



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, February 15, 2012 7:00 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, February 15, 2012 at 7:00 p.m. Present were Mayor James DuBois, Vice-Mayor Kendall Rumsey, Commissioners Steven Hockman, Jeanine Longtin and Tim Stevens, Interim Town Manager David Hunt, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley.

Vice-Mayor Rumsey led the Invocation and Mayor DuBois led the Pledge of Allegiance. Town Clerk Vivian Lemley performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA:

Commissioner Longtin requested that Item 6, Approval of Temporary Interim Town Manager Contract with Jamie Titcomb, be moved up. She stated that previously the Mayor had requested that Item 8, Ordinance No. 03-2012 Retired Police Officers Pension Fund, be moved up as consultants were in attendance.

Mayor DuBois requested that item 8, Public Hearing, be moved before the Consent Agenda.

Mayor DuBois stated that Item 6 is on the Consent Agenda and could be conceivably passed as one motion.

Commissioner Longtin advised that she would be requesting that Item 6 be pulled from the Consent Agenda.

Mayor DuBois suggested that Item 6 be moved to Item 2 on the Consent Agenda.

Commissioner Longtin stated "yes".

Mayor DuBois stated that he has a meeting on February 27, 2012 with County Commissioner Karen Marcus. He stated that he would like to add for Discussion and Possible Action the Interlocal Agreement for the Marina. He stated that the discussion would be for clarification about what the Town has already gone over on the use of the promenade and shared roadway with Lake Shore Drive heading south and half of it being used as a promenade.

Commissioner Longtin stated that it would be item 11.

Mayor DuBois concurred.

Vice-Mayor Rumsey stated that he has concerns about adding this item to the agenda.

Mayor DuBois stated that if there is an issue adding this item to the agenda he would have a problem going into the meeting with Commissioner Marcus. He stated that he is asking that the item be added and there be a vote on whether to add the item to the agenda.

Commissioner Stevens asked for clarification on what specifically is being added to the agenda.

Mayor DuBois stated that he is requesting an item be added to Discussion and Possible Action regarding clarification on the Commission's position regarding the Interlocal Agreement at the Marina particularly having to do with any vehicular access on Lake Shore Drive.

Mayor DuBois asked the Commission if all the changes to the agenda should be voted on together or separately.

Vice-Mayor Rumsey requested that the changes be voted on separately.

Motion: A motion was made by Commissioner Longtin to approve the Agenda as amended; Commissioner Stevens made the second.

Vice-Mayor Rumsey stated that the reasons he is not in favor of adding this item to the agenda is that he has heard the public outcry regarding this issue. He stated that the Town has been accused over and over again of not be inclusive of the public in discussions regarding this issue. He stated that an item on this matter being added to the agenda at the last minute is not fair to the Commission or the public. He stated that his second reason is that he did not know why the Town is considering closure of a lane on Lake Shore Drive when no legitimate project has been brought forward. He stated that the developer, after months of discussion, has not brought forth a completed application and plan to the Town's Community Development Department. He stated that his third reason is that before the Commission discusses this item it has to be taken before the Planning and Zoning Board and by not doing that it could very easily be considered a violation of the Sunshine laws. He stated that there is a process that this and every development must go through. He stated that the developer needs to follow the process and the Commission needs to stay out of it until the appropriate time. He stated that the project is a five year project and the Town has been in it for less than one year. He stated that the Commission sent a letter to the Palm Beach County Commissioners less than six months ago reiterating the Town's commitment to the Interlocal Agreement. He stated that the Town is in the preliminary stages of the process and when the appropriate time comes for the Commission to discuss street closures that is when the discussion should happen. He added that an agenda item at the last minute to satisfy a developer is not appropriate at this time.

Commissioner Hockman stated that he agreed with Vice-Mayor Rumsey. He stated that he is not sure how this came about but he assumes based on an e-mail correspondence

that the developer went to Commissioner Marcus to attempt to make the Town make a decision on this project. He asked if this is a five-year project why is the Commission rushing into this at this time.

Mayor DuBois stated that to his knowledge the developer has been attempting to get an appointment with Commissioner Marcus for the past two to three weeks and that this week Commissioner Marcus requested to schedule a meeting. He stated that he believes Mike Summers came to the podium at the last meeting and asked for clarification regarding the public aspect regarding the public/private partnership. He stated that the reason he is bringing this up now is essentially to add as much transparency as possible by providing notice of his attendance at a meeting with Commissioner Marcus and staff members for clarification for the applicant and the Town. He stated that he does not have an agenda for the meeting with Commissioner Marcus and does not know what he is going in there to talk about. He stated that he brought this in front of the Commission so the Commission would have the possibility to talk about this project. He stated that he is not trying to rush anything through and that he is just trying to open the door to discussion.

Vice-Mayor Rumsey stated that he is not accusing Mayor DuBois of trying to rush anything through and he realized that Mayor DuBois' hands were tied as far as Commissioner Marcus goes. He stated that all the members of the Commission have been beaten up on this, and that the Commission has heard the public outcry that the Town has not been inclusive in this project. He stated and that he wants to make sure the public is getting the right information on the project as it moves on to the next step in the process.

Mayor DuBois stated that he understands and that he has great concerns regarding the process involving an application that is in consideration. He felt that this is a very sensitive issues and he is also concerned about bringing discussion about clarification regarding the use of the property at the Marina and the public/private partnership to the Commission before Planning and Zoning. He stated that he thinks that since the last conceptual discussion of this project by Patrick Sullivan the discussion with regards to full street closure or a partial street closure to create the promenade. He thought it might be worth some clarification to the applicant regarding what the public contribution to the project might be.

Commissioner Stevens stated that he agrees with Vice-Mayor Rumsey and the concerns he has raised especially in regards to the proper procedure being followed for the application. However he stated that he had no issue with discussing this issue at this meeting, so that Mayor DuBois can be more fully prepared for his meeting with Commissioner Marcus. He stated that he does not expect the Commission to take action on this item tonight. He stated that the Commission needs to respect the procedures and that discussing the item would be okay.

Commissioner Longtin stated that she is glad that the Commission is concerned with proper procedure and candidness for the public, but she thought that all this discussion was just discussion and not necessarily giving the go ahead and if we are going to discuss this now let's discuss this now.

Mayor DuBois stated that this discussion is on whether the item will be on the agenda for discussion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman		X	
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey		X	
Mayor DuBois	X		

Motion passed 3-2

Interim Town Manager Hunt requested that item 10, Internet Viewing of Public Meetings, be moved up as well. He stated that there is a consultant in the audience to speak on the item.

Mayor DuBois asked where Interim Town Manager Hunt would like the item moved to on the agenda.

Commissioner Stevens recommended that the item be heard after the second reading of the Ordinance.

Motion: A motion was made by Commissioner Stevens to move item #10 to after second reading of the Ordinance, which is item #2; Commissioner Longtin made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0.

PRESENTATION:

1. Proclamation In Honor of Donald K. Jordan former Town Commissioner 1967 and Mayor 1969

Mayor DuBois presented the proclamation to the Jordan Family.

PUBLIC AND OTHER COMMENTS:

Margaret Holland, 649 W. Kalmia Drive, “Good Afternoon, my name is Margaret Holland and I live at 649 West Kalmia Drive. Next door to me will becoming a sober house that is proposing 30 units. I mean 30 residents. I started out back in October with the previous city manager informing them that there was already five sober houses on Kalmia Drive. These sober houses are operating. I took the liberty to do the research, the person who is buying 549 West Kalmia has registered himself and the property as 549 LLC he has applied for the LLC prior to the sale of the property. A permit was issued prior to the sale of the property, the property is now being renovating to accommodate these 30 residents. When I moved there I wanted to live in a single family neighborhood now the entire block is almost covered with sober houses. I have been told that there is nothing that the Town can do. I am a tax payer I have rights too. I don't think we should sit by and let this person, he is registered under twenty-two LLC's and most of them have things to do with sober houses, labs, medical supply places all to cover his income stream. I don't know where else to turn at 11, 12, 1 o'clock at night I see them hopping my fence going in and out of the sober house. I have caught them having sex in my driveway. I have cleaned up numerous condoms in my driveway and this is prior to 549. At this very moment 549 is being renovating. The Town told me that they could only put 12 residents in there, 12 is too many but they are renovating this place to accommodate more than twelve. It is a nuisance, it is a blight on the community and my property value has gone to zero. I just don't think I should be paying taxes and living in a Town where I am told there is nothing that can be done. These addresses for the sober houses are 522 W. Kalmia, 543 W. Kalmia, 593 Palmetto, 549 W Kalmia. And I am investigating another one. The bus leaves every morning with the passengers to take them to the recovery center on Northlake. I have not found the registration for that one but, I did find the registration for Mr. Jason Akner who is taking over 549. He has 543 and there is a list of everything he has there. I have talked to one the counselors there and they tell me that Blue Cross and Blue Shield pays them \$30,000 a month for one person. Now we allow these places to come here, nobody's doing anything. When I came to the Town with this they said, oh we did not know they were there, I mean come on somebody has to get a license, someone came in pulled this permit for 549, no flags went up but, I have to live there being told you have no rights you have no safety there is no safeguards for you its left up to the State. I don't agree with that, you are not reducing my taxes in any way.”

