

MINUTES OF THE VCOG GOVERNING BOARD

REGULAR MEETING

APRIL 27, 2009

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

MEMBERS PRESENT

Commissioner Cassandra Reynolds
Mayor Greg Northrup
Mayor Robert F. Apgar
Vice Mayor Michael Carmolingo
Mayor Mike Thomas
Mayor Roland Via
Mayor Sally Mackay
Mayor Harley Strickland
Mayor Fredrick Costello
Mayor James Sowell
Mayor Tony Goudie
Mayor Allen Green
Mayor Blaine O'Neal
County Chair Frank Bruno
School Board Member Candace Lankford

REPRESENTING

Daytona Beach
Daytona Beach Shores
DeLand
Deltona
Edgewater
Holly Hill
New Smyrna Beach
Orange City
Ormond Beach
Pierson
Ponce Inlet
Port Orange
South Daytona
Volusia County
Volusia County School Board

Members Absent: Mayor Garcia, DeBary; Mayor Duffy, Lake Helen; Mayor Lauer, Oak Hill; Mayor O'Neal, South Daytona

NON-VOTING MEMBERS PRESENT

Michael Mellon

REPRESENTING

Emergency Medical Foundation/EVAC

OTHERS PRESENT

Kelli McGee
Gary Hughes
Herbert Seely
Alex Kish
Rafael Montalvo
Betty Goodman
Betty Holness
Alan Burton
Jim Cameron
Michael Pleus

REPRESENTING

Volusia County Planning & Develop. Services
Volusia County Fire Chiefs Association
MPO Chief Financial Officer
Brent Millikan and Co.
Florida Consensus Center
City of Daytona Beach
Volusia County
Volusia Soil & Water Conservation District
Daytona Beach/Halifax Chamber
City of DeLand

VCOG STAFF PRESENT

Mary Swiderski, VCOG Executive Director
Mary Curran, Recording Secretary

CALL TO ORDER/ROLL CALL/DETERMINATION OF A QUORUM

At 5:00 p.m., Chairman Apgar called to order the April 27, 2009, 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.

PUBLIC COMMENTS/PARTICIPATION

No comments were expressed.

CHAIR'S COMMENTS/RECOGNITION

VCOG Chair, Mayor Apgar recalled Mayor Mackay had made comments about training flights in and out of the City of New Smyrna Beach airport. He mentioned that it has also been an issue for the City of DeLand and City of Ormond Beach. [Mayor Mackay addressed the issue later in the meeting under *Members' Comments.*]

VCOG EXECUTIVE DIRECTOR'S BRIEFING

Mary Swiderski did her briefing:

- Mentioned the 2009 By-laws contain provision that each member government will have an alternate representative. As several municipalities have not designated an alternate, VCOG staff will be sending a letter requesting that they do so.
- Reminder to RSVP for Volusia League of Cities Annual Banquet, May 28, 2009. Invitations have already been mailed.
- As directed by the VCOG Executive Committee, she put together an information sheet entitled, "Diversity of Services to Volusia Governments" that VCOG has provided throughout the years
- Report on Bus Trip to Tallahassee / Volusia Day
 - Acknowledgement of and appreciation expressed to VCOG bus captains [Mayor Costello, Mayor Northrup, and School Board Member Lankford]
 - Mentioned brochure VCOG distributed to bus riders of general legislative information
- Mr. Cameron made comments re Volusia Day:
 - Expressed appreciation to the VCOG Board for its support
 - Taking bus loads of people seemed more successful in attracting legislative speakers to Volusia Day event
 - Recognition of Volusia Day Committee members for efforts [Karen Jans, Susie Macon and Betty Holness].
 - Appreciation expressed to Mary Swiderski and Mary Curran for assistance with coordinating buses.
 - Picture slides presentation of the Volusia Day event site; banners; sponsors; speakers and Governor Crist.
 - The Chamber is looking forward to participating in Volusia Day next year.
- School Board Member Lankford and Mayor Costello commented about effectiveness of event.
- A video of Governor Crist's address to the Volusia Day attendees was played.
- Mr. Cameron made mention of:
 - Copy distributed of invitation to Breakfast with the Volusia Legislative Delegation on Friday, May 15; 7:45 a.m.
 - Governor Crist coming to Volusia on May 19; probably at the Ocean Center; 12 noon luncheon
 - Copy distributed of The Chamber Legislative Status Report
 - There was brief discussion on legislative action re SunRail

Chairman Apgar acknowledged presence of Alan Burton, Volusia Soil and Water Conservation District, and invited his comments.

