

PARKS AND RECREATION DEPARTMENT
South Beach Community Park Referendum Committee
Regular Meeting
March 19, 2002

A Regular Meeting of the Parks and Recreation Department South Beach Community Park Referendum Committee was held on Tuesday, March 19, 2002, at 7:00 p.m. at the Immaculate Conception Church, 3780 Hwy A1A, Melbourne Beach, FL.

MEMBERS PRESENT

Jeff Berger
Vince Loglisci
Thomas Moore
Kathi Arms
Brian Hurley
Janet Adam
Susan Margaritondo
Marty Almberg
Sue Simoes

MEMBERS ABSENT

Robert Arthur
Don DeLucas
Mike Slayton
Paul Tritaik
Ceil Wilson
Keith Howard (resigned)
Louise McDaniel (resigned)
Patti Smithson (resigned)

STAFF ATTENDING

Jack Masson, Assistant Parks and Recreation Director
Karen Palus, South Area Parks Operations Manager
Greg Minor, Construction Coordinator
Tina Webster, Administrative Secretary

PUBLIC

*The public attendance list is attached.

CALL TO ORDER

Mr. Berger, Chairman, called the meeting to order at 7:12 p.m. and asked all to rise for the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

NON-INTERACTIVE PUBLIC INPUT:

Mr. Berger, "We have a public input non-interactive section, let me explain. Citizens from our community are invited to come to this meeting and speak on any topic as they wish for up to but not exceeding three minutes. The public input section will last for a total of fifteen minutes. I open for public input." Mr. Berger asked members to state their name prior to speaking.

- Harry Hicks –I have been to two of these meetings and I have watched the interaction. What I see happening as an observer and what I see is kind of embarrassing when you have to have a deputy sheriff at a meeting. We are just talking about plans for a park. That is embarrassing, does anyone sit here and think what is going on here. The last meeting was adjourned early because of Mr. Chairman, I don't even know who you are, but you need to control your meeting. You are not a board, you are a citizen committee. You adjourned early to spend time with your daughter and I understand that, but the proper thing to do would be to have given the gavel to the Vice-Chairman and let them finish the meeting; there were a lot of people here. You did that at another meeting; you sure know how to empty a room. You had people leaving here upset and frustrated that did not get to speak. Finally at the last meeting you move forward and the Chairman had a bad attitude and then spoke regarding bat houses and someone brought up mosquito control. I would like to see more get done than you spending time sand bagging and stone walling what this committee is suppose to be doing. I would like to see more get done. You can tell by the public attendance this time that the public is tired of this. I have only been to two meetings, and I look at the attacks on the world trade center and they have already removed 80% of the rubble and the committee is still twiddling their thumbs and I would like to see something progress. Let the community and County do their work and get this done. We keep hearing of all these improprieties and I say if you have something and can prove it then do it and if not sit down and let this thing happen.
- John Wheeler – I have lived in the area about 10 years. We were delighted to move into the area and have the natural ecology of the area. My concern is any move that would encourage large groups into the area for an event. I think everything on the plan is wonderful because it basically offers something that attracts everything but large groups. There are already traffic problems on A1A with regards to the entrance of the Church here. Thinks plan is wonderful but is concerned about anything that would attract a lot of cars.

Ms. Palus asked if there was anyone else who wanted to speak that had not filled out a card.

APPROVAL OF MINUTES

Mr. Almberg made a **MOTION** to approve the minutes as presented and Ms. Simoes seconded. Mr. Berger asked if there was any discussion regarding the minutes. There was no comment. He called the vote and asked members to raise their hands. **UNANIMOUSLY APPROVED.**

Mr. Berger asked if there was a quorum. Yes there is a quorum.

