

MINUTES OF THE VCOG GOVERNING BOARD

REGULAR MEETING

MARCH 24, 2008

MPO/VCOG/WAV CONFERENCE ROOM
2570 W. INTERNATIONAL SPEEDWAY BLVD., SUITE 120
DAYTONA BEACH, FLORIDA

MEMBERS PRESENT

Commissioner Cassandra Reynolds
Mayor Robert F. Apgar
Vice Mayor Michael Carmolingo
Mayor Mike Thomas
Mayor Joan Duffy
Mayor Harley Strickland
Mayor Fredrick Costello
Mayor James Sowell
Mayor Nancy Epps
Mayor Allen Green
Mayor Blaine O'Neal
Council-member Andy Kelly
School Board Member Denise Smith

REPRESENTING

Daytona Beach
DeLand
Deltona
Edgewater
Lake Helen
Orange City
Ormond Beach
Pierson
Ponce Inlet
Port Orange
South Daytona
Councilmbr. Giles, Volusia County
Mbr. Lankford, Volusia County School Board

Members Absent: Mayor Northrup, Daytona Beach Shores; Mayor Coleman, DeBary; Mayor Via, Holly Hill; Mayor Mackay, New Smyrna Beach; Mayor Lauer, Oak Hill

NON-VOTING MEMBERS ABSENT: Michael Mellon, Emergency Medical Foundation/EVAC

OTHERS PRESENT

Alex Kish
Joni Hunt
Pat Kelly
Jeff Feasel
Deanna Schaeffer
Betty Holness
Margie Patchett
Jim Cameron

REPRESENTING

Brent Millikan and Co.
ERAU
Vo. County Fire Chiefs Association
Halifax Hospital Board
Halifax Health/Healthy Communities
Volusia County
Volusia Tax Reform
Daytona Beach/Halifax Chamber

VCOG STAFF PRESENT

Mary Swiderski, VCOG Executive Director
Herbert M. Seely, Chief Financial Officer
Mary Curran, Recording Secretary

CALL TO ORDER/ROLL CALL/DETERMINATION OF A QUORUM/PLEDGE OF ALLEGIANCE

5:00 PM, Chairman Apgar called to order the March 24, 2008, regular meeting of the VCOG Governing Board.

The roll was called and a quorum was declared present. Chairman Apgar then led everyone in the Pledge to the Flag.

CHAIR'S COMMENTS/RECOGNITION

Chairman Apgar made comments re:

- At the last Property Tax Reform Committee meeting, the group suggested changes to the

legislative brochure

- One change was prompted because several Committee members had met with Halifax Hospital reps re the taxing district
- VCOG has invited Halifax Hospital reps to come make a brief presentation to the VCOG Board during the agenda item of Public Comments
- Members of the Executive Committee met with the Editorial Board of the News Journal
 - This is one of the things the Executive Committee said they would do is to try and improve relations with the press
 - Mary Swiderski will be scheduling meetings with other editorial boards
 - Mayor Apgar thought it was a positive meeting and well received
 - Mayor Costello commented of it as a wonderful idea and he thought it is something VCOG should continue doing
 - Mayor Epps echoed Mayor Costello's comment that it was a good idea and she was pleasantly surprised how well received they were
 - Mary Swiderski mentioned reading an editorial on sharing resources in which VCOG was mentioned about making a difference
 - Mayor Apgar recalled one thing he mentioned at the editorial meeting was about law enforcement investigative matters

THE FOLLOWING ITEM WAS MOVED BACK IN THE ORDER OF BUSINESS

PUBLIC COMMENTS/PARTICIPATION

Chairman Apgar introduced Mr. Jeff Feasel with the Halifax Hospital Taxing District.