Mr. Burton talked about:

- Announcement for June or July; the Volusia Soil and Water Conservation District [VSWCD] is planning a countywide meeting; with a cross-section of individuals that would support agriculture. Invitation is extended to VCOG Board, to the Farm Bureau, and to others in the community interested in participating.
- Promoting the idea of "make your own water" – he explained how it can be done; how he does it
- Got schedule of cost benefits from the City of DeLand – shows that the City gives impact fee credits and water credits for doing great things for conservation. VSWCD wanted to make mention of that and to Thank the City for promoting that idea; also to encourage others to do the same for conservation.

CONSENT AGENDA

APPROVAL OF THE REGULAR MEETING MINUTES OF MARCH 23, 2009

Minutes of the March 23, 2009, regular meeting of the VCOG Board were mailed with the Board members' agenda packets.

APPROVAL OF THE TREASURER'S REPORT FOR MONTH OF MARCH 31, 2009

Treasurer Report for the period of March 1, 2009, through March 31, 2009, was mailed with Board members' agenda packets. *Note: Revenues and Expenditures were within the budget for the month.*

MOTION by Mayor Via and **SECOND** by County Chair Bruno for approval of all consent agenda items, as presented; motion was **CARRIED UNANIMOUSLY** on a voice vote.

OLD BUSINESS

VCOG SMART GROWTH COMMITTEE UPDATE & REQUEST FOR VCOG'S APPROVAL FOR JPA RESOLUTION AND MODEL JPA OUTLINE; ALSO CONSERVATION DEVELOPMENT ISSUES & RECOMMENDATIONS AND MODEL CONSERVATION DEVELOPMENT ORDINANCE – MAYOR GREG NORTHRUP & RAFAEL MONTALVO

Mr. Montalvo provided background and update information:

- Smart Growth Summit of June 2008; creation of VCOG Smart Growth Committee
- Contract with Florida Consensus Center [formerly Florida Resolution Consortium]
- All substantive work has come from local government planners working together
- Four document contained in TAC booklet
 - Conservation Development Recommendations
 - Tools to protect ECO
 - Do not expect adoption by all jurisdictions
 - Model Conservation Ordinance
 - Local governments can adapt ordinance to its individual needs
 - JPA Model Resolution
 - Model JPA Outline
 - Resolution is intended to be adopted by jurisdictions after adapting to its needs
 - Outline to JPA is important
 - Outline lots of issues – relationship to schools, adjacent jurisdictions, other service providers

Discussions:

- County Chair Bruno recommended inclusion of educating the public in the resolution as he considered it an important element.
- Mr. Montalvo mentioned two other things the TAC spent time on:
 - County comprehensive plan amendment – TAC provided assistance on amendment language
 - Other thing was TDRs – the TDR Workgroup looked into that, as well as the TAC – a determination was made that it was not the right time to proceed on TDR programs.
- Several Board members stated they did not want to drop looking into TDR. Mr. Montalvo assured that the TAC had decided to reconvene periodically.
- Mr. Montalvo mentioned some next steps that the TAC has recommended.
- Board members and Mr. Montalvo discussed holding of public workshops and presentations to jurisdictions.

Motion by Mayor Northrup and Second by Mayor Via that, as the VCOG Board, we approve the four documents presented; that the VCOG Director draft a resolution, to be sent to all the cities and the County, approving this same work; and that meetings of the VCOG Smart Growth Committee be suspended until all resolutions are returned, for the next step. Following members' discussions, Mayor Northrup withdrew this motion and Mayor Via withdrew his second.

MOTION by Mayor Northrup and **SECOND** by Mayor Via that the VCOG Board accept the final draft documents, as presented, and have further discussion of next steps in the Smart Growth process; motion **CARRIED UNANIMOUSLY** on a voice vote.

GOVERNMENT EFFICIENCIES UPDATE – MICHAEL PLEUS, CITY MANAGER FOR CITY OF DELAND

Mary Swiderski mentioned having prepared a cover sheet for the matrix that shows which governments have/have not responded. She noted Daytona Beach information was received too late to be incorporated into the matrix but City's response is attached to the matrix packet.