STAFF REPORTS

Ms Palus, "Mr. Chairman I wanted to bring to your attention from your packets that we have had two resignations since the last meeting: Louise McDaniels (moving out of the area) and Patti Smithson. I did send them a thank you for volunteering their service. So what that brings to the table is you have two vacancies, one representing adult community programs and one in reference to a Candlewoods Homeowner. I spoke to the South Area Advisory Board and they gave me the authorization to allow the committee to select the alternate selections. We currently do not have alternates for those two positions, so I asked the Board to allow you as a committee to make the selections. What we have been doing with the other committees is allowing the public an opportunity to respond and let you know if anyone is interested. Laura Roy and Harry Hicks have contacted us to let us know that they are interested in serving. If anyone knows someone from Candlewoods, we need a representative. Anyone interested can attend the next meeting to give a presentation to the committee. If you know anyone interested please ask them to attend the next meeting to allow the committee to move forward."

Mr. Berger, "Unfortunately that is not the only resignations. I received a letter for Mr. Howard and he asked me to personally read his resignation." Mr. Berger read the resignation (attached). Ms. Palus, "Mr. Howard is a representative of the Woodlands so we would need a representative of the Woodlands to fill the position."

Mr. Berger, "Are there any other staff reports?" Ms. Palus, "Yes. I just wanted to let you know that staff is still working on the information you requested and will try to have it at the next meeting if not sooner. Mr. Berger, "Any other staff reports? Since there are no other staff reports we will move on to Old Business."

OLD BUSINESS

Mr. Berger, "Any Old Business?" Ms Palus, "Mr. Chairman, we do have some information for our project review and we have Mr. Tom Yonge here to sit with the committee, review and get information regarding the plan elements."

Tom Yonge, A&E Firm:

Mr. Yonge, "What I have done is taken the site plan and put tissue paper over it so the committee can start discussing it. I tried to add some of the elements that I read from the minutes of the last meeting. So, we can move forward with comments from the committee." Mr. Masson, "Mr. Chairman and the committee, I attended the last meeting and took about 14 pages of notes, some concerns from the committee, some perceptions, actualities and we rolled it altogether at a staff meeting and wanted to explain some of the reasoning behind placement of some of the elements. We want to be good neighbors and are concerned about your concerns. Some of the concern that was heard was basketball noise from the court; another concern was that there was too much parking; too much asphalt. Obviously we need parking and it will need to meet ADA as well. Another concern, in viewing the property, is that there are some oaks that run along the existing Mullet Creek Road. We need to keep these in the design and in mind. There is also a caretaker's house. We don't want to build the design around the caretaker's house. We also need some type of security which could be accomplished with the caretaker's house. I do not have anything in mind, neither does any other staff, we are here to assist. As mentioned before, we are concerned about buffering and feel there is good buffering on the north side and southeast side. There are two residents we need to be concerned with. Another concern is the opportunity to put as much of the park construction north on the property instead of going to far south. With all that in mind, Tom you can go ahead." Mr. Yonge, "Ok, I am here to serve you and here what you want, so I need to here from you as a committee."

Mr. Moore, "Ok, so one of the biggest things I have heard over the last thirty days is the buffer there between the neighborhoods." Mr. Yonge, "We are proposing a 100 ft buffer." Mr. Masson, "We have tried to do that, now the current set back of County Ordinance is 35 ft. and we want to exceed that." Mr. Moore, "We probably would just like to make sure that we can find something to plant in that area." Ms. Adams, "I have a question regarding the FPL property. Could you give me an idea of where the equipment is located?" Mr. Yonge showed her on the plan. Ms. Adams, "What would your guess be of the distance between the poles and the proposed park?" Mr. Yonge scaled it off and Stated, "You are looking at about 225 ft. more or less." Ms. Adams, "Is it my understanding that we need to keep the park in the upper north area?" Mr. Masson, "Yes. That is the understanding that we would attempt to use the north part of the property per earlier meetings, I wasn't here at the first meetings." Ms. Adams, "Well we have a lot of community input that wanted the park in the northern area and I don't know what area of the property we are able to consider placing the park in. It appears that the property widens as you go south. Am I right?" Mr. Yonge, "Yes." Mr. Berger, "Can you bring the easel closer so that everyone can see it." The easel was brought closer. Ms. Adams, "Is there any advantage to possibly move the park down a couple of hundred feet or whatever it takes to give Carmen Street more of a buffer due to their concerns? Originally when we started out, we had people from Candlewoods and Woodlands that initiated the park being put way up to the north and I am trying to get a picture as the actual property. I understand some of it is State property, but I am not quite clear as to where we are able to consider to place the park in. Do you understand what I am trying to say?" Ms. Masson, "Obviously the more south you go the more expensive it is for accessibility with utilities. It also places it closer to the development in the south. We feel professionally that we will be able to provide adequate and well enough of a buffer to alleviate the impact to the residents."

