

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, May 13, 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
Neta Harris

Members Absent

George Newman
Ron Swank

City of Titusville Elected Officials/Staff Present

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

Brevard County Staff Present

Jack Masson, Parks & Recreation Interim Director
Terry A. Lane, North Area Parks Operations Manager
Joan Van Sickle, Construction Manager
Michelle Summers, Area Finance Manager
Jeff Davis, Jr., & Richard Tucci Recreation Superintendents
John Dacus & Michael J. Rubacky, Parks Maintenance Superintendents
Judy Inman, Administrative Secretary

I. CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & ROLL CALL

Chairman Dick Gossett called the meeting to order at 5:03 p.m. and asked Rev. Glenn Dames to give the invocation that was followed by the pledge of allegiance.

Terry Lane reported George Newman contacted the office saying he couldn't attend due to work and Ron Swank called saying he wasn't feeling well. The following motion was actually made following approval of the minutes but is shown in order of the agenda.

Motion by Ted Beck, seconded by Rev. Glenn Dames, to excuse the absence of George Newman and Ron Swank.

AYE: Beck, Bobay, Clay, Dames, Gainer, Gossett, Harris

NAY: None Carried 7-0

II. APPROVAL OF MINUTES

Terry Lane explained Dwight Seigler asked for more detail in the minutes which is shown as strikeout, underscore, on pages two and three of the "expanded draft" of the minutes.

At this point Rev. Dames made the motion to accept the expanded minutes, seconded by Barry Gainer. Dr. Bobay asked for time to read the additions.

Neta Harris asked that the paragraph before her motion regarding appraisals on page 4, second column, be moved to after the motion and be preceded with "After the motion but prior to the vote, Marianne Syverson..."

Dr. Ron Bobay asked for a correction on page 3, column 1 as follows: "Dr. Bobay stated concern over the adversarial ~~capacity~~ discussion. ~~that~~ He thinks..."

Motion by Rev. Glenn Dames, seconded by Barry Gainer, to accept the expanded minutes of April 8, 2010, with any changes as specified.

AYE: Beck, Bobay, Clay, Dames, Gainer, Gossett, Harris

NAY: None Carried 7-0

III. PUBLIC COMMENT (items not appearing elsewhere on the agenda)

Robert L. Lewis, a retired school teacher, described himself not as an African American, but as an American, born and raised on the Indian River Lagoon where he attended segregated schools. He stated that when funding is coming to his area, remember he is a real American who wants to be considered very special and wants to be treated special. He noted the Japanese got their reparations, but he never got his. He reported he taught school with white folks, spent 32 years in the system without missing five days, and spent most of those years in Cocoa Beach. He related that in his day his dad worked on the railroad, and they were taxed but couldn't go to the parks—taxation without representation. He spoke for educating people about this and Affirmative Action of which he was a part. He related a bit of history. At a place where only white people worked, when uneducated were sent in, they hired light skinned and white people, but when a black was sent in, they put it under the table—That's Affirmative Action. He stated that attitude is persuasive and still prevails today. He closed his remarks with "Just remember, I've got more white brothers than you think." "Thank you for your time and bless you and you know I love you."

Joan Wheeler of Titusville reported she and Susan Canada met with District 1 County Commissioner this

past week and he promised there would be no dry dock on Marina Park through 2012. She noted that is when his term is up. She stated she doesn't understand why the City was drafting a skate board park when no one was supposed to plan for the splash park and wondered what other people had in mind for Marina Park. As to not having money, when there was no money for Chain of Lakes, they didn't have trouble taking money from Marina Park and suggested like Mr. Beck said previously, instead of spending \$1 million for a new road, it should be spent on completing projects promised. She wondered what would happen to other projects if there isn't money to finish Marina Park and spoke for finishing Marina Park in a proper way.

IV. PRESENTATION

A. Ray Smyth—Titusville Pier Corps Closeout. Mr. Smyth related his efforts to retain the history of the pier and pier corps through a one-page history and historic photographs, some of which were framed for display in the pier concession, and by preparing five notebooks given to the City of Titusville, Rodney Thompson, Commissioner Fisher, Parks and Recreation—North Area, and the Titusville Pier Corps. He reported he is indebted to Ed Kindle, president of the North Brevard Historical Society (NBHS) for finding the photographs. The framed photographs are the property of the City of Titusville.