Mayor DuBois: “I just want to let you know that the time has expired. We have been fighting this issue for ten years, approximately ten years. Two years ago, two to three years ago, we hired, it has been more than two years, three years ago we hired a legislative assistant to help us get legislation passed in Tallahassee. It's been very expensive for the Town, it's been very expensive for the community. We have been trying to find legal solutions to prohibit, inhibit and mitigate the expansion of these sober

houses all through the Town and we have not had much success through legal channels of doing this. I had one that moved next door to me. For some reason they decided to sell the house but I experienced exactly what you are going through with the revolving door of a house full of multiple people coming and going all of the time my wife did too and she tried to address this through Code issues. It is one of the reasons that she ran for elected office. It has been a problem and it continues to be a problem. I would like you to put down the addresses that you have, give them to our Community Development Department.

Ms. Holland: "I already have."

Mayor DuBois: "So that we can make sure that every Code issue is enforced and that every building permit issued is enforced and at least where we have the possibility to enforce laws that those laws are enforced. There are American Disability Act issues that we simply don't have the authority to address."

Ms. Holland: "So I have no rights. I don't have the right to enjoy my property although I pay taxes? I don't have any rights? Is that what you are saying to me?"

Mayor DuBois: "I am not saying that. No."

Ms. Holland: "Ok"

Mayor DuBois: "I am limited in the rights that we as a Town can enforce on your behalf."

Ms. Holland: "So you cannot enforce anything you can't stop these things before they even get started."

Mayor DuBois: "No I can't."

Ms. Holland: "So technically you are saying there is nothing you can do for me. Is that what you are saying?"

Mayor DuBois: "What we can do is enforce the Code and enforce the laws that are enforceable by a municipal entity and we intend to do that and I hope we have been doing that all across the Town. It is a very serious issue and I absolutely feel for you. I wish I could do more about it. As I said we have been aware of this for ten years and we have been trying to do something about it."

Ms. Holland: "But they are multiplying. You have to admit this is too many in one block. One of them has 24 people and now you are talking about putting another one with 30."

Mayor DuBois: "I would be happy to continue this with you after the meeting or at any time if you would like to."

Ms Holland: "Thank you."

Commissioner Stevens: "If I may briefly suggest, I would contact PBSO to address the trespassing, Commissioner Bluedax, and the public indecency."

Ms. Holland: "I have done that too. I am sitting there blocking them in my driveway they take their time to come the guys push out scrap the side of my car and my house and take off while I am waiting for PBSO." (Ms. Holland was no longer at the microphone which made it hard to hear everything that she said.)

Vice-Mayor Rumsey: "Mr. Mayor can we take her comments from the record in her words and send them up to Mr. Gomez tomorrow morning, so that he can hear a resident that is expressing what's happening to them because this is ridiculous."

Mayor DuBois: "Yeah, absolutely."

Commissioner Longtin: "Excellent Mr. Vice-Mayor."

Mayor DuBois: "Our entire legislative delegation for Palm Beach County should get a copy of that also, especially our neighboring municipalities to the south."

Vice-Mayor Rumsey "Who won't help us."

Mayor DuBois "Exactly."

Diane Bernhard, 301 Lake Shore Drive, she welcomed Mr. Titcomb to the Town. She stated that Mr. Titcomb is coming to the Town at a very interesting time. She stated that one of the issues leading up to the resignation of the former Town Manager was the new Handbook for the employees of Lake Park. She stated that an exorbitant amount of money was paid for the Handbook; however, upon reading it, the cost is not the only thing to be worried about. She stated that according to the new Handbook the powers and responsibilities of the Town Manager have grown considerably since the last printing in 1996. She stated that the changes should be of great concern to everyone who lives in Lake Park. She stated that the residents have the right to expect the simple updating of the Town's Handbook; however, what we got was the arbitrary and unilateral inflation of powers that were assigned to the position of Town Manager. She stated that there is a need to reverse these changes before they become the bible by which the new Town Manager performs his or her job. She stated that she does not want to see the Town spend another \$110,000 or even \$4,000 to write a new Handbook. She suggested that the Commission work with volunteers from the community to make a review committee and perhaps in a series of workshops to reformulate the 2009 version. She stated that she is not saying to throw out the Handbook, but that some things need to be changed. She advised that she would be willing to devote some of her time to the effort of making changes to the Employee Handbook. She stated that she provided handouts about some of the things she is recommending to be changed in the Handbook (see attached Exhibit "A"). She stated that the handout she provided would convince the Commission that a review committee is necessary and could be started immediately.

Mayor DuBois asked Attorney Baird if a policy or Employee Handbook could supersede the power and responsibilities granted to the Town Manager through the Town Code.

Attorney Baird stated that the Town Code and Charter sets forth the power and authority of the Town Manager.

Susan Lloyd, 220 Lake Shore Drive, stated that since the former Town Manager resigned due to her supposed connection to Patricia Bass, who was paid over \$100,000 to revise the Employee Handbook, she decided it would be of interest to read the old and revised Handbook. She stated that the first book was 69 pages and the second book was 135 pages. She stated that while reading the revised Town Handbook, two words kept jumping out at her, Town Manager. She stated that she compared the two Handbooks and compared the number of time the words Town Manager appeared. She stated that in the first manual the words Town Manager appeared 47 times and in the second manual the words Town Manager appeared 146 times. She stated that in the revised Town manual, the Town Manager can do the follow items with no questions asked: 1. hire a person at will, bypass the promoting from within or advertising for the position, 2. terminate an employee without cause and that employee cannot appeal the termination decision and 3. there are positions in the Town that work at the pleasure of the Town Manager and those employees are not subject to any probationary period to which all other employees are subject. She stated that she believed that the former Town Manager did all three of the things described. She stated that she believes that the revised manual gives too much power to any Town Manager. She stated that the Handbook needs to be revised again and that could be done at a minimal cost to the Town through volunteers and she offered her time. She stated that this suggestion should be strongly considered by the Commission prior to the hiring of a new Town Manager. She stated that she would like to see this item placed on the next Town meeting agenda for discussion and vote.

Jim Lloyd, 220 Lake Shore Drive, "I would like to ask that my very brief comments this evening be entered verbatim into the Town record. I have just one simple question speaking in behalf of the residents of Lake Park. We have had two big resignations recently, the Town Manager and our Director of Finance, and my question is why? I think the residents need an explanation to why these two resignations took place and the sooner the better. Thank you."

Michael O'Rourke, 501 Lake Shore Drive #201, stated that at the last Town Commission meeting that the Town Commission had a brief discussion regard the Town's Parks and Recreation position. He stated that he only knows about two programs for the youth within Lake Park and that he is involved in both programs and that he has only been a resident of the Town since June of last year. He stated that based on the discussion at the last meeting there is a position open and applications were taken, and the position is now closed. He asked that the Commission reconsider and reopen the position for applications and to consider a part time Park and Recreation Director. He stated that he knows of at least one person who might be interested in the Parks and Recreation Director position.

Erin Flaherty, 639 Evergreen Drive, stated that he came to introduce himself to the Town and to shed light on the Lake Park CDC (Community Development Corporation) a non-taxpayer paying organization that funds are non-taxpaying money. He stated that he is the Executive Director of the Lake Park CDC and the owner of Sharp Solutions. He stated that the CDC has created an e-mail address for inquiries and questions,

lakeparkcdc@gmail.com. He stated that he enjoys serving the Town and thinks that the community garden has been great and has brought a lot of attention. He stated that there have been three articles written up in the newspaper and on the news. He stated that the CDC is looking to do other projects in the community. He stated that the next CDC Board meeting will be held at Kelsey City Bar and Grille at 7:00 pm on February 16, 2012, and it is open to the public. He stated that he has started a Relay for Life team, named the Community Garden Team. He stated that Relay for Life is looking for other teams and donations for the Relay for Life event. He encouraged people to attend and participate in Relay for Life on April 27-28, 2012.

Vice-Mayor Rumsey asked Mr. Flaherty to repeat the name of Mr. Flaherty's business.

Mr. Flaherty stated "Sharp Solutions".

Public Hearing:

Ordinance On Second Reading:

2. Ordinance No. 03-2012 Retired Police Officers Pension Fund

Mayor DuBois opened the Public Hearing.

Finance Director Anne Costello stated that the Ordinance is being presented on second reading and the changes proposed at the February 1, 2012 Commission meeting have been incorporated into the Ordinance.

Public Comment:

No Public Comments.

Public Comment Closed.

Motion: A motion was made by Vice-Mayor Rumsey to approve; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0

Attorney Baird read the Ordinance into the record by caption only.

Mayor DuBois Closed the Public Hearing.