Mr. Almberg, "Based on the present location, there was a speaker last month that proposed a berm and a mote to address the concerns of kids cutting across people's yards..." Many members stated that they heard the berm, but nothing about a mote...Mr. Almberg, "That was included. Would that present location provide enough room for a berm?" Mr. Yonge, "Yes." Ms. Simoes, "My question to you is you have a ruler, I wanted to know the length of the road coming off of A1A to where it makes the turn at the FPL property so that I have an idea of how long it is and how much it would have an impact before turning into Carmen Street. Mr. Yonge, "400 ft from the center point

of the property and than another 400 ft to Carmen.” Ms. Simoes, “So we have a total of 800; 400 following FPL and 400 going to County property.” Mr. Yonge, “Yes.” Ms. Simoes, “Then how far does it come from the diagonal turn does it, not following the road but straight down perpendicular, does it come to the Community Center proposal area, go straight down and give me how far that is.” Mr. Yonge, “About 200 feet.” Ms. Simoes, “How long is Carmen, I have never found that answer.”

Mr. Yonge scaled it off and Stated, “About 3000 ft...let me take that back... it is about 1500 ft.” Ms. Adams, “So the community impact is basically going to be in that corner?” Ms. Arms, “I was just wondering, is it possible to make the entrance, once you get around the curb, move it down more or is it going to then push it more south and it affect the Woodlands and that area.” Mr. Yonge, “Anything is possible. That is something you would have to decide as a committee.” Mr. Moore, “So what you are saying is that we may be able to put another 100 ft of buffer in there?” Mr. Yonge, “Yes, but remember you get into more costs with the utilities, etc. Then you could also say that you want me to look at it and come back and tell you what it would cost to do that and I can do that, if that is what you want.” Ms. Simoes, “I am concerned that we are trying to push away from Carmen Street but we would then be impacting Candlewood Pines. I know that area and I know that if we come down further we are getting closer to Candlewood Pines and Woodlands and I know that when we looked at the feasibility of where we were thinking the Community Center itself, not anything else, the impact would be the least amount by putting it behind the FPL experimental station as proposed to , as you can see there is Candlewood Pines right there at the end of Mullet Creek Road and if we keep moving down we are going to start affecting Candle Pines and the Woodlands as opposed to doing a diagonal road coming in and probably be the least impact upon Carmen Street. That was my hope that one of the reason why we chose this location, not including costs, it was to be the least impact to any of our communities.” Mr. Yonge, “Help me out, show me where these neighborhoods are.” Ms. Simoes explained. Mr. Moore, “It seems like having the basketball court on north end of Community Center would provide some noise there, we spoke momentarily about switching the Community Center and basketball court and then that parking we could possibly do without and could bring that road in at an angle.” Mr. Yonge, “In response to some of your comments, certainly moving some of the use of the gym to more of the southwest area could be better and I would probably recommend that.” Mr. Masson, “And what you were saying is lets not impact Candlewood Pines.” Mr. Moore, “Yah, there is no one here to represent them tonight, but yah.” Mr. Loglisci, “If you look at the minutes from October and November, Tom Yonge mentioned that we were going to use the 18-20 acres north of Mullet Creek and Chuck said that this could be put on about 12-14 acres and he Stated that nobody lives behind FPL, so he was mentioning putting the noisy items back behind the FPL station would be better.” (Could not understand, many comments said over each other). Mr. Loglisci, “I agree with moving the basketball down, even if you reposition it with the tennis courts.”

