

## NORTH BREVARD SENIOR CENTER REFERENDUM COMMITTEE

Minutes of the North Brevard Senior Center Referendum Committee, appointed by the North Brevard Commission on Parks and Recreation (NBCPR), an advisory board, held Wednesday, April 14, 2004, at 2:00 p.m., at the North Brevard Senior Center (NBSC).

### Members Present

Vern Jansen, Chairman  
Rachel Kusterer  
Joe Perry  
Richard Wallace  
Jency Kelly, Ex-Officio (NBSC)

### Member Absent

Gene Burden, Vice Chairman  
Scott Johnson, Ex-Officio (NBCPR)

### County Staff Present

Cheryl K. Page, Assistant Parks & Recreation Director  
Terry A. Lane, Interim North Area Parks Operations Manager  
Chuck Mays, Parks & Recreation Construction Coordinator  
Jill Hill, Secretary

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### I. CALL TO ORDER

Chairman Vern Jansen called the meeting to order at 2 p.m. Committee members and staff introduced themselves. Chairman Jansen commented that the minutes are quite voluminous and requested they be reduced to one page.

### II. APPROVAL OF MINUTES

**Motion to approve the meeting minutes of March 3, 2004, by Richard Wallace, seconded by Joe Perry.**

**AYE: Jansen, Kusterer, Perry, Wallace**

**NAY: None**

**Carried: 4-0**

### III. STAFF REPORTS– None.

### IV. OLD BUSINESS & V. NEW BUSINESS

Chairman Jansen presented an agenda which Cheryl Page indicated could be used in place of the agenda prepared by staff. In response to Chairman Jansen's comment about open meetings, Terry Lane stated that the approval to sunset this Committee will be presented to the North Brevard Commission on Parks and Recreation.

### Item 1–Combined Male/Female Layout As Submitted

Chairman Jansen discussed elements on the layout for restrooms and janitorial closet.

Richard Wallace expressed concern that the Committee was not allowed to discuss elements of the plan previously approved. Chairman Jansen countered that plan was not approved by the Senior Center Board (Board) and therefore doesn't exist. Discussion ensued with both Richard Wallace and Rachel Kusterer disagreeing with Chairman Jansen, stating the previous plans were distributed for two years without objection.

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**Motion by Rachel Kusterer, seconded by Richard Wallace, to continue with the old plans with the exceptions of the change in the restrooms and the stage.**

**AYE: Kusterer, Wallace**

**NAY: Jansen, Perry**

**Failed: 2-2**

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Chairman Jansen asked Chuck Mays for his thought. Mr. Mays stated everything that is on the plan is doable if that is what the Committee and the Board wants. Chairman Jansen requested that minutes reflect the following statement regarding agenda item one: The layout for the latrines, men and women, immediately adjacent to the main office has been accepted as submitted. Discussion ensued by Messrs. Wallace, Jansen and Perry.

#### Item 2-Existing Rest Rooms

Chairman Jansen discussed existing rest rooms, adding that new urinals, commodes, floor tile, and replacing the partitions and the faucets were approved by majority vote with the Committee and the Board vote was unanimous. Richard Wallace stated he will repeat his comment that item two was discussed with regards to the existing restroom. He added there was never any discussion brought to the Board that there would be no petitions made to the building on the original prints that had been secured for \$45,000. He stated he is just repeating his comment. Chairman Jansen stated since this has been approved as a Committee and a Board, he would like to turn this over to the County and inquired if there was any problem with what was approved and adopted. Staff agreed with the Committee regarding item two.

#### Item 3-Stage Replacement

Chairman Jansen stated page four of the handout had been approved by the previous Committee. The stage will be 39 inches [high] which is what the previous Committee recommended. Chairman Jansen further discussed the design of the stage, stating the previous Committee had designed the stage so there would be access on incline planes for the handicapped. He stated the only change from what the previous Committee approved was an addition of an elevator or lift, and if the incline plane approach was used, 1/4 of the stage platform would be lost. He added he hoped the Committee would approve the elevator. Richard Wallace requested a clarification on this discussion. Mr. Wallace stated that the Mr. Jansen stated the previous Committee had approved the stage. Mr. Wallace stated since Mr. Jansen accepted what the previous Committee approved regarding the stage, why did he not accept the fact that they approve the expansion of the building. Chairman Jansen stated this has nothing to do with expansion. Mr. Wallace stated Mr. Jansen is relying and speaking of the previous Committee's approval numerous times regarding the stage and he would like to know why he does not accept the approval of the expansion. Chairman Jansen stated it was never brought to the attention of the Board and approved and that the Committee could approve nothing. Discussion ensued regarding decisions and the previous Committee.