DISCUSSION AND POSSIBLE ACTION:

3. Internet Viewing of Public Meetings

Interim Town Manager Hunt stated that the Town's consultant Gyorgy Marton currently provides internet hosting services for the Town's website and is present to answer questions. He stated that per Commission direction, staff has evaluated the cost of hosting the videos of Commission and other meetings on the Town's website. He stated that Mr. Marton has provided a price of \$149.00 per month to host three meetings per month. He stated that staff is recommending a trial period of six months to evaluate the service. He stated that the number of hits and users of the service can be tracked.

Commissioner Hockman asked if staff evaluated hosting the videos in-house.

Interim Town Manager Hunt stated that staff did evaluate providing the hosting in-house, and identified this as option 4.

Commissioner Stevens stated that providing the service in-house is option 4 of the provided documentation.

Interim Town Manager Hunt stated that the cost to proceed with option 4 has not been developed. He noted that option 4 would be quite labor intensive for staff to maintain the systems once it is up and running.

Commissioner Hockman stated that there are a lot of free services out there to convert the videos over. He stated that it is a very quick and easy task. He stated that to burn a DVD it takes 10-15 minutes depending on the size of the video and the equipment to make the video file that people can download or watch. He stated that he cannot see why this cannot be done in house; the Town has a full-time Information Technology person.

Interim Town Manager Hunt stated that the issues related to providing the service in-house is not so much the conversion of the files as keeping the server up and running and handling the size of the files in-house.

Commissioner Stevens asked if staff could prepare a cost sheet for a server hard-drive, basically all the costs listed in option 4, so that the Commission could compare the options in terms of cost to the Town. He stated that he is supporting option 2 as described in attachment one of the agenda request form. He stated to compare properly he wants to see all the costs first.

Mayor DuBois asked if the cost could be brought to the Commission during the trial period recommended by staff.

Commissioner Stevens stated that would be fine with him.

Commissioner Longtin asked if this item was being tabled until the next Commission meeting when the Commission is provided with more information.

Commissioner Stevens stated that he has no problem with voting for option 2, but his question to staff is whether or not staff could prepare a cost to provide the service in-house.

Mayor DuBois stated that he was in support of moving forward because there will be a six month trial and the information could be provided before the Town is locked in for a full year.

Interim Town Manager Hunt advised that yes he could task staff to provide the cost for option 4.

Motion: A motion was made by Commissioner Stevens to approve staff recommendation of option 2 for a six month trial with 633A LLC at the cost of \$149.00 per month. Motion failed for lack of a second.

Mayor DuBois stated that the Town will go without video uploaded to the website.

Commissioner Longtin asked if staff could still come back with the information requested and the item be readdressed at that time.

Mayor DuBois stated the motion died for a lack of a second and asked if there was an alternate motion.

Motion: A motion was made by Commissioner Longtin to postpone the item until staff comes back with the additional information requested;

Commissioner Stevens asked how long the item was being postponed for and he suggested two meetings. He asked Chief Information Technology Officer Hoa Hoang if a month was enough time to put together the costs related to option 4.

Chief Information Technology Officer Hoa Hoang stated "yes".

Motion: A motion was made by Commission Longtin to postpone the item for time certain of the March 21, 2012 Commission Meeting; Commissioner Stevens made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner			

Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0

CONSENT AGENDA ITEMS:

- 4. Approval of Temporary Interim Town Manager Contract with Jamie Titcomb**
- 5. Emergency Commission Meeting Minutes January 30, 2012**
- 6. Regular Commission Meeting Minutes of February 1, 2012**
- 7. Authorize the Mayor to Sign the Letter Accepting the Town Managers Resignation**
- 8. Award Contract for Marina Security Services to US Security Associates, Inc.**
- 9. Pay Increase for Public Works Director While Acting as Interim Town Manager**

Commissioner Longtin requested that each item be discussed individually.

4. Approval of Temporary Interim Town Manager Contract with Jamie Titcomb

Interim Town Manager Hunt stated that at the Special Call Commission Meeting of February 6, 2012 staff was tasked with having an employment contract developed to employ Jamie Titcomb as the Interim Town Manager. He stated that the employment contract is a part of the agenda package and that Mr. Titcomb has agreed to the terms of this agreement.

Motion: A motion was made by Commissioner Stevens to approve the Interim Town Manager Agreement with Jamie Titcomb; Vice-Mayor Rumsey made the second.

Commissioner Longtin stated that she is seeing the agreement for the first time now. She stated she is in agreement with the contract but, getting stuff as she sits down is not appropriate. She requested that on the last page, number four in the second sentence to change her to his. She stated that regarding "Section 8: Initial Performance Review, Interim Town Manager shall produce a Performance Progress Report prior to the expiration of the 30 day term. The Town Commission shall conduct an initial review of the performance of the Interim Town Manager including the Progress Report prior to the expiration of the 30 day term" that she thought 30 days might be a little much to get a progress report, but if Mr. Titcomb has agreed to this then that's good. She stated that the Commission receives a monthly Department Head report; the Commission should also be getting a monthly Town Manager report. She stated that the progress report is a good thing and hoped it would continue on once a new Town Manager is hired.

Vote on Motion:

Commission	Aye	Nay	Other
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Member			
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0

5. Emergency Commission Meeting Minutes January 30, 2012

Commissioner Longtin stated that a big chunk of her comments are missing and if staff would add them in then she could certainly approve these minutes. She stated it was the second portion of what she read explaining why she believed the Commission had the responsibility to terminate with cause and all of her reasons for terminating with cause.

Motion: A motion was made by Commission Longtin to approve the minutes of January 30, 2012, as amended; Commissioner Hockman made the second.

Commissioner Stevens stated that he would like to make additional corrections. He stated that it seems like Commissioner Hockman is getting either the credit or the blame for statements he made on pages 16 and 17. He stated that this appears on page 16 of the agenda package.

Vice-Mayor Rumsey stated that it is page 5 of the minutes.

Commissioner Stevens stated that specifically in the middle of page 5 under “Mr. Garcia advised” and above “Commissioner Longtin” the reference to Commissioner Hockman should be changed to Commissioner Stevens. He stated at the bottom of the same page above the word “vote” the reference to Commissioner Hockman should be changed to Commissioner Stevens. He stated on page 6 above “vote” the reference to Commissioner Hockman should be changed to Commissioner Stevens.

Mayor DuBois asked if the maker of the motion cared to modify their motion and the person who seconded the motion would withdraw the second and re-second a modified motion.

Commissioner Hockman withdrew his second.

Motion: A motion was made by Commissioner Longtin to approve the minutes of January 30, 2012, as amended; Commissioner Hockman made the second.

Vote on Motion:

Commission	Aye	Nay	Other
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Member			
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0

6. Regular Commission Meeting Minutes of February 1, 2012

Mayor DuBois stated that the only change he has is on the discussion regarding Mr. Titcomb and the use of the word Interim or Temporary before Interim Town Manager. He requested that the word Temporary be added before Interim Town Manager in his dialogue regarding Mr. Titcomb.

Commissioner Longtin stated that she wants it stated in the minutes that she disagreed with the Town Attorney on page 16 of the minutes in his reading of the Code regarding the Interim Town Manager.

Commissioner Longtin stated that she needs to clarify that she is being given credit for Mr. Titcomb's name being thrown out there and she believes that Vice-Mayor Rumsey state Mr. Titcomb's name and she seconded what she thought Vice-Mayor Rumsey said. She stated that she wants to give the credit that is due for this unique unanimous vote in her opinion that goes to Vice-Mayor Rumsey.

Vice-Mayor Rumsey stated Commissioner Longtin could have the credit.

Mayor DuBois stated that he distinctly remembers Commissioner Longtin saying Mr. Titcomb's name into the microphone.

Commissioner Longtin stated that she did not want to receive credit where credit was not due her. She stated that it is a unique situation and it is all wonderful.

Commissioner Hockman stated on page 11 of the minutes where it is stated that he said that there is a conflict of interest for Aherns Companies to be awarded the bid. He stated that he said that there could be a possible conflict and that was the reason he read the letter. He stated the minutes are saying he said there was a conflict and requested that the minutes be amended.

Commissioner Longtin stated that she believed she said possible as well. She stated that she knows she did.

Motion: A motion was made by Commissioner Stevens to approve the February 1, 2012 minutes as amended; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman		X	
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-1

7. Authorize the Mayor to Sign the Letter Accepting the Town Manager Resignation

Motion: A motion was made by Vice-Mayor Rumsey to authorize the Mayor to sign the letter accepting the Town Manager’s Resignation; Commissioner Stevens made the second.

Commissioner Longtin stated that she thinks this item is undue. She stated that the letter that Mayor DuBois wants to sign reads, “Dear Ms. Davis I am in receipt of your official letter of resignation. The Commission of the Town of Lake Park discussed your resignation at the January 30, 2012 Commission meeting and we have agreed to accept your resignation. I appreciate the service that you provided to the Town of Lake Park over the past several years and I wish you success in the future.” She stated that this is a possible disservice to the situation.

Mayor DuBois asked Commissioner Longtin if she would like to modify the letter by deleting the last paragraph.