Ms. Adams, “You indicated when you first started that the parking spaces are too large for this park. Where the basketball stands now, is it possible to have a certain amount of cars in that corner and a smaller one down further and that would also I think add to more of a buffer in the north corner in regarding to playing basketball or whatever and if people wanted to do other things, they could park closer.” Mr. Yonge, “I think something we have done is essentially taken that out and this could be overflow or whatever. Typically we put in what could be done and we can look at it and decide what to do based on the requirements.” Ms. Simoes, “I wanted to know a couple of things. One parking spaces – isn’t it usually based on the square footage of a building that the County falls to how many spaces are required. I know it did when building the Library. I have one more question and then you can answer both. Is it set; this was just a proposal of the basketball and tennis court, wasn’t it. I don’t think that we had even thought of that totally yet, that we had only gotten to the point that we thought we really wanted a Community Center, these are just proposed ideas and are not in graded in anything other than just the parking spaces really. We proposed a big wish list. That was the one two months ago that you got us all in trouble, because public coming in thought we were doing all of this, but it was just a wish list of items.”

Mr. Yonge, “Parking ratio is based on the County codes, square footage, and building use. Once we tie down the Community Center and the elements you want to start off with is how we will be able to figure out the parking and we will do our best to break down all the usage based on the elements to figure out the parking. The second question, when I came back with a list of elements that is what you talked about. My idea was to put it all on there to show you how it would best fit so that if you want to build all these items in the future, there would be a place for them.”

Ms. Arms, “If we do want to move things around what is the procedure for that?” Ms. Palus, “From Tom’s motion he gave the committee the ability to move things around and that is why Mr. Yonge is here for you to move things around because you really have not had the opportunity to do that yet. So you need to tell him that yes you want this here, or no you want to move this or that. The committee will then need to approve the concept plan; right now you have just approved the elements in the plan with the ability to move things.”

Ms. Margaritondo, “What is the first step, the road or the building? Should we not proceed that way and say this is the first thing we need to do and then when we get that out of the way, and move on to the next?” Mr. Masson, “To answer your question, the road is the first thing.” Ms. Margaritondo, “So, the road is the first things, so then do we all need to agree with that and then move on to step two.” Mr. Masson, “In my opinion you may want to look at the elements. “ Ms. Margaritondo, “Well how do you know without the road or building how much money is left or what is even possible?” Mr. Masson, “This group is going to tell Tom and he is going to do a conceptual plan. Costs could be different based on the location of some of the elements. The committee needs to agree on a plan – then Tom will go back and do the costs elements and bring it back to the committee.”

Mr. Loglisci, “We have discussed parking and parking is an issue. We have this large parking area that is eating up a lot of space where we want to put elements. I know you mentioned there are requirements with the County etc. Obviously the pool is a high dollar item, so I think we shouldn’t put the cart before the horse, but I would like to go with minimal parking, maybe some grass parking etc.” Mr. Yonge, “That is up to the committee. I would suggest that you decide the priority of the general elements.” Mr. Berger, “My turn to make a comment. I have a suggestion to make that may resolve some of these things. I think we should resolve the road first with minimal impact to all the communities involved with fairness to all. Once we resolve that issue then we can move forward with the elements with the same thinking of the least impact to those concerned about them. In terms of how do we commission a drawing or master plan? There is nothing to say that we can’t have a couple of drawings maybe two, three or even more. I personally favor, let me back up. The road is our first deterrent. We resolve that first and then move on to the elements. I personally like the organizing principle of the figure eight pattern of a walking path. I saw such a structure at a town I once lived in. The walking path was multi-purpose. It was for walking, jogging, rollerblading in the shape of a figure eight. Inside one figure eight was one of the playing fields of the park. This particular park that I recall did not have a building, but in the center of the figure eight is where you could place a building. The figure eight serves as an

organizer in that people walking, jogging or rollerblading could traverse the perimeter of the park and see all the various activities that may be going on at the moment. Around the figure eight patterns are benches to sit in, exercise stations for the joggers and things like that. I would personally like to see and of course you could organize your playing fields, tennis courts, etc. towards the center of that figure eight pattern including the building. It is a community park, not just a name in terms of how it brings together the community. A figure eight pattern basically visually unifies the park in structural terms and that is what I would like to see. I would also like to comment that I would go for absolute minimal parking as required by the Ordinances for parking. I don't want to see an excess of what is more than minimally required. There are many people in this community who want as small parking as possible. Perhaps parking could be divided in to paved parking and overflow parking. Overflow could be a grassy area; you have to remember that no parking lot through 95% of the time is ever even half full. So if we have a special event we could have an overflow area to accommodate increased amounts of traffic. Otherwise keep the paved area small and perhaps the combination of overflow and paved would together meet the requirement of the Ordinance. Those are my comments."

