

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
APRIL 6, 2010**

I. CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE:

Mayor Thomas C. Mayes called the meeting to order at 6:30 p.m.

The following members and officials were present:

Thomas C. Mayes, Jr., Mayor
Gregory Freebold, Vice Mayor
Valentin Rodriguez, Jr., Pres. Pro Tem
Malcolm K. Lewis, Council Member
Robert M. W. Shalhoub, Council Member
Joann Hatton, Town Administrator
Mary Pinkerman, Town Clerk
Wes Smith, Chief of Police
Charles Schoech, Town Attorney
William Thrasher, Finance Director

Mr. James Watt led the assembly in the pledge of allegiance to the American Flag.

A) Oath of Office administered to:

Council Member Group 3 -Robert M.W. Shalhoub by Judge Timothy McCarthy
Council Member Group 4 -Thomas C. Mayes, Jr. by Ms. Gwen Mayes
Council Member Group 5 -Valentin Rodriguez, Jr. by Judge Timothy McCarthy

B) Reorganization of the Town Council:

Town Council discussed the duties and additional time involved with the position of Mayor, Vice Mayor and President Pro Tem.

Nominations for Mayor, Vice Mayor and President Pro Tem:

President Pro Tem Rodriguez nominated Greg Freebold as Mayor. Nomination failed (2-3). Mayes, Freebold and Lewis opposed.

Vice Mayor Freebold submitted the following slate of officers:

Thomas C. Mayes, Jr. for Mayor
Valentin Rodriguez for Vice Mayor
Gregory Freebold for President Pro Tem

Slate of officers was approved (5-0).

II. APPROVAL OF AGENDA:

Motion made by Council Member Shalhoub to approve the agenda, seconded by Council Member Lewis; Motion approved (5-0).

III. CONSENT AGENDA:

- A) Approval of March 2, 2010 Council Meeting Minutes.
- B) Approval of Resolution #10-06 – Expressing Appreciation for the Financial Assistance, Goods, Equipment and Services Rendered by the Town’s 17th Annual Barbecue Donors.
- C) Approval of Resolution #10-07 – Expressing Appreciation for the Services Rendered by the Town’s 17th Annual Barbecue Volunteers.
- D) Approval of Land Use Permit – Mark Brodnick, 7915 Pine Tree Lane – Boat dock
- E) Approval of Children’s Movie Night – June 4, 2010
- F) Approval of June 2010 LCS Youth Running Camp
- G) Approval of forfeiture expenditure in the amount of \$1000.00 for Police Department to purchase 42” flat screen television to be used for the Keller Road security camera system.

Motion was made by Council Member Shalhoub to approve the Consent Agenda, seconded by Council Member Lewis; Motion approved (5-0).

IV. PRESENTATIONS:

- A) Presentation of Resolution #10-05 expressing appreciation for James Watt for exemplary services rendered as the attorney to the Code Enforcement Board and the Zoning Board of Adjustments.

Council Member Shalhoub gave a brief background on Mr. Watt. He noted that Mr. Watt had served as a State Legislator and has been an attorney for over 35 years. He read and presented the framed original resolution to Mr. Watt and stated that the Town appreciates all of the work that Mr. Watt has done for the Town over the years.

Mr. Watt thanked the Town for the acknowledgement and noted that he is still teaching classes at Palm Beach Atlantic University. He gave an open invitation to the Council to speak to his students regarding running for office and the importance of serving the public. He also congratulated the Town Council for the professional way that they run Town business.

Vice Mayor Rodriguez thanked Mr. Watt for all the work that he had done for the Code Enforcement Board and noted that Mr. Watt, as a State Legislator, was

instrumental in the formation of Code Enforcement Boards and the procedures that Board Members must follow.

B) Presentation of 2008-2009 Fiscal Year Audit – Ron Bennett, Senior Manager, Nowlen, Holt & Miner, P.A.

Mr. Bennett thanked Ms. Hatton and the town staff for all of their hard work and the help that was provided to him and his staff in the preparation of the Town Audit Report. He also thanked Mr. Schoech for his review of the Town's documents concerning potable water rights.