Mr. Feasel presented:

- An overview of the Halifax Hospital taxing district "Schedule of Uses of Property Taxes"; including:
 - Gross millage levy – less uncollectibles; less tax collector and appraiser commissions; less Medicaid matching assessment; less redevelopment taxes; less amounts paid for community health and wellness services; total uncompensated care, at cost; and short-fall

Discussion:

- Mayor Costello indicated his goal is to ask the State to allow Volusia as a charter county to find an alternative funding mechanism for this that is not property tax
- Mayor O'Neal clarified that in counties not having hospital taxing district there is also outflow of money for specified type of care for patients
- Mayor Epps brought up emergency room and provision of required treatment
- Ms. Schaeffer identified the thirteen counties and the seventeen hospital taxing districts; also which are some independent and dependent taxing districts
- Request by Mayor Costello for Ms. Schaeffer to provide VCOG with a list of dependent districts of counties and how many counties provide tax dollars without a dependent district; send to Mary Swiderski for distribution to Board members
- Ms. Schaeffer cautioned, in reviewing, that counties are capped at 10 mils and adding what the taxing districts collect may affect their overall millage

THE FOLLOWING ITEM WAS MOVED FORWARD IN THE ORDER OF BUSINESS

CHAIR'S COMMENTS/RECOGNITION

VCOG EXECUTIVE DIRECTOR'S BRIEFING

Mary Swiderski announced WAV has hired an Executive Director/Water Conservation Coordinator who will start on June 2, 2008.

CONSENT AGENDA

APPROVAL OF THE REGULAR MEETING MINUTES OF FEBRUARY 25, 2008

Minutes of the February 25, 2008, regular meeting of the VCOG Board were mailed with the Board

members' agenda packets.

APPROVAL OF THE TREASURER'S REPORT FOR MONTH OF FEBRUARY 2008

Treasurer Report for the month of February 1, 2008, through February 29, 2008, was mailed with Board members' agenda packets. *Note: Revenues and Expenditures were within the budget for the month.*

MOTION by Mayor Costello and **SECOND** by Mayor O'Neal for approval of all consent agenda items, as presented; the motion **CARRIED UNANIMOUSLY** on a voice vote.

OLD BUSINESS

UPDATE ON VCOG PROPERTY TAX REFORM COMMITTEE – MAYOR ROBERT APGAR

Report is included under New Business\VCOG Property Tax Committee Recommendations item

UPDATE ON VCOG SMART GROWTH COMMITTEE – MAYOR GREG NORTHRUP

In the absence of Mayor Northrup, Chairman Apgar and Mary Swiderski presented the update:

- There were no meetings of the policy-level committee
- The TAC [technical subcommittee] held some meetings
 - Mary Swiderski reported the TAC has established two workgroups
 - One will look at comp plan and environment issues
 - One will look into TDRs
 - The TAC is moving forward with the assistance of Rafael Montalvo

NEW BUSINESS

PRESENTATION OF VCOG FY 2006-07 AUDIT REPORT

Alex Kish, Brent Millikan Company, referenced the "Comprehensive Annual Financial Report"; the financial statements documentation in the report and the auditor's report.

- Brent Millikan Company has rendered an unqualified opinion on the financial statements
 - No irregularities or inconsistencies or issues that need to be considered to make adjustments to the financial statements that VCOG has prepared internally
 - No issues that need to be reported separately or added or adjusted to the financial statements to make them comply with generally accepted accounting principles
- Mr. Kish presented an overview of the information contained in the report
 - He also mentioned the requirements of Statement of Auditing Standards 112 and new Risk Assessments Rule
 - He encouraged members to read the Management's Discussion and Analysis; it is a narrative overview of the financial statements

Members' discussions:

- Difference between carrying amount and bank balance – the bank balance is what is shown on bank statement and carrying amount are typically outstanding checks
- Difference in current and other assets between 2006 and 2007 reflects payables and/or deferred revenues from grants

As there were no further discussions, Chairman Apgar requested a motion.

MOTION by Mayor O'Neal and **SECOND** by Mayor Strickland to accept the VCOG FY 2006-07 Comprehensive Annual Financial Report for file, as presented; motion was **CARRIED UNANIMOUSLY** on a voice vote.

Chairman Apgar thanked Mr. Kish for his presentation.