Mr. Smyth reported he created www.titusvillepier.com website to provide information while the pier was closed and paid for ten years domain name. He stated he is willing to voluntarily maintain the site as long as he can and the City will own the domain name. The photos are on the website and CD. Mr. Smyth narrated a video of the new pier which he and the City's TV Department made, after which he presented notebooks to Terry Lane for Parks and Recreation and for Commissioner Fisher, and provided CDs for each of the advisory board members and City representatives present. He concluded the presentation with a financial report detailing how the remaining \$3,498.15 from the Titusville Pier Corps was spent. Mr. Smyth will give any framed photos not displayed at the pier to the City.

Neta Harris commended Mr. Smyth for his work on this history for the City of Titusville and suggested placing a history and a CD for reference in the Titusville Library. Mr. Smyth noted he is out of money for a notebook, that the pictures are on the CD and he can put the entire website that includes the history on a CD. Ms. Harris stated she will meet with Mr. Smyth. Chairman Gossett suggested the Commissioner might give his book to the

library and seconded Ms. Harris' appreciation to Mr. Smyth.

V. REPORTS

A. Miscellaneous Reports & Updates—FYI

Terry Lane pointed out Administrative Order-48 regarding the County's Energy Reduction Initiatives, which will result in community centers being a little colder in the winter and warmer in the summer.

Rev. Vernor Clay expressed concern that the Walter Butler Community Center at Bernice G. Jackson Park is too warm resulting in residents being uncomfortable during rentals and requested a staff person be given a key to change the thermostat setting. Staff explained the community center was designed with a very simple thermostat system that is being modified with a programmable thermostat with added points to kick on the system. The temperature can be adjusted for four hour periods. Staff has looked at the possibility of patrons paying more to have the temperature lowered for events like weddings.

B. Chairman's Report on Meetings

Chairman Gossett reported Susan Canada and Joan Wheeler were at the meeting with the Commissioner and talked about being creative. No decisions were made.

C. Advisory Board Members

Neta Harris reported it appears the neighbors of Sherwood Park are parking on the grass in the park and there appears to be a good size alligator in the lake which could be a threat to pets in the neighborhood. She also noted the park is not on the list of contacts. Mr. Lane explained the list identifies heavily used parks and community centers. He also stated fencing at Sherwood Park would keep out people wanting to fish. Mr. Rubacky reported signage says no overnight parking or camping, and no swimming due to alligators. Mr. Lane reported staff deals with only aggressive or nuisance alligators. Ms. Harris suggested anyone who wants to know about events in the parks should visit the excellent calendar of events on the Parks and Recreation website and the person who keeps that up should be commended.

City Council Member Walt Johnson asked to give his report at this point because he had to leave at 6 p.m. His comments appear in V.D below in keeping with the order of the agenda.

Rev. Clay noted Brevard County has some beautiful parks and commended Parks and Recreation for the community. He reported the North Cocoa Civic League is concerned about rust from irrigation on the Walter

Butler Community Center (WBCC) at Bernice G. Jackson Park and that some of the doors that were removed after the November 2009 break in have not been replaced. Mr. Lane explained the doors are heavy duty and are being prepped for installation. Staff was waiting for the security system installation for items to be replaced. All North Area community centers and the administrative office now have monitored security systems with cameras and WBCC was the first to be installed. The computers stolen from WBCC have been replaced. Rust is a major problem for the filtration system. Ideas are welcome. Companies want \$600-\$700 per month to control the rust. Shielding the water from the building doesn't work when the wind blows. Rev. Clay asked about Referendum dollars, to which Mr. Lane replied they must be used in parks identified in the Referendum. CDBG funds, and commercial paper being paid by North Area Parks, were used to build WBCC.

Chairman Gossett noted Fox Lake is a beautiful park and asked when a security system will be installed at the pier, noting aluminum railing was stolen in the past. Mr. Lane reported Jason Reichman, the concessionaire, is installing interior and exterior cameras. Mr. Lane also reported that per the construction punch list, the pier contractor is to weld a cover over the bolts holding the aluminum railings to the deck as a preventive measure.