Commissioner Longtin asked why the Commission is sending the letter. She stated that in all the times that she has been involved the Commission has never sent a letter.

Mayor DuBois stated that he believed he was asked to draft a letter or there was a letter needed for the file.

Commissioner Longtin stated that a letter was not needed.

In response to the questions raised by Commissioner Longtin, Human Resources Director Bambi Turner stated that there is no need for a letter, the letter of resignation has been placed in Ms. Davis’ personnel file and date stamped as received.

Attorney Baird stated that there is no reason to write a letter accepting someone's resignation.

Motion: A motion was made by Commissioner Stevens to not authorize Mayor DuBois to sign the letter the Town is not sending accepting the Town Manager's resignation; Commissioner Longtin seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0

8. Award Contract for Marina Security Services to US Security Associates, Inc.

Interim Town Manager Hunt stated that the request for bids for Marina security services was advertised, a bid package was prepared and respondents provided quotes for services in sealed envelopes as it was a closed bid. He stated that staff recommends awarding to the low bidder, which as US Security Associates, Inc.

Commissioner Stevens stated that on pages 66 and 101 section (b) there is reference to special event guard. He asked what specials events require a special event guard.

Interim Town Manager Hunt stated that the Marina has no need of a special events guard; however, the Town has used special events guards for Park Avenue events such as the Art on Park. He stated that the Seafood Festival did not require a special event guard and that it is questionable whether the Town would ever utilize this service.

Commissioner Longtin stated that her brain really hurt on this trying to figure out what all these numbers mean. She stated that it appears that everyone is bidding on different things, and from what she read in the documents there was no clear cut asking the bidders for what to bid on. She stated that Advanced American looks like their quote was for 2920 hours of straight time, US Security appears that they bid on 2912 hours and Advanced National bid on 2920 hours and they included the six days of holiday pay. She stated that nobody was on the same page.

Commissioner Stevens asked Commissioner Longtin what page she was on.

Commissioner Longtin stated that these are just the numbers she worked up from going through the bids. She stated that she worked back the numbers and she does not know if she can agree with staff. She stated that by looking at the amount that each bidder is proposing Advanced American is bidding \$40,880.00 divided by their hourly rate equals 2920 hours, US Security is bidding 37,448.00 divided by their hourly rate equals 2911 hours, which is less than the first one and Advanced Nationals numbers divided by the straight time the hours equals 2992, which is more. She stated that she thinks that the Town will have events at the Marina, it is a new day and the Commission needs to start to have stuff at the Marina. She stated that it is the overtime rate of the middle company on the sheet that is concerning her. She stated that the numbers are going to start really jumping fast. She stated that she gives Advanced American kudos because they are a Palm Beach company and they are veteran owned and operated and stated that the bid has a straight time rate of \$14.00 regardless, which makes it nice and clean, and they are a Florida corporation in Palm Beach County. She stated that US Security Associates is a Delaware corporation based out of Georgia and their principals live in Georgia and Illinois, there are no veterans and they really did not answer the litigation clause. She stated that Commission says they like to give business to local companies. She stated Advanced National Security has veterans, they are a Florida corporation and their principal literally lives on top of the Marina, and that is worth something. She stated that if the Commission is going to look at the dollars only that she thinks Advanced American is the one the Commission should consider. She stated that she requested information from staff on Sunday and she received it a few hours ago, so she did not get the opportunity to go over this like she wanted to.

Commissioner Stevens asked if the Commission was in the comment or question portion.

Mayor DuBois stated in the question portion.

Commissioner Stevens asked respectfully if Commissioner Longtin had a question.

Commissioner Longtin stated that she does not get these number and asked where did staff get these numbers. She asked why the Town did not ask the bidders to quote exact things.

Interim Town Manager Hunt stated that in the third column was the annual expenses for each of the vendors and that US Security Associates, Inc. submitted the low annual bid of \$37,448.00, AGG of America submitted \$48,362.32 and Advanced American K-9 submitted \$40,880.00. He stated that staff is recommending that the low bidder be awarded the contract.

Commissioner Longtin stated that Interim Town Manager Hunt did not answer the question at all. She stated that everybody is bidding on different things, different times, some have included the holidays. She stated to say that US Security Associates are the low bidder is disingenuous.

Mayor DuBois asked if there was a pre-bid meeting.

Interim Town Manager stated "no".

Mayor DuBois asked if questions were submitted by any of the bidders regarding the bid format or the bid proposals.

Finance Director Costello stated that no specific questions were submitted related to the Commission's discussion. She stated that in the agenda item the contract cost was priced out for 349 days of straight time and six holidays per the company's policy of six holidays and if each bidder is priced out using the same calculation US Security Associates is still the lowest bid. She stated that staff calculated Advanced National Security rate using the same formula and it is still higher than US Security Associates. She stated comparing apples to apples US Securities is the lowest bidder. She stated that there have been no requests for special events security at the Marina since 2007, the special events guard has only been used for CRA events.

Mayor DuBois stated that essentially staff looked at Commissioner Longtin's concerns.

Finance Director Costello stated that is why in the agenda item she stated that the contract should be awarded to the lowest responsive bidder, U.S. Security Associates, Inc. in the amount of \$37,859.84, which is higher than the amount in the minutes of the bid tabulation because she included the holidays so it would be an accurate figure.

Mayor DuBois stated that a like comparison was done.

Finance Director Costello stated "yes".

Commissioner Longtin stated that no the Commission does not have a like comparison. She stated if the bidders were supposed to bid on 394 straight hours, nobody did and there must have been some confusion. She stated on the money only alone she would go with Advanced American the \$14.00 straight time. She stated that additionally the Town is asking for US Security Associates to go around once a week and to help collect the money out the meter and supposedly that is a \$30.00 charge and that is not in here.

Finance Director Costello stated that the collection of money from the meters is a separate proposal.

Motion: A motion was made by Commissioner Stevens to approve the award of the Marina Security Services bid to US Security Associates, Inc.; Vice-Mayor Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman		X	
Commissioner Longtin		X	
Commissioner Stevens	X		

Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 3-2

9. Pay Increase for Public Works Director While Acting as Interim Town Manager

Interim Town Manager Hunt stated that he was looking through the Employee Handbook for any direction relating to an increase in pay for the time that he spent as the Interim Town Manager. He stated that when he found no direction in the Handbook he looked at the rate that has been approved for the new Interim Town Manager and asked that he be given the same amount of pay for the time he served as Interim Town Manager.

Mayor DuBois stated he spoke with Interim Town Manager Hunt about this item and that the conclusion seemed logical.

Motion: A motion was made by Vice-Mayor Rumsey to approve a Pay Increase for Public Works Director While Acting as Interim Town Manager; Commissioner Stevens made the second.

Commissioner Longtin stated that she will be voting no on this item because at first she found that she was impressed by him and now she is not impressed by him. She stated that the Town does not have money for stuff yet the Town has money for this and she can understand something being thrown that way but she was hoping this could be addressed at budget time. She stated that for the past two years, Commissioner Hockman and herself are the only ones who ask questions verbally or in writing.

Mayor DuBois asked when.

Vice-Mayor Rumsey stated that this is not worth fighting over.

Mayor DuBois stated that Vice-Mayor Rumsey is right.

Commissioner Longtin stated that she has asked questions of the Town Manager and what has been happening for the last three or four years is that the response is copied to the entire Commission. She stated that supposedly everybody on the Commission is being treated the same and if that is true then only Commissioner Hockman and herself are asking questions. She stated that she has never seen questions from the other three members of the Commission. She stated that she called it the high school mean girl thing and that she is very sad that Mr. Hunt decided to continue that practice.

Interim Town Manger Hunt stated that if Commissioner Longtin would like to see his e-mails for the last two weeks that he did have a uniform policy of addressing everybody's questions and concerns.

Commissioner Longtin stated than nobody had questions but Commissioner Hockman and herself.

Commissioner Stevens stated that he thinks Mr. Hunt has done a great job. He stated that Mr. Hunt stepped in at a moments notice and has answered all of his e-mails, answered all of his questions that he has given to him when the Commission is not in front of everybody. He stated that the reason Commission meeting go on as long as they do is because Commissioners like Ms. Longtin don't follow proper procedure and she has discussion when the Commission is supposed to be asking questions and wasting everyone's time when she could be asking staff questions, talking to residents off the record instead of wasting everyone's time.

Commissioner Longtin stated that she is not wasting anyone's time.

Commissioner Stevens stated that yes she is wasting everyone's time.

Commissioner Longtin asked why the rest of the Commission doesn't come, approve the agenda and go home.

Commissioner Stevens stated that the Commission is trying to work through the agenda.

Commissioner Longtin stated that she did not receive any of Commissioner Stevens e-mails.

Mayor DuBois stated that there is an item under consideration and it is time to move on.

Commissioner Stevens thanked Mr. Hunt for his service.

Mayor DuBois stated that he agreed with Commissioner Stevens and thanked Mr. Hunt for stepping up to the plate and doing a job he did not want to do and sticking with it and providing service to the Town residents. He stated that he appreciated it tremendously.