Mr. Pleus reported:

- Since workshop of March 13, 2009, the Managers have held three meetings
- Working with Joyce Shanahan [Ormond Beach City Manager] on an initial query of categories: Purchases as Consortium; Functional or Actual Consolidation; We already Offer; Would Provide Others; Would Consider Contracting with Others; Already Contracting with Others; Not Feasible
 - Managers thought it important as a first step to understand what is going on currently and to show potential for partnerships
- Some areas that have feasibility:
 - Street Sweeping – Ken Parker, Port Orange, is chairing a committee to focus on this
 - Street paving – Khalid Resheidat, New Smyrna Beach, is chairing a committee on this
 - Purchasing – Michael Pleus is taking lead on this
- Everybody is willing to participate, including the School District
- Fire issues are ongoing discussions as inter-jurisdictional

Chairman Apgar:

- Thanked Michael Pleus for taking the lead in this project
- Acknowledged Joyce Shanahan for providing assistance in the process
- Asked if more detail would be presented to VCOG Board at its May meeting

Mr. Pleus stated he intended to review the matrix more thoroughly for accuracy of data

- The managers decided to look first at the three areas, as he reported, and get some recommendations and sense of feasibility and then proceed to other areas. The managers felt it was the most efficient way to do it.
- There was a general consensus by the VCOG Board members for the managers to proceed, as Mr. Pleus stated.
- Mr. Pleus was requested to provide the VCOG Board with an updated matrix and briefing at its May meeting.
- Chairman Apgar encouraged VCOG Board members to review the matrix and that jurisdictions ought to proceed with a joint venture of any services listed; if that is what they want to do.

RECOMMENDATION MADE by School Board Member Lankford, as this is “one of those good news things”, that Mary Swiderski do some type of news release at the finished product; because the public should know of governments working together to achieve something good for their citizens.

- Mayor Via remarked that something to think about, and officials should be ready to answer the question, “Why have we not done this before?”
- Mr. Pleus commented that jurisdictions have been doing a lot of this that maybe officials did not know of.

NEW BUSINESS

PRESENTATION OF VCOG FY 2007-08 AUDIT REPORT – ALEX KISH OF BRENT MILLIKAN & CO.

Mr. Kish, in his presentation, referenced the “9/30/08 Financial Report”; the financial statements documentation in the report and the auditor's report.

- VCOG is not submitting its Financial Report for Certificate of Achievement.

- Key point in the “Independent Auditors’ Report” is Brent Millikan & Co. did perform an audit
- Brent Millikan & Company rendered an unqualified opinion on VCOG’s financial statements.
 - No qualifications for any type of problems within financial statements that VCOG prepared internally that require adjustments or additional disclosures
 - Financial statements present fairly in all material respects VCOG’s financial position, results of operation for the year ended September 30, 2008
- “Management’s Discussion and Analysis” documentation is an narrative overview of highlights and lowlights if any exist within actual reporting entity
 - Year-end VCOG’s assets; Financial efficiencies; overall Revenues and Expenditures; Net Assets; GASB principles
- “Management Letter” report
 - Had no exceptions, no inconsistencies, no reporting matters
 - Made some recommendations in advance of what is happening with break-up of entities [VCOG, MPO and WAV]
 - Segregation of accounting duties, also internal control and financial reporting issues
 - As VCOG has separated from a larger group and having one or two people with 100% control of everything, that the VCOG Board will have to assume some responsibilities for oversight. The only way the VCOG Board can mitigate the control elements is to play a more active role in accordance with Government Auditing Standards, issued by the Comptroller General of the United States.
- VCOG as a whole is financially sound at end of September 30, 2008; also it has a corpus that will carry organization over into 2010.

REQUEST MADE by School Board Lankford to have an item on an agenda, how the Board will have an enhanced audit oversight. [Topic will be discussed at the VCOG Executive Committee May meeting.]

MOTION by County Chair Bruno and **SECOND** by Mayor Goudie to accept the VCOG FY 2007-08 Audit Report, as distributed; the motion **CARRIED UNANIMOUSLY** on a voice vote.

APPROVAL OF VCOG FY 2009-2010 ASSESSMENT FEES – MARY SWIDERSKI

Mary Swiderski presented the proposed Members’ Assessment sheet:

- Last Fiscal Year, the VCOG Board gave members a 10% discount on assessments; in the year prior, the Board gave a 12% discount
- Shown on a VCOG fund balance sheet and the reduction in the fund balance account; also shown is Income and Expenses, with estimation for FY 2009-10
 - The Board approved, at its May 2008 meeting, that VCOG keep a minimum of 6 months operating reserve in the fund balance
- VCOG staff is not proposing any credits to fees; if the Board wants a 6 month fund balance there cannot be more cuts in the assessments.

There was discussion regarding the proposed FY 2009-10 members’ assessments.

