

NORTH BREVARD COMMISSION ON PARKS & RECREATION

Minutes of the regular meeting of the North Brevard Commission on Parks & Recreation (NBCPR), an advisory board, held Thursday, March 11, 2010, in the Brevard Room of the Brevard County Government Complex-North.

Members Present

Dick Gossett, Chairman
Ted Beck, Vice Chairman
Dr. Ron Bobay
Rev. Vernor Clay
Rev. Glenn Dames
Barry Gainer
George Newman
Ron Swank

Members Absent

Neta Harris

City of Titusville Elected Officials/Staff Present

Walt Johnson, Council Member, Liaison
Grace Galiano, Redevelopment Planner

Brevard County Staff Present

Jack Masson, Interim Parks & Recreation Department Director
Terry A. Lane, North Area Parks Operations Manager
Richard L. Tucci, Recreation Superintendent
Jeff Davis, Jr., Recreation Superintendent
John Dacus, Parks Maintenance Superintendent
Michael J. Rubacky, Parks Maintenance Superintendent
Joan Van Sickle, Construction Manager
Mike Knight, Environmentally Endangered Lands (EEL) Program Manager
Judy Inman, Administrative Secretary

I. CALL TO ORDER & ROLL CALL

Chairman Dick Gossett called the meeting to order at 5:00 p.m. and asked Rev. Vernor Clay to give the invocation. Staff will order a flag so the pledge can be given at future meetings. Chairman Gossett stated the meetings will begin promptly at 5 p.m. and reminded the board of the attendance procedure in the handbook which they were asked to read as it will be followed.

Terry Lane reported Neta Harris was unable to attend. Rev. Dames was delayed but expected to attend.

II. APPROVAL OF MINUTES

Motion by Ron Swank, seconded by Barry Gainer, to approve the minutes of February 11, 2010, with correction to Lee Bird's comments on page 3, column 2, regarding property #12, Turnbull Farms, that the seller was motivated, and show Walt Johnson, City Council Member as Liaison, not Alternate Liaison.

AYE: Beck, Bobay, Clay, Gainer, Gossett, Newman, Swank

NAY: None

Carried 7-0

III. PUBLIC COMMENT (items not appearing elsewhere on the agenda)—None.

Rev. Dames arrived at this point.

IV. REPORTS

A. Miscellaneous Reports & Updates—FYI

Terry Lane introduced and welcomed Jack Masson as Interim Parks & Recreation Department Director. Mr. Lane noted press releases announcing new NBCPR officers, SCGTV video streaming of Board of County Commissioners (BOCC) meetings, and attendance

reports for the past year. Ted Beck stated he is all for news releases but thinks it would have been common courtesy to mention the attendance report with the board. Mr. Lane noted the attendance report was not part of the press release.

B. Chairman's Report on Meetings

Chairman Gossett reported he attended the briefing with Commissioner Fisher to review the agenda that is before the board tonight.

C. Advisory Board Members & Updating Park/Committee Assignments

Terry Lane reported staff reviewed previous assignments and found they are accurate as printed. He suggested sunseting the Pier RFP Committee as that is completed.

Motion by Barry Gainer, seconded by Ted Beck, to sunset the Titusville Veterans' Memorial Fishing Pier Concession RFP Committee.

AYE: Beck, Bobay, Clay, Dames, Gainer, Gossett, Newman, Swank

NAY: None

Carried 8-0

Motion by Rev. Glenn Dames, seconded by Barry Gainer, to accept the Park/Committee Assignments report.

AYE: Beck, Bobay, Clay, Dames, Gainer, Gossett, Newman, Swank

NAY: None

Carried 8-0

An updated sheet without the Pier RFP Committee will be provided next month.

D. City of Titusville—Walt Johnson had nothing to report but was willing to answer park questions. Chairman Gossett reported the City Manager and Mayor have been invited to the monthly briefings, and the Commissioner’s staff is awaiting response from the City.