Vice-Mayor Rumsey thanked Mr. Hunt and stated that he thinks Mr. Hunt has done an exemplary job as Interim Town Manager and he appreciates very much that Mr. Hunt stepped up when no one wanted to serve as Interim Town Manager. He stated that he could understand why no one wanted to serve as Interim Town Manager just by the example that has been shown in the last five minutes on this dais. He stated that Mr. Hunt has been exemplary and has answered and been available to all questions from everyone and he appreciates it.

Commissioner Hockman thanked Mr. Hunt for stepping up. He stated that he has a hard time at this moment because he keeps hearing the Town is broke the Town is broke and the Town had to take a loan out from a fellow city to do a library thing, but yet the Town has money for the ball field thing. He stated that he has a hard time at this point to vote for this because of that and that it is not personal.

Vice-Mayor Rumsey stated that he would like to point out that the two people who are against this item are the same two people who just voted that the Commission accept the high bidder on the security at the Marina. He called the question on the item.

Commissioner Longtin stated that they were not the highest bidder according to her calculations.

Mayor DuBois stated that the question has been called and that there will be no more comments on this item.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman		X	
Commissioner Longtin		X	
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 3-2

DISCUSSION AND POSSIBLE ACTION

10. Resolution No. 07-02-12 Appointment of Seacoast Utility Authority Board Member

Interim Town Manager Hunt stated that the Town Manager had served as the Chairman of the Board of the Seacoast Utility Authority (SUA) and by her resignation from the Town, the Town's appointment to the Board is open. He stated the SUA is seeking to have the Town name an appointee to the Board as a representative for the Town. He stated that Mayor DuBois has volunteered to serve as the Town's appointee.

Commissioner Hockman asked if the SUA sent a notice to the Town regarding the appointment.

Mayor DuBois stated that he was aware the position was vacant and he contacted SUA Executive Director Rim Bishop proactively and asked Mr. Bishop how he wanted to address the vacancy. Mayor DuBois stated that he offered his services, since he has been working for a water utility for 12 years and was involved in the construction of one in 1997 and has continued service ever since not only as a director but as an operator and an administrator. He stated the answer to the question was no that he contacted Mr. Bishop proactively and offered his services.

Commissioner Hockman stated that he thinks that the Commission should have gotten notice on it to see if anyone would be interested in serving.

Mayor DuBois stated that he considered Commissioner Hockman might be interested in serving but after speaking with Commissioner Hockman about his professional

experience supplying service to virtually every water utility contractor and sub-contractor in Palm Beach County, that he simply assumed that Commissioner Hockman would have a conflict of interest with SUA or any of the list of their contractors. He stated that he did not think it was appropriate to offer it to Commissioner Hockman.

Commissioner Longtin asked “or anybody”.

Commissioner Stevens asked if Commissioner Longtin or Commissioner Hockman were suggesting anyone to serve.

Mayor DuBois stated that he was not aware of anyone else on the Commission who had experience with utilities.

Commissioner Stevens asked if there were any other suggestions.

Motion: A motion was made by Commissioner Stevens to approve Resolution No. 07-02-12 appointing Mayor DuBois as Seacoast Utility Authority Board Member; Vice-Mayor Rumsey made the second.

Commissioner Hockman stated that he is assuming that this is only temporary until a new Town Manager is hired.

Mayor DuBois stated that is how it is described in the resolution.

Commissioner Longtin stated that as long as it is temporary she would vote for it.

Mayor DuBois stated that the resolution states that the appointment would be temporary.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 5-0

11. Discussion of the Marina Interlocal Agreement

Mayor DuBois stated he requested this item for clarification in preparation for his meeting with Commissioner Karen Marcus. He stated that this was also an opportunity to notice the Commission and the public that he would be having this meeting.

Public Comment

Jim Lloyd, 220 Lake Shore Drive, stated that he has referred to the Interlocal Agreement on hundreds of occasions as ill-conceived, ill-written and illegal. He stated that the three main parts of the Interlocal Agreement involve the restaurant, the unneeded parking lot and the closure of Lake Shore Drive. He stated that the Interlocal Agreement does not say half of Lake Shore Drive, partially close, doesn't say closed for events it says closure of Lake Shore Drive. He stated that he addressed the County Commission about the Interlocal Agreement and he has written letters to Karen Marcus. He stated that he thinks that Mayor DuBois has painted itself into a corner because Mayor DuBois campaigned to keep Lake Shore Drive open and he is in receipt of flyers that the Stevens and DuBois campaigns put out stating that Stevens and DuBois would fight to keep Lake Shore Drive open.

Commissioner Stevens stated that he had a correction, that it was his campaign that put out the flyers.

Mr. Lloyd stated that Commissioner Stevens put out the flyers for the Stevens and DuBois campaigns.

Mayor DuBois stated that the statement is not true that he never said that and that he did say that he would close it. He stated that he has changed his mind since then and has told Mr. Lloyd that repeatedly. He stated that his position is that it supports the residents and it supports the purpose of this project to leave it open for access to drive to the light there and every time Mr. Lloyd goes about saying this wrong Mr. Lloyd is making a misstatement and that he has spoken with Mr. Lloyd about this several times.

Mr. Lloyd stated that closing Lake Shore Drive means that the Town would not be following the Interlocal Agreement and he does not know what Mayor DuBois is going to tell Commissioner Marcus because the Interlocal Agreement says the closure of Lake Shore Drive not the partial closure.

Jorge Quintero, 301 Lake Shore Drive, stated that as a resident along Lake Shore Drive the Interlocal Agreement concerns him, particularly in light of the comments made by the developer at previous meetings and certain letters that have been exchanged between the developer and the Commission. He stated that he is very concerned that the developer believes that the plan that was included in the Interlocal Agreement somehow gives the developer the right to secure the approval for the project that is yet to come before the Planning and Zoning Board and the Commission. He stated that an Interlocal Agreement cannot dictate what a Town does in respect to the Town's zoning and should the County take the position that because the project called for a restaurant, the closure of Lake Shore Drive prior to the project coming before the Planning and Zoning Board meeting and public hearings before the Town Commission that will prejudice the Planning and Zoning Board and the Commission to approve the project. He stated that if the County is taking

the position that the Interlocal Agreement already approved the plans, as the Town Manager claimed, he asked what purpose is there to have a Planning and Zoning Board or public hearing on the project.

John Mede, 220 Lake Shore Drive #7, stated that his comments are about Mayor DuBois' request to get consensus from the Commission regarding the half closure of Lake Shore Drive so as to be in compliance with the Interlocal Agreement portion, to be in a position of some solidarity when Mayor DuBois meets with Commissioner Marcus. He asked Mayor DuBois if he had read the memoranda by Attorney Baird.

Mayor DuBois stated that he has read several memoranda on the subject.

Mr. Mede asked then why, then, is Mayor DuBois asking for consensus when due process has not yet been followed. He stated that Attorney Baird is very clear of what the process entails. He stated that Commissioner Marcus' letter from August 2011 acknowledged the Town's intent to fully comply with the terms of the Interlocal Agreement. He stated that Commissioner Marcus' letter was in response to a letter the Town had sent in August 2011 indicating the Town's intent to comply with the terms of the Interlocal Agreement. He stated that now six months later the Commission is being asked again to provide consensus regarding the Interlocal Agreement. He stated that he would be reading from meeting minutes of August 4, 2010 when a PowerPoint presentation was made for conceptual plans at the Marina Promenade project. He stated that he would paraphrase some points for time. He stated that former Director Sullivan stated that he discussed the changes made to make the promenade, he showed a picture of the house owned by South Yachts and stated that is where the restaurant would be built. Mr. Sullivan continued to explain the proposed changes and gave examples of each. He stated that another comment from those minutes was that "Town Manager Davis stated that the proposed project would open up a lot of parking for Marina events. She stated that she wanted to make it clear that the Town did not have to depend on a grant just to enhance the site. She stated that there were future plans and the Town did not have to go after any other grants." He stated that later in the August 4, 2010 minutes Mr. Wayne Creber introduced himself and he stated that "they had several letters of intent from large companies who were interested in running the restaurant on the site, but until there was an approval and a confirmed plan and see what the size the restaurant will be they can move forward. He stated that they were looking at having a family oriented restaurant." Mr. Mede stated that the August 4, 2010 minutes state that Mr. Creber explained that they were currently looking for different concepts for the restaurant and once they decided the concept they could begin the permitting process. He stated that the issues that he has are that the plans that were submitted differ greatly from what the concept was and these are the conceptual plans that were submitted in August 2010 items number 8, 10 and 11 and nowhere is there a monstrosity in the promenade. He stated that he was told that the promenade could stand on its own merit and the issue is what was presented conceptually, the issues that have been raised by the Town Attorney regarding legality and the due process and lastly what the developer is proposing is completely different and that's called the bait and switch. He stated that the problem is who changed, did the Town change, did the Commission change, did the neighbors change, or was it the developer. He stated that there is an accountability issue here who is the only one asking for waivers.