Mr. Bennett explained the reason for the audit then gave a brief account on the different aspects of the audit. He noted that general revenues had decreased due to the decrease in property taxes, sales taxes and grant money that the Town received. He noted that expenditures also decreased due to the completion of the Town Municipal Complex.

Mr. Bennett stated that the revenue for the Utility Fund had increased and that the expenditures also increased. He noted that the town purchases water from other municipalities and they dictate how much the town will have to pay for the water.

He also noted the reduction in the unreserved fund balance caused by taking money from this fund to reduce the amount of money borrowed to pay for the Town Municipal Complex

Mr. Schoech noted that the Town Council chose to borrow \$850,000 and to take the remaining balance from the unreserved funds for the Town Municipal Complex. The \$183,270.00 difference, as noted on page 41 of the Audit Report, was a result of this decision to not borrow the full amount of the project.

Mr. William Thrasher, Finance Director, agreed with Mr. Schoech when he stated that the Town Council approved using a portion of the town's unreserved funds to help pay for the Town Municipal Complex. He also noted that the Town saved the difference in additional interest between the amount borrowed and the actual cost of the project.

Town Council comments:

Council Member Lewis asked if there are certain sections of the report that are required or mandated. He also noted the Town's debt service schedule and that the Town has been able to finance long term debt at less than 4%. Mr. Bennett noted that certain information and terminology are required and some areas of the report are mandatory, depending on the type of the fund.

Vice Mayor Rodriguez did not have any comments regarding the Audit Report.

President Pro Tem Freebold did not have any comments regarding the Audit Report.

Council Member Shalhoub thanked Mr. Bennett for the work he had done in preparing the Audit Report and noted that it will take a lot of effort, but the Town will meet the challenges regarding the 2010/11 budget.

Mayor Mayes noted the decrease in the unreserved fund balance, which was due to the costs associated with the Town Complex. He also noted that the Town spent less than was budgeted during the 2008/09 fiscal year.

Mayor Mayes then asked for audience comments regarding the Audit Report.

Steve Grabe, 1611 Carandis Road – requested that the Town form a Budget Review Committee that could propose ideas for the Town Council to implement to save money in the 2010/11 budget.

Mayor Mayes stated that this subject did not refer to the Audit Report and noted that this issue could be brought up later in the meeting. He then asked Mr. Grabe if he had any questions for Mr. Bennett or Mr. Thrasher regarding the Audit Report.

Mr. Grabe did not have any comments regarding the Audit Report.

V. TOWN ENGINEERS:

A) AECOM, Town Utilities Engineer – Status report was provided.

VI. UNFINISHED BUSINESS:

A) None

VII. NEW BUSINESS:

A) Steve Grabe, 1611 Carandis Road – reiterated his desire for the Town Council to form a Budget Review Committee.

There was discussion regarding possible ways to reduce the budget and increase revenues such as recovering money from unpaid property taxes and outstanding liens. Employee health insurance costs were also discussed.

Ms. Hatton added as in the past, residents would be able to participate in the budget proceedings by attending Budget Workshops that are held in the months prior to the two Public Budget Hearings in September. Residents can request documents for review prior to the workshops. Ms. Hatton suggested a Budget Workshop, followed by the Town Council Meeting on June 8, 2010 and a second Budget Workshop followed by the Town Council Meeting on July 13th. She noted additional workshops would be scheduled if needed.

Jonathon Ettman, 1823 Antigua Road – stated that he would be interested in helping with the budget process and will be attending the Budget Workshops.

Steve Grabe, 1611 Carandis Road – suggested that the Town look into revenue from the installation of a cell phone tower.

VIII. AUDIENCE COMMENTS:

Jonathon Ettman, 1823 Antigua Road – noted that portions of Antigua Road are very dark at night and that he would like to have streetlights installed to solve this problem.

Chief Smith note that the Town has attempted to place lights on Antigua Road in the past, but the residents either did not want the lights located on their property or have the power lines run through their property. He suggested that Mr. Ettman obtain signatures from the property owners and petition FLP to request the streetlights. Chief Smith stated that he would be happy to work with the Antigua Road residents and FPL once the signatures have been obtained.

IX. REPORTS:

A) Joann Hatton, Town Administrator, referenced her Status Report dated March 25, 2010. She also congratulated the Mayor, Vice Mayor and President Pro Tem on their appointments. She noted that she did not have any additional information to report on at this time.