D. City of Titusville—Titusville City Council Member Walt Johnson thanked Terry Lane for the presentation he gave about Marina Park to City Council on April 27. At that meeting there was discussion, but no action, and Mr. Lane was asked to bring additional information.

E. North Area Parks Operations Staff

Terry Lane reported Jack Masson was also at City Council on April 27 for a presentation and answering questions about Marina Park for about an hour. No direction was given. Staff is putting together bid packages for components of Marina Park and will send a copy to the City Manager for City Council so they are in the loop as to actual costs.

Mr. Lane reported on his investigation into the Facebook letter with disgusting comments presented at the April 8 meeting by reading the following:

“The investigation into the Facebook posting with disgusting racial comments consisted of collecting statements from those with first hand knowledge of the incident. In a concerted effort to ensure the investigation process was appropriate and complete, the County Attorney’s Office, Human Resources Office, County Manager’s Office, Information Technology Department,

Parks & Recreation Department, and the Brevard County Sheriff’s Office were consulted for guidance and consensus in the process. The investigation revealed that Mr. Pramuk denies writing the posting, denies being present when it was written, and denies having any knowledge of the Facebook posting until after the fact, at which time, he immediately took action by cancelling his account. His denials are support by statements collected during the investigation.

The investigation has led to the point of exploring avenues to collect IP information from Facebook to confirm the original posting address. The Brevard County Sheriff’s Office cannot request a subpoena from the State Attorney’s Office unless there is a crime involved. Unless another avenue can be found, the investigation is at a roadblock.”

The person to whom the Facebook posting was sent to wants no action taken and signed a no prosecute in front of a Brevard County Deputy to not move forward.

Ted Beck stated a motion isn’t needed on this but would like the Board to express approval of the action Mr. Lane has taken on this.

Public Comment

James Jackson stated he was disenchanted last time when this was brought up, most specifically with the Board to even vote to not accept this language. He asked, regardless to the investigation, what is your disposition? Mr. Jackson stated it seems like you are dodging the ball and this is what he has seen, especially when you spend \$44 million and totally overlook the black community where the black park is; racism. He stated this guy affects a lot of people’s lives especially since he is in a supervisory capacity.

Barry Gainer asked when the pier will be open for business. Mr. Lane reported the punch list was done mid last week and the contractor has 30 days to complete the list. Jason Reichman anticipates he will be ready to open the concession the end of the first week of June. Staff will work with Commissioner Fisher and the City for a dedication date, possibly in late June. There will probably be a soft opening of the concession so everything is ready for the dedication.

VI. REFERENDUM & OTHER PROJECTS

A. Construction Report—Joan Van Sickle reported on changes since the report was written:

- Cuyler Park—The pavilion bid will be advertised on May 27 and opened June 17.

- Fay Lake Wilderness Park—The contractor is finishing up the building, setting meters, plumbing and septic work. The punch list is anticipated in two weeks.
- Isaac Campbell, Sr. Park—The notice to proceed was issued today and the contractor will start next week.
- Marina Park—The bid was opened today with the apparent low bidder being Michael G. Holder Inc. from Jacksonville at about \$393,000. The local preference percentage has not been placed on the bid yet. The schedule has been readjusted because the CXT restroom that is normally available quickly now requires 120 days as there are some state inspection delays at DCA (Department of Community Affairs). Once the contractor is finished, Road & Bridge will be brought back in to finish the asphalt and sidewalks. Staff anticipates October at the worst.
- Moore Meditation Gardens—The scope of work is being adjusted based on the budget, but hopefully the market will be such that we get more bang for our buck.
- Pritchard House—The first floor is just about complete and the project came in so far under budget that staff asked for a price to do the second floor. The contractor was given notice to proceed this week. North Area Parks Maintenance is to do the landscaping. An August completion date is anticipated.
- Titusville Veterans' Memorial Fishing Pier—The contractor has 30 days to complete the punch list.

Chairman Gossett noted he has been by Marina Park three times recently, 9 a.m. and a little after 3 p.m., and Road & Bridge wasn't working. Ms. VanSickle explained they work 7 a.m. to 3:30 p.m., Monday through Thursday. Some materials were delivered to the incorrect location and some materials didn't get delivered.