Mayor DuBois stated that the Town did change, and that originally there was an assumption of a complete road closure.

Mr. Mede stated in the conceptual plan it shows a full closure and a half closure. He stated that his problem with it is, who is running the project and who is deciding what is best for the Town, the promenade is its own separate place to go, the developer wants to develop on that promenade, he needs the promenade for his plan.

Public Comment Closed.

Mayor DuBois stated that he wanted to make a clarification on the point that bringing this to the Commission was to make it known that he was going to this meeting. He stated that if he had not brought this to this Commission and to the public's attention, then the public would not be here now providing this information to him and that is why he brought it to the attention and why he asked for the addition of the item. He stated that if the public does not want him to bring these things forward, then he will just go to the meetings without the discussion but he thought it was better to have the discussion. He stated that he does not want to blindside the public and he does not want to be blindsided by the public or anybody else. He stated this was an attempt to bring transparency.

Vice-Mayor Rumsey stated that he prefaces what he is going to say by saying that he appreciates Mayor DuBois bring this forward to the public so that the public is aware. However he thinks that there is a misunderstanding as to what the meeting is being called for. He stated that it is not his understanding that this meeting is being called for the Town to say that the Town is closing down the road and it seems like that is something that has been picked up in interpretation. He stated that the other thing is that the Town is flirting with Sunshine violations with this, the Commission has no business discussing this at this point and Commissioner Marcus as an elected official understands that as well. He stated that if Mayor DuBois attends the meeting and prefaces it with that the Town sent to Commissioner Marcus a letter back in August, 2010, that stated that the Town will honor the conditions of the Interlocal Agreement, what else can the Town tell Commissioner Marcus at this point. He stated that the Town has not had a project brought through to the Planning and Zoning Board, so there is nothing for this Commission to vote on at this point. He stated that until some project comes to the Planning and Zoning Board and goes through that process the Commission has nothing to be voting on. He stated that one of the things that the Commission discussed months ago was the possibility that the promenade could be used for special events with booths, but in his opinion the project is not even to that point, because the Commission has not directed staff to design a promenade. He stated that for the Commission to be saying at this point that half the road will be closed is jumping the gun. He requested that Mayor DuBois attend the meeting with consensus from this Commission in saying that the Commission sent Commissioner Marcus a letter in August, 2010 stating that the Town is going to comply with the Interlocal Agreement and it is now six months later and that has not changed. He stated that the Town has five years for this project to be completed and it has been less than one year at this point, and that a project from a developer has not been submitted to the Town that has even met the requirements to go the Planning and Zoning Board.

Mayor DuBois stated that developers often will go to their elected officials and address their questions and make presentations and he is assuming that is what this meeting is and he appreciated Vice-Mayor Rumsey's clarifications on his desires.

Commissioner Hockman stated that he has a couple of concerns and that he actually feels that a brief letter should be sent to Commissioner Marcus saying nothing has changed and put it as Vice-Mayor Rumsey has said. He stated that at this time to go to the meeting can put the Town into a situation and the rest of the Commission will not be at the meeting. He stated that for the Town to attend this meeting is kind of a waste of the Town's time and Mayor DuBois' time.

Mayor DuBois stated that he enjoys meeting with Commissioner Marcus, Ross Hering, and the applicants and that he learns something every time he attends a meeting. He stated that he has not attended these meetings very often.

Commissioner Hockman stated that if he remembers correctly that Ross Hering has stated that the Interlocal Agreement is null and void.

Mayor DuBois stated that he did not know how Commissioner Hockman would deal with a strong mayor form of government, as Commissioner Hockman proposed about a week or so ago, if Commissioner Hockman is not willing to allow a weak mayor to attend a meeting with the County Commissioner, strong mayors do not even listen to their commissioners.

Commissioner Hockman stated that at this time the Commission is putting the cart before the horse.

Mayor DuBois stated that he appreciates Commissioner Hockman's comments.

Commissioner Longtin stated that if the Town had a strong mayor form of government she did not know if any of the current Commissioners would be elected as the strong mayor.

Mayor DuBois stated that he doubts that he would be.

Commissioner Longtin stated that she has not seen a concrete plan regarding this whole Marina development. She stated that she has seen bits and pieces of the project. She stated that she does not understand Vice-Mayor Rumsey's concerns regarding sunshine and does not see where there is going to be any breaking of the Sunshine law. She stated that she does not know why the developer wants to meet with the County Commission and that the developer should be meeting with the Town and then work with the County Commission if any work needs to be done. She stated that if Mayor DuBois is to attend this meeting why doesn't Mayor DuBois take Mr. Headberg, a resident.

Mayor DuBois stated that he was not in control of the meeting and that he was invited.

Commissioner Longtin stated that Mayor DuBois could bring someone.

Mayor DuBois stated he is not inviting anyone to the meeting and that if Commissioner Marcus desires to invite somebody, Commissioner Marcus is certainly welcome to do so or the applicant or who ever called this meeting. He stated he is going by himself.

Commissioner Longtin stated that with that attitude Mayor DuBois might have the Commission's blessing but Mayor DuBois does not have her blessing to make any representations on behalf of the Town.

Mayor DuBois thanked Commissioner Longtin and stated that this is the last time he would be bringing anything like this before the Commission.

Commissioner Longtin stated that as long as Mayor DuBois is not making any promises or agreements on behalf of the Town because Mayor DuBois does not have that authority.

Mayor DuBois stated that of course he does not have that authority and thanked Commissioner Longtin for explaining that to him.

Commissioner Stevens stated that in light of the alarmist tactics of a handful of people that don't want a restaurant in their backyard, he totally understands the concerns of residents about maybe closing a road or putting up a t-shirt stand. He stated that he has no intention of closing the road, the road needs to be maintained south to Silver Beach so that traffic can turn at the light. He stated that he has no intention of closing the road and recommended that people forget the alarmist tactics. He stated that the developer has submitted an application, staff is reviewing the application, then it would go before the Planning and Zoning Board and then, if the application comes before the Commission that is when the Commission would consider the application. He stated that the presentation that Mr. Mede mentioned, along with the staff comments and the Planning and Zoning Board review and residents' statements, would then be presented to the Commission. He stated that then the Commission shall decide and weigh whether the requested changes of the Planned Unit Development (PUD) is enough of a public benefit. He stated that what the law requires is that there is a public benefit in order to close a portion of a road . He stated that the Commission would vote at that time. He stated that the road is not going to be closed until the PUD application goes through the process and comes before the Commission or until under the language in the Interlocal Agreement Section 1.06 "Town shall be solely responsible for the funding, design/construction of the promenade.." However this is subject to the "Town being the successful recipient of state and/or federal grant dollars." He stated that to his knowledge the Town has not received any funding for the promenade, therefore there is no issue right now.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Hockman stated that he was glad Erin Flaherty came and invited the residents to the CDC meeting and encouraged people to attend the meeting. He stated that the comment that Vice-Mayor Rumsey made regarding him voting on the higher bidder is not what he voted for. He stated that as for the security bid, the contracts were all kind of different on what the bidders bid on, so that is the reason he voted no for the contract, not because he wanted a higher bidder. He stated that he wants to make sure everything is bid

equal. He stated that he agreed with the comments regarding the Employee Handbook made by Ms. Bernhard and Ms. Lloyd and that it would be great to get the citizens involved and that the Commission should talk about creating a board to review the Employee Handbook.

Vice-Mayor Rumsey thanked Mr. Flaherty for attending the meeting. He stated the Mr. Flaherty is a volunteer that does tremendous work in the Town and that Mr. Flaherty should be commended. He stated that he asked Mr. Flaherty earlier to repeat the name of his company (Sharp Solutions) because it rang a bell to him. He stated that he knew he heard the name of the company before so he went back through his e-mail and found that on January 20, 2012 at 8:14 pm Commissioner Longtin sent an e-mail to Maria Davis, Nadia DiTommaso and Vivian Lemley requesting a copy of the Lake Park business license for Sharp Solutions, Inc. He hoped for an explanation on why Commissioner Longtin is interested in this volunteers business license. He stated that he understands why Commissioner Longtin is upset about the Commission's emails being shared with each other because this week on Sunday, February 12, 2012 at 4:21 pm Dave Hunt and Ms. Lemley received an e-mail from Commissioner Longtin stating "Ms. Lemley please provide the recent financial disclosure statement for Mayor DuBois, Commissioner Stevens and Commissioner Rumsey. Thank you Jeanine". He stated that it is interesting that she did not request the financial statements from Commissioner Hockman. He stated that he is curious as to why Commissioner Longtin would find Mayor DuBois, Commissioner Stevens and his financial statement of interest. He stated that he thinks that the residents would be curious in why Commissioner Longtin is trying to get financial disclosures for three of the Commissioners, and why Commissioner Longtin is trying to look for business licenses on volunteers in the community. He stated that the witch hunt needs to stop. For two years the Commission has sat here and let Commissioner Longtin try to tear down everything he had tried to get accomplished. He stated that Commissioner Longtin got her way with getting rid of Maria Davis and now Commissioner Longtin is going after the Town Attorney and if people do not believe him just listen to the bombs that Commissioner Longtin throws at the Town Attorney. It is constant. He stated that he thinks that at the next meeting that the Commission should just give Commissioner Longtin a moment to say everybody on Town staff that Commissioner Longtin wants to fire or get rid of because these games need to stop.

