos presented an overview of the VGMC, and she reviewed ethics standards, government in the sunshine and public records law. A copy of the power point presentation is attached as Exhibit A of these minutes.

In response to several questions relating to voting conflicts, Ms. Ramos explained that if a voting conflict exists on a particular matter, the member must abstain from voting on the issue and form 8B disclosing the conflict must be filed with the Commission on Ethics within 15 days from the date the vote occurred. She stated that a member who has a voting conflict is allowed to participate in the discussion on the issue, however, she recommended the member simply listen and not speak on the issue. Ms. Ramos described the information required on the voting conflict form 8B and stated the member is supposed to read the form into the record at the next meeting of the commission.

Commissioner Meikle asked if the agenda packages sent to the members a public record. Ms. Ramos responded that it is a public record, however, it is a copy of the original and, therefore, does not need to be retained by the member.

Commissioner Lovelace asked Ms. Ramos to address the issue of an applicant, or representative of an applicant, contacting a member by phone relating to an item that is coming before the commission. Ms. Ramos stated the members are allowed to speak with an applicant if they wish, however, they would need to disclose that at the hearing.

Commissioner Briley asked if a site visit by a member on an amendment coming before the commission would need to be disclosed. Ms. Ramos responded affirmatively.

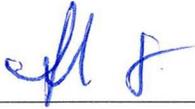
Commissioner Storke asked about notes members make on their agenda packages. Ms. Ramos stated if they are general notes for their own personal use and not circulated to others, then typically that does not need to be entered into the record.

COMMISSIONER REQUESTS OR REMARKS

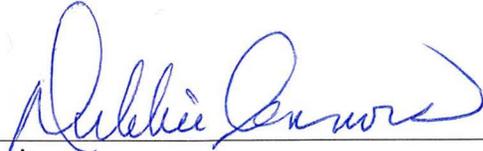
None

ADJOURNMENT

There being no further business, Chair Connors thanked everyone for attending and the meeting was adjourned at 7:41 p.m.



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Attest: Secretary



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Chairman