E. North Area Parks Operations Staff

Terry presented community center rules that staff would like to post in the centers. The rules include undergarments must not be visible and the program discipline policy will be followed. Center-specific rules will be approved by recreation superintendents or area manager. Ron Swank indicated the rules contain the thoughts of what was discussed at the last meeting. Rev. Dames gave high commendations to staff. Terry recognized Jeff Davis and Richard Tucci who gathered all the existing rules signs and to Judy Inman who pulled them all together. Terry explained the discipline policy and copy will be provided to the board. Discussion ensued on what dress is acceptable and Rev. Clay stated concern that the application of the policy does not somehow overstep the rights of individuals. Mr. Lane stated staff reviewed the matter but doesn’t want to get into the posture of sending someone home for blue hair or ripped knees of jeans. Staff tried to address concerns citizens brought to the NBCPR, particularly relating to seeing undergarments of both males and females.

Mr. Lane noted the requested contact list for coordinators and supervisors at parks is included in the packet.

V. REFERENDUM & OTHER PROJECTS

A. Construction Report—Joan Van Sickle noted some of the reports for projects without changes are listed at the top of the report and reported the following:

- Bridge & Catwalk—The bridge is expected to be complete in January, not April 2011.
- Chain of Lakes—Staff is working on task orders to address mitigation issues.
- Cuyler Park—Drawings for the pavilion were resubmitted to Site Plan addressing their comments.
- Isaac Campbell, Sr. Park project was bid with Construction Management Associates as the apparent low bidder; the contract is being prepared.
- Marina Park—Additional fill will be needed to enhance plantings. Concrete delayed the project that is now expected to be completed in August. Chairman Gossett expressed he had hoped for a 4th of July celebration at the park.
- Harry T. & Harriette V. Moore Memorial Park Meditation Gardens—The final documents are being prepared to be submitted to Land Development.

- North Brevard Senior Center—The redesign drawings have been submitted to St. Johns so it will be in the permitting process probably for about 60 days.
- Pritchard House—The preconstruction meeting was held with the contractor and he submitted his applications to the City of Titusville for his permit.

Terry Lane presented construction progress photos of the pier/bridge, Marina Park, and an aerial with and overlay of the elements for Fay Lake Wilderness Park. Chairman Gossett reported there will be 33 additional parking spaces for the restaurant where the existing road is once the new bridge is completed.

Terry Lane reported Michael Deem died in Iraq from a non-combat related illness. Judy Inman reported she spoke with Michael Deem’s wife who asked that the road name include at least his middle initial; Michael S. Deem Way was submitted to Address Assignment.

Chairman Gossett stated he doesn’t like the new format for the construction report.

Rev. Dames asked the estimated time for Isaac Campbell Park to which Joan Van Sickle responded they are in the final approval stage and normally 127 days is given, however reviews are going more quickly. Ms. Van Sickle stated she is conservative on the report and it will be before then. Mr. Lane noted the CDBG project must be finished in September.

Ted Beck stated the Marina Park splash park was tabled last month because of the expense and he would like to take it off the table.

Motion by Ted Beck, seconded by Barry Gainer, to take Marina Park splash park off the table.
AYE: Beck, Bobay, Clay, Dames, Gainer, Gossett, Newman, Swank
NAY: None **Carried 8-0**

Mr. Beck reported he has had lots of comments from the community who would rather see the kids have a place to go in the summer and he is sure they would enjoy the splash park.