Rev. Dames inquired what is included in the \$393,000 for Marina Park. Ms. VanSickle replied it is for setting of the prefabricated rest room and installation of utilities thereof, installation of pavilion, roofing material, and some of the sidewalks.

Rev. Clay asked questions about the diversity and selection in the bidding process and asked about waiving bonds for minorities and ethnic groups. Ms. VanSickle reported the County doesn't require a bond for projects under \$100,000 such as Isaac Campbell, Sr. Park, but Marina Park was over \$100,000, and suggested a conversation with the Purchasing Department and Board of County Commissioners (BoCC). Rev. Clay commented it is not a diverse workforce and stated the need to overcome these impressions and infractions in our community and for things to be done with equity and justice. Mr. Masson noted the bid process is by County

policy and stated staff can follow up with a request from an advisory committee or it can be addressed to him for follow up.

Rev. Dames asked about how bids are advertized. Ms. VanSickle responded in *Florida Today* and other avenues. Rev. Dames suggested Mr. Masson take a recommendation to the BoCC for more light to be used in advertising and who is advertised to. Mr. Masson noted in addition to *Florida Today*, bids are advertised in building trades and elsewhere. Staff will get a list for the Board and will also take the request in writing to the Purchasing Department.

Neta Harris asked if the RFPs are posted on the Purchasing Department website and at Chambers of Commerce and libraries. Mr. Masson responded yes to the website and he will check on the others. Rev. Dames suggested advertising in *Brevard Ebony News*.

Rev. Clay requested information that contracts under \$100,000 don't require bonding be passed on to the community, along with the way the County advertises contracts and bids. He asked if there is a reason why there aren't minority contracts or if there are other reasons, he would like to know why there isn't a diverse labor force.

Chairman Gossett reported two speaker cards on Facebook were turned in after discussion on that issue was closed and there will be no more discussion as the cards should have been submitted earlier. Mr. Lane reported in staff's opinion, they came to the meeting and suggested they be allowed to speak.

Chairman Gossett asked if anyone would make a motion to let these people speak. At this point Ted Beck made a motion to deny the speakers as that section was closed. Barry Gainer seconded the motion.

Rev. Dames took exception to Chairman Gossett using "these people" suggesting that to some it may sound that he may be referring to a group of people as opposed to two people and to some that may be very offensive. He suggested the chairman put more thought into what he says so as to not offend our citizens who want to take part in this democracy.

Mr. Lane noted this was not an agenda item, but was part of his report.

Rev. Clay stated ignoring the presence of the elephant in the room as the saying goes will not solve a lot, and reminded the chair that staff is also asking us to further

clarify this issue so that we can move on to other Parks and Recreation business the residents of the community are expecting us to do.

Motion by Ted Beck, seconded by Barry Gainer, to deny the speakers as that section was closed.

AYE: Beck, Bobay, Gainer, Gossett

NAY: Clay, Dames, Harris **Carried 4-3**

B. North Area Referendum Projects Report—Terry Lane noted the updated report in the packet and offered to answer any questions.

Ted Beck spoke about the \$1.3 million previously shown on the report about six months ago. He stated the board promised the public certain things, were frugal in spending the money, and came up with \$1.3 million surplus to spend. He was told the money was used to pay the debt down.

Motion by Ted Beck, seconded by Barry Gainer, for staff to bring a report next month showing how much bond payments are each year, how much

Referendum taxes are collected each year, how much shortage there was in the taxes to pay the bond, how much of the \$1.3 million was used to pay for the shortage, where the remaining \$1.3 million is, who authorized taking the funds, and that it be in the minutes and made public.

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

NAY: Harris **Carried 6-1**

The following discussion took place between when the motion was made/seconded and the vote:

Terry Lane explained the \$1 million that was on the report previously was actually the operating reserve dollars collected from the Referendum and are identified in the North Area budget. Mr. Lane reported the proposed budget for next fiscal year will be presented next month. About \$300,000 of the operating money is going each year to pay off the debt and some of the dollars are used to pay operating costs of the parks. The reserve is there to help pay the debt because more tax can't be collected.