MOTION by School Board Member Lankford and **SECOND** by Mayor Goudie to approve the VCOG FY 2009-10 Members’ Assessments, as distributed.

Commissioner Reynolds stated, regarding the motion, she wanted it understood that she is not committing the City of Daytona Beach to pay the fee amount shown on the assessment sheet.

Chairman Apgar called attention to the information sheet showing services that VCOG has provided to members. He commented that it is up to Board members, as government’s representatives, to go to their respective jurisdictions and show support for organization.

Chairman Apgar called for a voice vote on the motion and it was **CARRIED on a 12 to 1** voice vote, with Commissioner Reynolds dissenting.

APPROVAL OF RFP FOR OUTSIDE AUDITOR FOR FY ENDING 9-30-09 - MARY SWIDERSKI

- Chairman Apgar explained that doing the RFP does not reflect dissatisfaction with the current auditing firm.
- Mary Swiderski gave background for the necessity to do an RFP bid process.

MOTION by School Board Member Lankford and **SECOND** by Mayor Via to authorize VCOG to move forward with an RFP for outside auditor services for FY ending 9-30-09; the motion **CARRIED UNANIMOUSLY** on a voice vote.

BOARD MEMBERS' COMMENTSCOUNTY CHAIR FRANK BRUNO

- Recalled Mayor Apgar brought up issue of airports, which he [Bruno] considers an important issue. Airports come under federal regulations.
 - Suggested contacting Congressman John Mica; also, to extend courtesy invitation to Congresswoman Suzanne Kosmas.
 - Suggested to set up a meeting and invite them to come, to get issues on the table.

Board Members discussed the repetitive training flight issue and effect on cities of DeLand, New Smyrna Beach, Port Orange, Edgewater, and Ormond Beach. There was a general consensus that VCOG could make arrangements for discussions, initially with affected airport jurisdictions maybe; also to include Embry Riddle in discussions.

MAYOR SALLY MACKAY

- Reported having met with Congresswoman Kosmas; she has expressed interest in working with Congressman Mica on repetitive training flight issue
- Thinks it is a good idea that VCOG instigates meetings so, as a group, they can request that FAA review their regulations relating to repetitive training flights only [in regard to possible restricted time/hours - i.e., certain days or hours]

MAYOR HARLEY STRICKLAND

Announced availability of trees at slashed prices; due to the recession and downturn of building.

MAYOR ROLAND VIA

- Reported that tax reform groups are persistently taking a look at salaries of city employees making over \$60,000; which they want to publicize. He recounted how salaries probably got to that level; also, a response that can be made to these groups seeking information.

MAYOR MIKE THOMAS

Thought he would need either Kelli McGee or Rafael Montalvo to do a presentation to the Edgewater City Council on smart growth.

MAYOR FRED COSTELLO

- Mentioned Rick Fraser, President of Center for Business Excellence; that he agreed to try and give City of Ormond Beach comparable public sector position/salary information to City employees making over \$60,000. This is so City has information to be able to give as accurate response on comparison(s).
- Announcement of Gov. Crist coming to Volusia, May 19
 - Encouraged VCOG Board members to attend; also to inform and encourage their respective commission/council members to attend.
- Request made that VCOG's resolution on commuter rail be sent out to Volusia Delegation again

SCHOOL BOARD MEMBER CANDACE LANKFORD

- Value Adjustment Board just certified tax rolls for 08-09; tax rolls were certified at \$33.8 billion [down 11%-12% for 08-09].
 - Required Local Effort for School District is based on decline of property values of 12.5%; on the 09-10 tax rolls percentage is presumably higher; has ramifications for all jurisdictions and the School District - anticipate mid-year tax cuts for School District as result.

CHAIRMAN ROBERT APGAR

Request made that the bound VCOG Smart Growth TAC final draft documents be sent to managers and chief planning officials.

Request made by Mayor Costello that the benefits of VCOG information gets emailed to Board members to be able to share with their respective commissions/councils.

ADJOURNMENT

There being no further business to come before the VCOG Board, the meeting was adjourned at 7:27 p.m.

AS SUBMITTED, THE FOREGOING MINUTES OF A REGULAR MEETING OF THE VCOG GOVERNING BOARD WERE APPROVED IN AN OPEN MEETING HELD ON MAY 18, 2009, IN THE MPO/VCOG/WAV CONFERENCE ROOM AT 2570 W. INTERNATIONAL SPEEDWAY BOULEVARD, SUITE 120, DAYTONA BEACH, FLORIDA.

VCOG, INC.

Chair

ATTEST:

Recording Secretary

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Recording Secretary