VCOG PROPERTY TAX COMMITTEE RECOMMENDATIONS

Chairman Apgar presented a draft brochure to the VCOG Board; he reported:

- The Committee has been meeting almost weekly with Volusia Tax Reform reps
- Reason for moving quickly is Margie Patchett and some Volusia Tax Reform members are traveling to Tallahassee March 25 for a citizens rally and would like to take the brochure for distribution
- The following week, many local officials are going to Tallahassee for Volusia Day and would like to hand out the brochure to legislators
- Some changes made to proposals in the brochure:
 - Removed reference to hospital taxing district – motivated because of hospital district is meeting with individual jurisdictions; and it was just a small piece of the overall equation
 - Other changes pertained with the transfer tax
 - Group changed the percentage of a 3% cap to a 5% cap – because of action by the TBRC
 - Changed having the proposed transfer tax on just non homesteaded properties to all properties – because of perceived shifting of the tax burden from residential homesteaded properties to commercial
 - On the end-flap of the brochure, some editorial changes were made
 - Mary Swiderski reported the changes were suggested by the Volusia School Board
 - Mayor Costello remarked that he personally will accept what the School Board proposed but he did not feel wording is as strong as stipulating a percentage of the budget
 - Margie Patchett expressed appreciation for the opportunity to work with VCOG, that the VTR and VCOG have worked very well together; she mentioned that it is really great timing because the TBRC voted on something similar to this
 - Margie announced that all grassroots organizations throughout the State are taking buses to Tallahassee to meet with Speaker Rubio and hopefully some other House Representatives and some Senators and maybe Governor Crist
 - Margie reported Speaker Rubio admitted there are rumors that some Senate members have concern of TBRC recommendations but the TBRC members have stated when they vote on amendments the first time, they will not change or alter their votes
 - Request made by Mayor Costello that VTR remind Tallahassee that they want this to be a dollar for dollar replacement Volusia does not want the State to use formulas
 - Mayor Costello indicated that he personally would like to have options on taxing districts; his suggested the State needs to be a little more uniform on how that is to be handled; however, not hearing any one else speak in favor of that, he dropped the matter
 - Chairman Apgar mentioned one of VTR concerns is that Halifax Taxing District Board is not elected; he pointed out St. Johns and others are unelected and not accountable to the people
 - Margie mentioned a prior meeting with Halifax Hospital and having a discussion of underinsured and uninsured
 - Deanna Schaeffer reported the problem is to decrease the number of uninsured residents in Florida
 - She talked of the need to be working with the legislature and with options we may have locally to make health care insurance affordable – one example is healthy kids program
 - She had solicited Margie Patchett's help to try and remove some of the barriers of enrollment for healthy kids program
 - Another options was Representative Hukill's proposal to provide offset to small business that offer health insurance
 - Vice Mayor Carmolingo expressed agreement with Mayor Costello's opinion and he thought options are viable and it is something VCOG should really look into
- General discussions ensued re millage for the school district, the required local effort, and the dollar for dollar replacement for property tax
- Chairman Apgar revealed re the transfer tax that the group was purposefully vague on that
 - the idea is when property is sold, the legislature would have enacted an additional documentary tax stamp or other type of transfer tax that would come back to local taxing authorities – the group did not want to create any strings on that right now but if established would address it at future date

Chairman Apgar called for a motion on the brochure.

MOTION by Commissioner Reynolds and **SECOND** by Mayor O'Neal to accept the brochure and authorize distribution as a VCOG Property Tax Reform position; motion was **CARRIED UNANIMOUSLY** on a voice vote.

Mayor Costello reminded everyone that TBRC Chair Alan Bense will be at Tiger Bay March 27

UPDATE ON 2008 LEGISLATION – MARY SWIDERSKI

Mary Swiderski referenced the Florida League of Cities (FLC) cumulative legislative update:

- Any bill presented in FLC updates that were moving, she provided the latest activity of the bill
- She called attention to several unfunded mandates:
 - Energy-unfunded mandate – calls for an ad valorem assessment limitation for homestead property on which a solar energy device is installed.
 - Beach and shore management - local government entities to undertake reasonable efforts to maximize inlet sand bypassing to ensure that beach-quality sand is placed on adjacent eroding beaches.
 - Local Government Revenue Limitations–Unfunded Mandate & Home Rule Preemption – FLC asks municipalities to please tell your legislators this is an unfunded mandate because it will reduce existing revenue sources for local government, and ask them to oppose this unnecessary state intrusion into local decision making
 - Just Valuation/Taxpayer Challenges
 - Maximum Ad Valorem Tax Limitation–Unfunded Mandate
 - Save-Our-Homes Portability/Additional Homestead Exemption–Unfunded Mandate
 - Local Government Contracts/Mandated Disclosure Requirements–Unfunded Mandate
 - Firefighter and Municipal Police Pensions – Preemption & Unfunded Mandate
- Citizen Participation at Public Meetings/Mandatory Requirements-Preemption – the bills are an unnecessary intrusion into local government Home Rule Powers and should be opposed
 - She has received calls from several local governments requesting a letter be sent to the Volusia Legislative Delegation to request opposition
 - She received a call from FLC asking who they can contact for opposing the bill
- Firefighter Standards/Volunteer Firefighters/"2-in, 2-out" - The bills eliminate current law which provides firefighter employers a process for additional time to comply with the "two-in-two-out" workplace safety standards adopted in 2002