Rachel Kusterer stated the previous Committee wanted a stage but never asked for plans for the stage because it was not on the priority list and there was no intention of building the stage at that point. Chairman Jansen stated he is asking now to approve the stage. Joe Perry inquired if the previous Committee wanted to move the building out to the parking lot to make the stage way bigger than it is. Chairman Jansen stated they were moving the stage 25 feet, and that is not an item of discussion as the Board voted to disapprove that. He stated the only change to the stage would be an addition of an elevator. Richard Wallace inquired if one elevator or two elevators would be needed. Chairman Jansen replied one. Richard Wallace inquired if that had been checked out. Chairman Jansen stated the attorney suggested adding a stairway. Richard Wallace clarified that there would be two stairways and one elevator. Chairman Jansen stated that was correct. Discussion ensued regarding the stairways.

Richard Wallace inquired priority-wise where the stage is. Chairman Jansen stated it would be the last

priority. Richard Wallace inquired if that was something that needed to be discussed at this time, stating it was his understanding that the people present at this meeting needed to understand what the overall picture of the building was going to be. Chairman Jansen stated nothing will be changed on the configuration of the building, period. He stated there will be an addition which will be the new commodes. Richard Wallace stated he felt as though that was a decision that Mr. Jansen has made and not the Committee or the Board. Chairman Jansen stated it was unanimous. Jency Kelly asked Mr. Jansen which Board meeting he was in when he says there was a unanimous vote, asking if it was the last Board meeting. Chairman Jansen stated it was. Mr. Kelly stated they approved the changes to the toilet and the stage and everything else was left out of the discussion. Chairman Jansen stated everything else was gone. Richard Wallace disagreed and stated it wasn't gone it was not discussed. Jency Kelly requested the minutes from the previous meeting in March for the Board. Mr. Kelly stated they may have thrown out those drawings entirely in the first meeting in March by Board approval. Mr. Kelly stated that he knows when the drawings were approved unanimously, Monday, it was the drawing that was presented today only.

Rachel Kusterer inquired if she could refer back to the minutes that were just given. Ms. Kusterer stated in the previous minutes she inquired if the Committee was at a point that new blue prints can be made up to have changes or is it past that point. Ms. Kusterer stated that Mr. Jansen stated he would answer that question. He further advised he had done some checking and these are very minor changes that would normally be called a change order. Ms. Kusterer stated at the time, her question was about the original blue prints. Chairman Jansen stated the only change he has today is the elevator. He added it seems to be the logical way out rather than waste 1/3 of the stage by incline planes. Chairman Jansen stated he has not mandated this he is asking for the Committee's approval of this layout, and if the Committee would rather have the incline planes he would certainly vote against it because 1/3 of the stage would be lost. He stated he would hope a motion would be made to approve the elevator. He added it is so simple and it doesn't change any of the existing figures, and it will be the same width, length. The only change will be underneath it which was for storage and the elevator. Chairman Jansen stated he would accept a motion to either approve or disapprove the elevator.

Rachel Kusterer stated she believed the attorney was trying to enforce that federal law stated that there are two off of the stage for handicapped. Chairman Jansen stated he checked it yesterday and reported the City said it was fine. Rachel Kusterer requested to withdraw from voting because she does not believe the issue has been settled. Chairman Jansen stated she does not have to vote. Cheryl Page stated all members of the Committee need to vote because they are still a Referendum Committee until they are disbanded at the North Brevard Commission meeting. Cheryl Page stated as the Building Committee they can have their own rules, but they are still under the Sunshine Law today. Discussion ensued regarding the stage.