Vice Mayor Rodriguez referenced a previous email from Ms. Hatton that asked the Town Council about their July vacation schedule so that she could determine a July Council Meeting date. Ms. Hatton responded that the July 13th date seemed to be the best date for the Budget Workshop followed by the Town Council Meeting.

B) Attorney Charles Schoech referenced to the Status Report dated March 31, 2010. He gave an update on the unlicensed pain management clinic that has opened on Forest Hill Blvd. He noted that he will continue to keep the Town Council and Town Administrator informed on the issues regarding the moratorium and the unlicensed clinic.

C) Chief Wes Smith stated that the Annual Police Report has been completed and distributed to the Town Council. He also noted that the Police Department is working on updating the Hurricane Policies and Procedures Manual in preparation for the 2010 Hurricane season.

D) Town Council:

Council Member Lewis – had no comments at this time.

Vice Mayor Rodriguez – noted that he was appointed by the League of Cities to serve on the Criminal Justice Commission.

He stated that the Town needs to find additional resources to help increase the Town's revenue. He suggested that an article be placed in the Shorelines newsletter to remind residents to verify that their cell phone billing address lists

Lake Clarke Shores as the municipality. This would ensure that the town receives the revenue that is generated from the franchise fees that are charged to each account.

He also discussed the placement of red light cameras at the two lights located at the railroad tracks and I-95 on Forest Hill Blvd. He noted that the cameras could improve the safety at the railroad crossing, since many vehicles run the first of the two red lights at that location.

President Pro Tem Freebold – congratulated Mayor Mayes, Vice Mayor Rodriguez and Council Member Shalhoub on their uncontested election.

He noted that the 3rd Annual Bass Fishing Tournament will take place on April 24, 2010 and invited everyone to participate.

He also mentioned the Audit Report and noted that the Town is doing well financially at this time. He stated that the Town will need to continue working on maintaining this.

He discussed the Town BBQ, the number of volunteers that participated and the great job done by all. He stated that this is the event that brings the Town together.

Council Member Shalhoub – thanked President Pro Tem Freebold for his comments on the BBQ. He noted that everyone enjoyed the BBQ, acknowledged the BBQ volunteers and staff that were in attendance and thanked the staff and many volunteers for their hard work.

He congratulated the Mayor, Vice Mayor and President Pro Tem on their appointments.

He questioned the number of open building permits and what the town could do to get these permits finalized. He also wanted staff to provide updates on the status of the code enforcement liens.

Council Member Shalhoub stated that the Town has been working on the placement of red light cameras and noted that a resolution to allow these cameras has already been approved.

He noted that the Town will need to find ways to cut costs and noted that the Town employees had suggestions.

He reminded everyone of the Waterway Clean Up that will take place on April 17th and encouraged everyone to participate.

He thanked Mayor Mayes for allowing him to present the resolution to James Watt. He noted that Mr. Watt is a class act and a credit to governmental lawyers.

Mayor Mayes – commended the Chief on his selection of the officer that was appointed to the Multi-Agency Special Task Force and for the Town’s decision to donate the old stand-by generator to Missionary Flights International as proposed by Town Clerk Mary Pinkerman.

He stated that he was looking forward to the Lake Clarke Shores Youth Running Camp that will be held June 21st through June 25th.

Mayor Mayes noted that the Town has a 68% participation mail in rate thus far in the 2010 Census. He stated that the Town will be sending another “Reverse 911” call to residents sometime during the next week that will be reminding them to send in their forms if they have not already done so and informing them where they can obtain a Census Form if they did not receive one or if they misplaced it.

He stated that he appreciates the vote of confidence from the Council on his reappointment as Mayor and that he will strive to attend various meetings on behalf of the Town.

He requested prayers for Ted Berghaus, a Code Enforcement Board Member and a good friend to the Town Council, who is in the hospital. An update on Mr. Berghaus’ condition was given by Council Member Shalhoub.

XI. ADJOURNMENT:

Council Member Shalhoub made a motion to adjourn the meeting at 8:24 p.m., seconded by Council Member Lewis; Motion approved (5-0).

Thomas C. Mayes, Jr., Mayor

Mary Pinkerman, Town Clerk