Commissioner Stevens stated that he understand Ms. Holland's concerns regarding the sober houses and the Town's lobbyist is in Tallahassee lobbying for change but he is not going to promise any quick resolution. He stated that it may be awhile but the Town is going to continue to work to get changes to the laws regarding sober houses. He stated that in regards to Ms. Bernhard and Ms. Lloyd's comments on the Employee Handbook, that he does support that before the hiring of a permanent Town Manager that the Commission needs to look at the legal provisions within the Town Charter, the Town Code and the Town Manager contract and also the policy within the Employee Handbook. He stated that the Town Manager has a lot of power and the Commission needs to address that before hiring a permanent Town Manager. He stated that Mr. Lloyd asked why the Finance Director resigned and stated that he heard that the Finance Director received a new job offer and thanked Finance Director Costello for service to the Town. He stated that Coach O'Rourke requested that the applications for the Recreation Director be re-opened and consider a part-time Director, and stated that he believes that

decision would go to Mr. Titcomb. He stated that the Town needs more residents like Mr. Flaherty, he applauded Mr. Flaherty's work with the community garden and CDC and the use of the CDC's 501(c) status to help the Town Library, community garden and Lake Park residents. He stated that he plans on attending the CDC meeting tomorrow, February 16, 2012 at the Kelsey Bar & Grille at 7:00 pm. He welcomed Jamie Titcomb and stated that he hopes that after tonight that Mr. Titcomb does not decide to exercise Section 4 of the Town Manager agreement and run for the hills. He stated that he appreciates Mr. Titcomb for coming in and trying to help the Town out with such quick notice. He stated that based on his conversations with Mr. Titcomb, he thinks Mr. Titcomb will be a great addition to the Town. He stated that he hoped Mr. Titcomb would be able to build consensus on the Commission and encourage the Commission to work together as Commissioners for the benefit of the Town.

Commissioner Longtin asked if Commissioner Stevens was suggesting that the Commission start something like a Charter Review Committee.

Commissioner Stevens stated that he was suggesting was a legal memorandum as to what the Commission's options are to amend the Charter/Code/Town Manager contract. He stated that residents like Ms. Bernhard and Ms. Lloyd could review Town Charter Article VI Section 4 and Town Code Chapter 2, Article III, Section 2-82 and 2-83 and bring forward their suggestions at Commission meetings or call him at (561) 386-3056. He stated that he believed it would be awhile before the Commission hired a Town Manager and hoped that Attorney Baird could prepare a memorandum.

Commissioner Longtin asked if consensus could be sought to ask Town Attorney Baird to draft a procedure of looking at the Charter, looking at the Handbook or any changes that the Commission wants to make.

Attorney Baird stated that the Charter and the Code are within the Commission's control in terms of amendments. He stated that he believes that the Handbook is an administrative document that has not been adopted pursuant to the Code and would be something that the Commission would have to provide the Town Manager with direction to revise. He stated that it is certainly within the Commission's power to change the Charter and to change the Code, as well as the Town Manager's contract.

Commissioner Longtin asked if the Commission can look at the Handbook and say what changes the Commission wants to the Handbook.

Attorney Baird stated that the Commission can offer suggestions to the Town Manager as to what changes to the Handbook should be made. He stated that the point in saying that the Commission does not have authority is that it is not adopted as an Ordinance and an Ordinance is something that comes before the Commission. He stated that the suggested changes to the Handbook would have to go through the Town Manager.

Mayor DuBois asked if the Handbook was adopted by Resolution or adopted administratively.

Attorney Baird stated that the position classifications are by Resolution.

Commissioner Hockman stated that the entire Handbook was adopted by the Commission.

Attorney Baird stated that given that the Handbook was adopted by Resolution, the Commission can revise the entire book through an amending resolution.

Commissioner Longtin asked if the Town Attorney can provide guidance on the formation of the Charter Review or Handbook Review Committee. She stated that maybe the Commission could have some workshops on it.

Mayor DuBois asked if the Employee Handbook is an adequate document for the Human Resources Director to use through the hiring and firing process.

Commissioner Stevens suggested that the Commission should focus on the Charter, Code and Town Manager contract. He stated that the Charter, Code and Town Manager contract seems to be the heart of the matter and a better place to focus the Commission's efforts.

Commissioner Longtin asked if Attorney Baird could provide the Commission guidance on the Charter, Code and Town Manager contract and how the Commission should proceed.

Attorney Baird asked if the Commission wants him to provide a document stating what items in the Charter can only be amended by referendum as opposed to by Ordinance.

Commissioner Stevens stated that he wants to know the options for amending the Town's Charter and Code. He stated that changes to the Town Manager contract would be simple.

Attorney Baird stated that the Town Manager contract largely makes reference to the authority that the Town Manager has in the Code and the Charter. He stated that the contract that Ms. Davis served under was originally a contract from a predecessor that had been modified in certain circumstances and that the contract came from International City/County Management Association (ICMA). He stated that most Town Manager contracts are fairly uniform. He stated the provision that he has noticed change the most over the years is severance.

Commissioner Stevens asked what the procedures are for amending the Town Charter versus amending the Town Code.

Attorney Baird stated that there are only certain parts of a charter for which Florida law requires a referendum and they do not deal by and large with the Town Manager's duties or authority. He stated that Florida law does deal with changing to a strong mayor form of government and that change would have to be the subject of a referendum, and the reason is because it would change the entire form of governance of the Town when changing from the commissioner/manager form of government to strong mayor form of government.

Commissioner Longtin stated that she does not hear an outcry from the residents to go to a strong mayor, but she does hear that the Commission needs to reign in the powers that have been thrown at the Town Manager. She stated that it seems that the Town Manager has all power and no responsibility and that is what she hears needs to be reined in. She requested that the Town Attorney provided the Commission with guidance.

Mayor DuBois stated that the Florida League of Cities might be able to provide guidance to the Commission regarding what typical responsibilities and administrative action and responsibilities most town manager's have under their purview. He stated that he would like to hear from other organizations as well to find out the standard of the industry and/or best practices.

Commissioner Longtin thanked Ms. Bernhard and Ms. Lloyd for their work and advised she would review the information that was provided. She thanked Mr. Flaherty and stated that all the community has wanted is open communication and some honesty and stated that she appreciated Mr. Flaherty for coming forward and inviting everyone to the CDC meeting. She stated that she appreciated Vice-Mayor Rumsey for suggesting that the Town provide Ms. Holland's comments to everybody and stated that Sober Houses was something that Former Mayor DuBois was involved in and that it is a frustrating situation. She stated that Commissioner Stevens stated that he has e-mailed Interim Town Manager and that she has never seen an e-mail from Commissioner Stevens. She stated that she has never seen an e-mail from three members on this Commission and it appears to her that it is just herself and Commissioner Hockman who ask questions. She stated that herself and Commissioner Hockman are barraged for asking questions, and her question is why are herself and Commissioner Hockman the only ones asking questions. She stated a few years ago there were a couple of other positions in Town Hall, one was Assistant to the Town Manager and the other was Assistant Town Manager. She stated she sent an e-mail asking when the positions were done away with. She stated that if the Town still had the Assistant to the Town Manager and Assistant Town Manager positions the Commission would not be in quite the bind now. She requested that Mayor DuBois have more patience with Commissioner Hockman. She stated that Mayor DuBois cuts off Commissioner Hockman too often. She stated that yes Commissioner Hockman tends to repeat himself, but that Mayor DuBois has tended to repeat himself as well and the Commission has to endure that. She stated that the Commissioners should be more enduring of each other. She stated that at the last Commission meeting a majority of the Commission voted to give a contractor the bathrooms project at the park and asked Attorney Baird if it is a problem if two people who voted against the contractor was threatened after the meeting if that was a problem for the Town.

Attorney Baird requested further clarification from Commissioner Longtin.

Commissioner Longtin stated that the contractor was upset that an e-mail was read that he wrote to the Town Manager that in essence said that he would pull the use of his property by the Town of the green space next to the contractors building, if the Town Code enforced his building and the contractor was threatening to sue the two Commissioners that voted against giving him the contract for the bathrooms at the park.

Commissioner Stevens stated that the contractor is not in the audience. He stated that he thinks the contractor was upset that allegations were made of some sort of wrongdoing and therefore there was a conflict with him being awarded the bathroom contract.

Commissioner Longtin stated that there were no allegations made.

Attorney Baird stated that he did not think it would be prudent for him to speculate on what happened after the meeting.

Commissioner Longtin stated that she “agrees with giving a contract to someone in Town but if that person is going to anyway”. She stated that she wants to give kudos to the blog at streetwhereyoulive.wordpress.com. She stated that she finds the blog to be uplifting and very positive. She welcomed Mr. Titcomb to the Town of Lake Park.