Richard Wallace stated he believed that Mr. Jansen did a great job in redesigning both bathrooms and the stage area, but is cutting the Committee off short by not addressing the entire building. Richard Wallace stated what he is trying to do is stop all of the nickel and dime-ing that has gone on for the last three months when there was already a plan in place and the County was ready to dig dirt. Chairman Jansen inquired who was ready to dig dirt and that this was never brought to the Board.

Cheryl Page requested to make some clarifications. Mrs. Page stated that no one on the previous Referendum Committee ever indicated to Parks & Recreation that plans needed to go to the Senior's Board for approval. The understanding that Parks & Recreation had was that the Committee would make a recommendation to the Parks Commission. The Parks Commission would then make a recommendation to the Board of County Commissioners. Mrs. Page stated no one in that whole process over those two years ever said that it needed to go to the Senior Board. Rachel Kusterer stated the Committee did not know it needed to go to the Senior Board. Chairman Jansen inquired how staff could

accept something from a committee. Cheryl Page stated the Committee was approved by the Board and submitted as a committee for the Referendum. Cheryl Page stated it was Parks & Receptions understanding that the Committee was representing the Seniors. Chairman Jansen stated that it cost the Seniors \$46,000 and he does not want to get into that aspect. He stated committees are a functioning part of a Board. Cheryl Page stated the other Referendum committees are not. Chairman Jansen stated they are not like the Seniors, adding they are a unique group. Cheryl Page stated the uniqueness was not pointed out to staff and that it is not necessarily anyone's fault. Chairman Jansen stated he is not accusing anyone. Cheryl Page stated the other committees report to the Parks Commission and this Committee could report to the Park Commission but the preference is to go to the Senior Board. Cheryl Page stated staff has no problem doing that. Rachel Kusterer stated that the previous president accepted it and never questioned it and it was implied consent. Chairman Jansen stated the president can't accept anything. The vote for the elevator was 2:2 and Chairman Jansen stated this is tabled until the gentleman who gave his proxy vote in favor is present because a proxy vote cannot be used. Rachel Kusterer inquired if this can be tabled if there is a quorum. Cheryl Page stated it can be brought up again in the future. The motion did not pass.

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**Motion by Joe Perry, seconded by Vern Jansen, approve the elevator and two sets of stairs to access the stage.**

**AYE: Kusterer, Wallace**

**NAY: Jansen, Perry**

**Failed: 2-2**

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Cheryl Page stated it would be valuable for staff to know what the Senior Board decides about the master plan as she is hearing conflicting statements. She inquired if the [Board] minutes could be brought to the next meeting. Rachel Kusterer stated she had the minutes with her and read from them as follows:

“George VanStaden stated that we need to have continuity from the past Building Committee to the present Building Committee so that we can go forward with our plans. He made a motion to direct the existing committee to go ahead with the plans as presented to the general assembly of member in December 2003. The motion was defeated.” Chairman Jansen then read what Mr. VanStaden said as follows: “We should accept drawings presented by Mr. Jansen. The motion to vote on options and establish priority so the County can get it moving.” Per Chairman Jansen at the April 12, 2004, meeting the motion was made unanimously to approve the recommendations of the Committee. Richard Wallace stated in that Board meeting the secretary was not present and the President took the minutes as best he could while conducting that meeting.

Mr. Wallace stated in the end the Building Committee was charged with the responsibility to come back to the next Board meeting with plan A and plan B. He added one was the old plan and one was the new plan. Chairman Jansen stated the stage would be discussed at a later time. He stated if the other member was here, who would normally be here, who gave his proxy vote, the Committee would not be discussing this.

Chairman Jansen stated he would like to get this show on the road and requested that the approved changes be done. Jency Kelly agreed to bring these items to the North Brevard Commission for approval.

## VI. ADJOURNMENT

Then next meeting date was set for Wednesday, May 5, 2004, at 2:00 p.m., at the North Brevard Senior Center. The meeting adjourned at approximately 3:00 p.m.

Respectfully submitted,

Vern Jansen, Chairman

North Brevard Senior Center Referendum Committee Minutes of April 14, 2004  
APPROVED 5/7/04 by the NBSC Building Committee, same members as the NBSC Referendum Committee that was sunset by the NBCPR on 4/15/04.

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