Motion by Ted Beck, seconded by Barry Gainer, to put the skate park on hold and move the funds from the skate park to the splash park at Marina Park to be completed with the current construction.
AYE: Beck, Clay, Dames, Gainer, Newman,
NAY: Bobay, Gossett, Swank **Carried 5-3**

Discussion between when the motion was made/seconded and when the vote was taken included:

- Mr. Beck noted three skate parks have been built and none have worked.
- Chairman Gossett noted the cost exceeds the budget. Mr. Lane reported the cost to build is more than double the projection and the annual estimated maintenance cost is more than \$25,000 to maintain the water system that would be checked by the Health Department. The original skate park at Sand Point was built by volunteers, was run by YMCA, and after a year or so it came back to Parks and Recreation. The equipment built by volunteers deteriorated. The replacement equipment eventually succumbed to the weather and was removed. The plan for Marina Park is to have prefab concrete forms set in place and Commissioner Fisher had Mr. Lane talk with gentlemen this week to expand the skate park to make it more appealing to youth.
- Rev. Dames stated times are hard, agreed kids have nothing to do and more kids from more communities would benefit more from a splash park than a skate park and a splash park would serve a more diverse group of people. Barry Gainer agreed with Rev. Dames.
- Chairman Gossett noted skaters travel for contests and a couple of young men have appeared before the NBCPR. Also, law enforcement is for a skate park.
- Ron Swank noted the context that in discussion from the last meeting, staff spoke of a potential 40% reduction in budget, the \$25,000, plus personnel, to operate it, and asked if it the board was going to say to close other parks to open this one. Rev. Dames noted it is still 40% with the skateboard park.
- Mr. Lane reviewed the 20% and 40% reduction scenarios and stated numbers are usually given after the preliminary property values/tax revenues are out June 1 and are certified by the State by July 1. A total of approximately 40% of general fund and MSTU dollars has been cut over the past 3 years. The next cut will include limbs and closing, shutting down, reducing hours. The \$25,000 required annually to maintain a splash park equals a body to staff. The skate park planned is virtually maintenance free. Rev. Dames noted there will be cuts regardless of whether a skate board park or a splash park is built.
- Dr. Bobay commented on the very protracted planning for Marina Park and recalled the splash park was an alternate option. He stated he thinks this is not the time to change direction for something that would increase the budget. He spoke for keeping the master plan and to consider building the splash park when funding is available.
- Grace Galiano reported City staff has worked pretty extensively on a design for the skate park portion of

Marina Park with the gentlemen who attended the NBCPR meeting. She stated that although she thinks the splash park is a great idea, City staff has worked closely to incorporate the skaters' needs into the skate park. Terry Lane asked Ms. Galiano to share the design/plans with the County.

- Walt Johnson stated he would love to see the splash park but understands the maintenance issues. He noted skate boarders are using parks in inappropriate ways and damage they cause should be factored into maintenance cost.
- Rev. Dames reported he has young people in his area who find guns to play with and he just buried a young man who was killed by a gun. He agreed budget constraints are tough, but his point is regardless if building a skate park or splash park, limbs will still be cut off. He asked, are we going to lose our kids and asked Dr. Bobay if he has a plan for the kids in the summer. Dr. Bobay explained summer recreation responsibility was taken away from schools several years ago; that is why there are other Parks and Recreation venues in the summer. THS pool is used by Parks and Recreation for a portion of the day during the summer per a joint use agreement.
- Chairman Gossett expressed concern about maintenance costs for a splash park.
- Rev. Dames related that last summer he learned kids from his area were scared to get into the YMCA pool because they had never been swimming in their life.
- Rev. Clay inquired of the proximity of the nearest splash park, which Mr. Masson stated is in Cocoa.
- Walt Johnson asked for a description of a splash park. Mr. Lane responded that even though it is considered a pool by some (regulating) organizations, there is no standing water, it has a skid resistance surface with water shooting out of the ground on a timer, and confirmed for Council Member Johnson, it is not for teaching swimming.
- Ted Beck stated the reason for his motion is the need to make the decision while in the construction stage, and secondly there are more kids than skateboarders.
- George Newman asked if there is any form of revenue from a splash park or skate park. Mr. Lane responded there is no plan for any staffing at either of those recreational elements so they both would be open and free to the users. Mr. Lane pointed out the splash park is the last item on the previously approved list and was unfunded at the last meeting.
- Mr. Newman commented both could be built if they were revenue producing.
- Mr. Lane reported the splash area in Cocoa is at Cocoa Riverfront Park and is free. Mr. Lane stated the park will be maintained as all other park facilities are.