Mayor DuBois commented regarding the person in the audience that said “for shame” to him when he interrupted Commissioner Hockman after Commissioner Hockman went on about him not meeting with Commissioner Marcus. He stated that he interjected that Commissioner Hockman because he would have a hard time with a strong mayor form of government if Commissioner Hockman would not even let the weak mayor meet with a County Commissioner and an applicant. He stated that he is a member of the public and he is doing his job and that he takes this job seriously. He stated that he looks forward to going to the Sunday Market. He stated that he hoped everyone had a wonderful Valentine’s Day.

Attorney Baird stated that he has no comments.

Interim Town Manager Hunt stated that the Sunset Celebration will be on February 24, 2012 at the Marina from 6:00 to 8:00 pm. He thanked the Commission and Town Staff for assisting him and stated that he is looking forward to working with Mr. Titcomb.

Mayor DuBois thanked Interim Town Manager Hunt for filling in and stepping up. He thanked Finance Director Costello for her service to the Town.

Finance Director Costello stated that it has been a pleasure working for the Town.

Commissioner Hockman stated that he is streaming live this meeting via the camera on his laptop. He stated that unfortunately it is the audience that is on camera. He stated the reason that the camera is facing the audience is that he is not going to sit and flip the camera all the time. He stated that the meeting has been streamed and that there have been 22 people total who have connected to the streaming video.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Vice-Mayor Rumsey and seconded by Commissioner Hockman, and by unanimous vote, the meeting adjourned at 9:17 p.m.



Mayor James DuBois



Deputy Town Clerk, Shari Canada



Town Clerk, Vivian Lemley, CMC



FLORIDA

Approved on this 21 of March, 2012

Record Copy
Exhibit "A"

February 15, 2012

The following is respectfully submitted to the
MAYOR, TOWN COMMISSIONERS, INTERIM TOWN
MANAGER, TOWN ATTORNEY, and TOWN CLERK.

By
Diane Bernhard
Town Resident, Lake Park, Florida

Here are a few passages taken from the 1996 and 2009 Editions of
The Town of Lake Park Employee Handbook. There are many
more like these to be found.

Please note: The 1996 Edition, P. 8, references the Town of Lake Park
Code, Chapter 2. There are no such references to Lake Park Code in
the 2009 Edition.

Subject: Determination of Work Hours

2009 Edition

P. 18, line 1

"The Town Manager, in consultation with Department Heads
establishes the hours of work within the work week for each
department."

1996 Edition

P. 11, line 9

"Within departments, hours of work can be determined by the
department head."

P. 29, line 19

"Each department establishes its hours of work."

Subject: Grounds for Disciplinary Action

2009 Edition

P. 50, 7.9, Category I- Grounds for Disciplinary Action, S.
"Engaging in an action which the Town Manager determines is sufficient cause for discipline under this category."

P. 51, 7.10, Category II – Grounds for Disciplinary Action,
First Offense:

" Documented Written Reprimand or Suspension of up to three workdays without pay *at the determination of the Town Manager.*"

Second Offense:

"Suspension of greater than three workdays without pay *at the determination of the Town Manager.*"

P. 52, 7.10, Category II – Grounds for Disciplinary Action, V.

"Engaging in an action which the Town Manager determines is sufficient cause for discipline under this category."

P. 54, 7.11, Y

"Any action determined by the Town Manager to be so serious as to warrant immediate termination of employment."

1996 Edition

Pp. 23 – 28, Disciplinary Action Guidelines.

There is no mention of any Disciplinary Action taking place *at the determination of the Town Manager.*

Subject: Administration of Policy

1996 Edition

P. 10, L 19, Administration of Policy:

a. The Town Manager shall present to the Town Commission such rules, regulations and changes thereto which are necessary for effective administration of the Personnel System.

b. Amendments, changes and revisions to the rules and regulations shall be recommended by the Town Manager to the Mayor and Town Commission for final approval.

2009 Edition

P. 9, 1.2, Administration of the Plan:

The Town Manager, through the Human Resources Department shall be responsible for the overall coordination, review, control and administration of the Handbook.

Positions are reclassified by official Town Commission action submitted by the Town Manager. Town Commission approval must be obtained to create, establish or delete positions or effect classification changes.

A periodic review shall be performed by the Human Resources Department to ensure that the classification system is current and uniform. Any modification will be presented to the Town Manager for consideration and recommendation to the Town Commission.

The Town Manager shall present to the Town Commission such rules, regulations and changes that are deemed necessary for effective administration of the classification system.

Subject: Some random phrases and statements
Copied from the **2009 Edition**:

P. 3, L30.

"The Town Manager is hereby authorized to enforce the rules, regulations, policies and procedures set forth in the Handbook upon the Town's workforce."

P. 47, 7.1, Scope and Purpose, L8.

"Managerial Exempt Department Heads, Assistant Department Heads, and other specifically designated positions serve at the pleasure of the Town Manager and may be subject to dismissal from employment with the Town with or without cause and without appeal rights in accordance with Town policy and procedures."

Subject: DEPARTMENT HEADS, ASSISTANT DEPARTMENT HEADS AND OTHER SPECIFICALLY DESIGNATED POSITIONS WHO SERVE AT THE PLEASURE OF THE TOWN MANAGER

2009 Edition

P. 82

This list has been photo-copied in its entirety. Please note that there are 22 key positions/people on that list dependant upon the good will of the Town Manager to keep their jobs. Is it any wonder that there are so many of us in Lake Park who feel that the office of Town Manager invests too much power into the hands of one individual?

DEPARTMENT HEADS, ASSISTANT DEPARTMENT HEADS AND OTHER SPECIFICALLY DESIGNATED POSITIONS WHO SERVE AT THE PLEASURE OF THE TOWN MANAGER

Department Heads:

- Chief Information Technology Officer
- Community Development Director
- Finance Director
- Grants Writer
- Harbor Marina Director
- Human Resources Director
- Library Director
- Public Works Director
- Recreation Director
- Town Clerk

Assistant Department Heads:

- Assistant Town Manager
- Assistant to the Town Manager
- Assistant to the Finance Director
- Operations Manager

Other Specifically Designated Positions:

- Building Official
- Community Redevelopment Agency (CRA) Economic Development Director
- CRA Project Manager
- Dockmaster
- Librarian I
- Librarian II
- Senior Registered Civil Engineer
- Senior Registered Architect



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, February 15, 2012, 7:00 p.m.
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kendall Rumsey	—	Vice-Mayor
Steven Hockman	—	Commissioner
Jeanine Longtin	—	Commissioner
Tim Stevens	—	Commissioner
.....		
Dave Hunt	—	Interim Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian M. Lemley, CMC	—	Town Clerk

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE
- D. ROLL CALL
- E. ADDITIONS/DELETIONS - APPROVAL OF AGENDA
- F. PRESENTATION:
 - 1. Proclamation In Honor of Donald K. Jorden former Town Commissioner 1967 and Mayor 1969.

Tab 1

- G. PUBLIC and OTHER COMMENT:

This time is provided for audience members to address items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

- H. **CONSENT AGENDA:** All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

Consent Agenda Items Recommended For Approval:

- | | |
|---|-------|
| 2. Emergency Commission Meeting Minutes of January 30, 2012 | Tab 2 |
| 3. Regular Commission Meeting Minutes of February 1, 2012 | Tab 3 |
| 4. Authorize the Mayor to Sign the Letter Accepting the Town Managers Resignation | Tab 4 |
| 5. Award Contract for Marina Security Services to US Security Associates, Inc. | Tab 5 |
| 6. Approval of Temporary Interim Town Manager Contract with Jamie Titcomb | Tab 6 |
| 7. Pay Increase for Public Works Director While Acting as Interim Town Manager | Tab 7 |

I. **PUBLIC HEARING:**
ORDINANCE ON SECOND READING:

***** OPEN PUBLIC HEARING*****

- A. Staff Report
- B. Public Comments
- C. Commission Deliberation

8. Ordinance No. 03-2012 Retired Police Officers Pension Fund Tab 8
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING ORDINANCE 13-2003 WHICH CREATED A TRUST FUND FOR THE PURPOSE OF PAYING PENSION, DISABILITY AND SURVIVOR BENEFITS FOR RETIREES OF THE LAKE PARK POLICE PENSION FUND; PROVIDING FOR THE AMENDMENT OF SECTION 7 PROVIDING FOR THE ADMINISTRATION OF THE TRUST; PROVIDING FOR THE AMENDMENT OF SECTION 8 PERTAINING TO THE TRUST'S FINANCES AND FUND MANAGEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

***** CLOSE PUBLIC HEARING*****

J. **DISCUSSION AND POSSIBLE ACTION:**

- 9. Resolution No. 07-02-12 Appointment of Seacoast Utility Authority Board Member Tab 9
- 10. Internet Viewing of Public Meetings Tab 10

K. **COMMISSIONER COMMENTS, TOWN ATTORNEY, INTERIM TOWN MANAGER:**

L. **ADJOURNMENT:**