Mayor Costello stated his personal view, regarding the Energy item, pertaining to the solar energy device is that it is not an unfunded mandate.

BOARD MEMBERS' COMMENTS

MAYOR ALLEN GREEN

Reminder of March 25 MPO meeting - item re I-95/Pioneer Trail Interchange; affects Port Orange

MAYOR BLAINE O'NEAL

- Re HB 991-Citizens Participation
 - He wanted to go on record as not supporting it at all; he remarked of it as an attempt at dissolution of home rule.
- In his meetings with Jeff Feasel and Dee Schaeffer, that they have expressed interest for Halifax Hospital district to become member in VCOG
 - He supports their request, as does the City of South Daytona
 - Chairman Apgar noted this for discussion by the VCOG Executive Committee

MARY SWIDERSKI repeated that several cities contacted her to do a letter requesting that the Volusia Legislative Delegation members oppose the bill [re Citizens Participation] because Volusia governments do not have issue with citizens' participation in their public meetings

MOTION by Mayor O'Neal and **SECOND** by Vice Mayor Carmolingo to authorize Mary Swiderski to write letter; motion was **CARRIED UNANIMOUSLY** by voice vote.

VICE MAYOR MICHAEL CARMOLINGO

Mentioned it is his first meeting and he was glad to be in attendance

MAYOR MIKE THOMAS

Re citizens' participation at public meetings - in Edgewater, the City charter allows 3 minutes at the beginning of the meeting, 3 minutes on each agenda item, and 3 minutes at the end; the City is already doing that

VOLUSIA SCHOOL BOARD MEMBER DIANE SMITH

School Board allots time for citizens' participation at their meetings

MAYOR HARLEY STRICKLAND

Orange City has actively been working to encourage citizens' participation at meetings

MAYOR JOAN DUFFY

Lake Helen allows two periods for citizens' participation – at the beginning of the meeting and on each agenda item – and each citizen is allowed approximately 3 minutes

COMMISSIONER CASSANDRA REYNOLDS

- Daytona Beach allows time for citizens' participation at their meetings
- Even though the VCOG Board voted to accept the brochure; she would still like VCOG to look into what some of the other options are

MAYOR NANCY EPPS

Related an incident at Ponce Inlet Council meeting at which she had to temporarily clear the room.

MARY SWIDERSKI commended City of Orange City for all of its newly elected officials' attendance at the Florida League of Cities Institute for Elected Municipal Officials

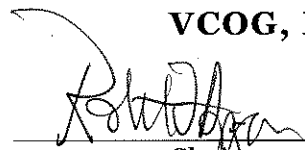
MAYOR ROBERT APGAR

Requested Mary Swiderski to invite Ann McFall to talk about the odd-even election issue, as a future agenda item; he thought it would be good topic for VCOG discussion

ADJOURNMENT

There being no further business to come before the VCOG Board, the meeting was adjourned at 6:30 P.M.

AS SUBMITTED, THE FOREGOING MINUTES OF A REGULAR MEETING OF THE VCOG GOVERNING BOARD WERE APPROVED IN AN OPEN MEETING HELD ON APRIL 28, 2008, IN THE MPO/VCOG/WAV CONFERENCE ROOM AT 2570 W. INTERNATIONAL SPEEDWAY BOULEVARD, SUITE 120, DAYTONA BEACH, FLORIDA.

VCOG, INC.

Chair

ATTEST:



Recording Secretary