Staff will be there daily maintaining the facility but no recreation staff will be there collecting money. There will be signage and hold harmless for the skate park that is considered the same as basketball, etc., by State Statute for liability. The splash park would be fenced in with signage.

- Rev. Clay called for the question. Judy Inman read the motion as previously stated.
- Mr. Lane stated staff will take that recommendation to Commissioner Fisher.

B. North Area Referendum Projects Report—Printed report only.

B. OLD BUSINESS

A. Mims-Scottsmoor Community Center Referendum Project Update—Mr. Lane read from a July 11, 2008, letter from the Nature Conservancy regarding the grant/donation of property to EEL adjacent to Parrish Park-Scottsmoor: “In the event the Awardee conveys any portion of Parcel 1 for any purpose that is not entirely consistent with the conservation of the Florida scrub-jay, then the Awardee shall pay the sum of \$1,940,000 to the Conservancy which shall be deposited into the Florida scrub-jay Conservation Program Fund to be used in accordance with the Prime Award.” He stated this eliminates using EEL property adjacent to Parrish Park-Scottsmoor. Mike Knight clarified that because of parcel identification numbers it would be \$1,000,000, and at the time of the last meeting, he wasn’t aware that was a grant condition. Chairman Gossett stated that shoots out using the EEL property.

Public Comment:

Nancy Stephenson, one of the owners of the Marr property in Mims, stated their property was one of the original preferred sites for the Mims-Scottsmoor Community Center. She related that in late 2008, the BOCC voted to proceed with appraisals and negotiations began. The County offer was not accepted, and a counteroffer was not accepted. Ms. Stephenson reported they agreed to stand down, but not go away. She stated the owners are present and are at the point now that they would like to accept the offer that was extended in April 2009. In response to an inquiry from Chairman Gossett, Mr. Lane reported the appraisal was \$357,000 for 10.62 acres. Ms. Stephenson stated they would cut it to 10 acres to reduce the price. Ms. Stephenson indicated there are no wetlands in response to Rev. Clay’s inquiry and for Chairman Gossett, she said it is not currently listed, and stated it has been the family’s goal to have it go back to the community. Other topics of discussion were the initial appraisal for 19.11 acres, review of

appraisals, and the portion being discussed is on the rail trail with an access easement off U.S. 1.

Fred Kusterer stated this piece of property is pretty well located for the North Brevard community. Also at one time there was a written agreement from East Mims, Mims, and Scottsmoor that is really the place as it is a short distance from existing sewer, water passes by, wells are on the property and he recommended the advisory board recommend to the BOCC to go back and try to make a deal with the Marr family.

Chairman Gossett suggested calling the committee back together and let the community make the decision. Barry Gainer made a motion, seconded by Ted Beck to send it back to the committee. Mr. Beck stated that since the board voted not to consider this property again, he thought it would be good for the board to put it back into consideration. Dr. Bobay suggested not deciding tonight, mentioned current property values, stated he would like to see an agenda item, and didn’t think it needs to be sent back to the committee. Mr. Lane noted three members of the committee were present and that last month the committee recommended Parrish Park-Scottsmoor and two other options. The other two are still on the table. He reviewed the long history of properties considered that started with the Salib property for which three appraisals were obtained but were not accepted by the Salibs. He stated staff can prepare more information and have Marsha Cantrell go into more detail in the reports.

Barry Gainer and Ted Beck agreed to delay the motion to hear citizens.