Mr. Beck stated he is looking for money to finish Marina Park.

Dr. Bobay stated his only point is that he would like to see the operating budget before asking for in depth reports so he will vote against the motion. Mr. Lane stated the information can be pulled together and it should not be much work on staff's part.

The vote recorded above was taken at this point.

Chairman Gossett asked how the interest is compounded. Mr. Lane reported the interest is collected on the overall account for the Referendum dollars and it is put into one account that can be divided up among the projects. Chairman Gossett asked if it is compounded daily and paid monthly or monthly and paid quarterly. Mr. Masson stated the interest has dropped significantly to probably about 1%, and that will be included in the report.

Mr. Beck stated they shouldn't be withholding our funds. If we can finish Marina Park, we should do so.

Susan Canada reported as to the interest, ten projects received no interest and eight received interest. Most doubled in the second Referendum from what they received in the first. She reviewed a report prepared by Larry in accounting sent in an email to Commissioner Fisher and recommended reading it.

Ms. Canada asked about the plants for Marina Park purchased previously, spoke for the splash park and dog park, and questioned \$140,000 for a dog park. She stated, for the splash park, re-circulating the water and operating it manually would be cheaper. She suggested sending a letter to the SPCA to see if they will raise donations for chain-link fencing, sod, water fountain and plastic bags. She stated she thinks it's time we got busy and made this a park for the children.

Rev. Dames asked Ms. Canada for details on her findings on the splash park. Ms. Canada said:

- Watch which jets are installed—don't be limited to contractor in Jacksonville where his jets must be used.
- Most places put it in for \$150,000 to \$200,000.
- Don't have to use a certain subcontractor.
- Don't use rubber over concrete.
- Re-circulate water and operate manually.
- Shelter electrical equipment from lightning.
- \$8,000 to \$15,000 per year for maintenance, depending on manual or automatic and placement of jets.
- Don't want overspray.
- Nearby splash parks are in Cocoa and Daytona Beach.
- A company in California will come here and can use any pool parts.
- Cocoa said don't pay company to check chlorine level. Instead send two employees for training that costs \$100-\$200 to check chlorine level.

Rev. Dames suggested Department of Juvenile Justice (DJJ) or other law enforcement entities might have funds and suggested writing a letter.

Ms. Canada suggested also getting the City to look for grants as it would help the CRA district.

Rev. Dames asked if staff could look at the minutes later on to see if they could come up with a plan to solicit funds and grants from other places, noting DJJ is always looking to keep people out of the system. Ms. Canada reported someone suggested moving closer to the inner city, but she sees enough people from the inner city at Marina Park and spoke against segregating children.

Neta Harris noted the City is a partner and has a wonderful grant writer that probably could look to see what grants are available. She also asked if Ms. Canada, during her research, found a local Brevard County pool builder that could come up with a plan. Ms. Canada stated she checked only on maintenance, but would check on that this week. Ms. Harris spoke for using a local company.

VII. OLD BUSINESS—None.

VIII. NEW BUSINESS—None.

Chairman Gossett stated he appreciated Ray Smyth's presentation and reported he had a card from Mr. Smyth to speak again. Rev. Dames took exception to his speaking again when others were denied. Rev. Clay suggested opening comments up for all to speak if Mr. Smyth were to speak again. Chairman Gossett denied Mr. Smyth's request to speak again on the pier.

Terry Lane inquired if the board wanted to address the letter requested by Susan Canada for SPCA to seek donations and noted donations from groups such as dog food companies could be accepted as partnerships in those kinds of projects.

Motion by Rev. Vernor Clay, seconded by Ted Beck, to send a letter to SPCA and others such as law enforcement, and municipality's grant writer to seek funding for the splash park and the dog park, to be signed by the NBCPR Chairman and Parks and Recreation Director for a united effort, drafted by staff, and include Susan Canada in the process.

AYE: Beck, Bobay, Clay, Dames, Gainer, Gossett, Harris

NAY: None

Carried 7-0

Rev. Clay thanked the community present and personally thanked Mr. Walter Butler for attending.

The meeting adjourned at 7:04 p.m.

Respectfully submitted,

Dick Gossett, Chairman

jbi