Lee Bird, a member of the committee reviewed the three properties chosen by the committee—Parrish Park-Scottsmoor as first choice that had nothing to do with EEL property, the Johns Road property as second, and Flounder Creek as third, noting the committee serves at the pleasure of the advisory board, only looks at properties sent to them and that the Marr property hasn’t been sent to them a second time. He stated he is happy to work with the board—just send it to the committee. George Newman noted this is the third or fourth go round with the properties; the Marr property has come up again, and the three groups previously voted for it. He posed the question rather than sending it back and forth, if there would be any consideration to move forward with it? Mr. Bird stated he is only one member of the committee and noted when the Marr property was voted unanimously by the three groups, it was the only property presented at the time and it was that property or no property. Mr. Bird stated he personally would be

happy to look at any property sent back to the committee.

Mr. Lane stated that although Parrish Park-Scottsmoor has 16.9 acres, there is a lot of unbuildable property because a lot is wetland, part of the property is owned by Stormwater, and the school ruins were to be preserved as part of the 2000 Referendum. So unless the community center is built in the middle of the ball field, Parrish Park-Scottsmoor is not an option in staff's opinion.

Chairman Gossett suggested that perhaps sending it back to the committee was premature and he felt like just going with the #2 property, Johns Road. Rev. Clay stated that decision was before the Marr property was being reconsidered; tonight everything has changed as it is now up for consideration again. His only concern was what is going to stop others that were taken off the table from coming back for reconsideration? He suggested making a decision tonight.

Barry Gainer stated he would prefer to bring the Marr property up for approval, but the citizens should be given a chance to think about it, and he restated the motion.

Motion by Barry Gainer, seconded by Ted Beck, to send the availability of the Marr property and any other properties previously considered to the Mims-Scottsmoor Community Center Referendum Committee for their consideration and bring back their recommendation to the next North Brevard Commission on Parks and Recreation meeting.
AYE: Beck, Clay, Dames, Gainer, Gossett, Newman, Swank
NAY: Bobay **Carried 7-1**

Ted Beck stated that now that he isn't under constraint of conflict of interest, speaking of the Marr property, he doesn't think a better piece of property will be found at a better price in North Brevard.

Fred Kusterer noted the committee originally had seven members—three from Mims, three from Scottsmoor, and the chairman. With attrition, now there are only five members, no one is from Mims, and he wondered how that can be fixed. Chairman Gossett stated the advisory board appoints the members but his understanding is that no one from Mims came forward. Mr. Lane reported the chairman is from Titusville and the other four members are from Scottsmoor. The NBCPR appoints members to committees based on applications submitted. If the board wants staff to proceed with a meeting next month

with more members, the board would need to appoint someone today.

Barry Gainer made a motion, seconded by Rev. Clay, to appoint Fred Kusterer to the committee. The committee selection process was noted. Rev. Dames suggested the need to take it back to seven members and then take applications for appointment.

Lee Bird reported his mailing address is actually Mims, Florida. The only address in Scottsmoor is the Post Office 32775. He asked, if it is opened to applications would the board accept only Mims applicants? He noted he went through an application process, answered questions, and if the board wants to appoint someone tonight, they could have his spot. Terry Lane indicated there is a procedure established by this commission that calls for advertising vacancies.

Barry Gainer rescinded his motion but agreed with Mr. Kusterer that more representation is needed from the Mims community.

Mr. Lane noted that last month staff brought emails for and against citizens on the committee.

In response to an inquiry from Barry Gainer, Judy Inman explained Lorene Shafer was appointed to the committee because of potential interest in combining with the library and she is a library board member.

Chairman Gossett noted the absence of the clock and asked that it be returned.

VII. NEW BUSINESS

A. Letters of Support for Parrish Medical Center

Motion by Ted Beck, seconded by Rev. Dames, to approve the letters of support for Parrish Medical Center's historical and preservation initiatives.
AYE: Beck, Bobay, Clay, Dames, Gainer, Gossett, Newman, Swank
NAY: None **Carried 8-0**

The meeting adjourned at 6:42 p.m.

Respectfully submitted,

Dick Gossett, Chairman

jbi