Mr. Moore, "If you did move the basketball court to the other end of the property, you would save money having it in the center and it would make the people on Carmen happy because they wouldn't have the noise and it would eliminate some parking. So it just seems like an obvious thing to do is to move in that direction if possible." Ms. Simoes, "Concerned of having an outside basketball court, I feel we, this is open to the committee, but the gym is handling an inside basketball court, or I am assuming it is, and do we necessarily need an outside basketball court being that we have an inside gymnasium? I mean this is just a thought, I am wondering if we really need one on the outside and maybe that is a staff thought, I know we are having this gymnasium and maybe one of the inputs to why it is the size it is would be because it includes indoor basketball courts." Ms. Arms, "I want to comment about that Sue, my thought was that the basketball court was something that was proposed and we might be able to put it in the plan, so if this is to be put in the plan later, so lets think about where it should go. And I also just, if we do move the basketball court, if we move it down south with the skate park..." Talking in the background... Mr. Berger, "Mr. Moore please do not speak out of order." Ms. Arms, "And then if we didn't actually move the Community Center but left it where it is and make the basketball court just green space for parking, then that would create a larger buffer between the road and the Community Center and would get rid of some of the parking in front of the basketball court." Mr. Yonge, "I am hearing a lot of you say that the basketball courts need to be moved south. I am writing the notes on this plan as you go." Mr. Masson, "We find that in our experience the basketball courts are well used... Laughing coming from a gentleman in the public audience... Mr. Masson, "It is usually well used and unfortunately the Community Center Gymnasium may not always be available for basketball all the time due to other functions, or whatever. Kathi, I think addressed the issue earlier, that the committee should plan it in if it is something that may be built in the future." Mr. Berger recognized Mr. Loglisci. Mr. Loglisci stated that Mr. Hurley had his hand up first. Mr. Berger apologized and recognized Mr. Hurley.

Mr. Hurley, "The only thing that has been approved in this park so far is the Community Center. If you were to move the Community Center closer to the west what cost would that incur?" Mr. Yonge, "The big expense here is the Community Center, the utilities will come in the road, it shouldn't be too bad but there will be additional funds for moving it more west." Mr. Yonge spoke regarding the existing waterline and other utilities required and stated that there will be additional costs that would be incurred by moving the Community Center west. Ms. Simoes, "Jeff I am sorry, I do not mean to speak out of term but is there any way"... Mr. Berger interrupted saying, "I am sorry you have to wait your turn, Mr. Moore is next." Mr. Moore, "To understand what you are saying is that if we could move the Community Center more to the center of the property, west, about how far?"... No answer was given... Mr. Moore, "My question is that you are saying to the middle of that parking area there closer to the road. What makes since to me is that the basketball court could possibly be moved to the back of the property and the tennis courts could possible be moved to the back of the property; the playground could possibly be moved up by the Community Center to give kids, parents, people access to restrooms and such. Since booth of those could be moved to the back, then the playground could be moved around in that area." Mr. Yonge, "Where the tennis courts where?" Mr. Moore, "Yes and that could be accomplished even if you go west with the Community Center." (Discussion involved showing the ideas on the plan) Mr. Berger, "Susan has her hand up, I recognize her." Ms. Simoes, "Sir, Mr. President, Chairman, I am concerned that all of us are bending our necks to be able to see the plan, I know you asked it to be closer so that we could all see it too, but I wondered is there any way that we could put it behind Brian so that everyone can see, because people are moving there chairs and everyone is moving all over trying to see it and I am just trying to find a better location for everyone to see it. It is up to you Jeff, but I am just saying that nobody can see it but just us right here. That way we could see the things that Tom is writing in that are being talked about and everyone could see it." Mr. Yonge, "It doesn't matter to me, Chairman, what do you want to do?" Mr. Berger, "I can't see why you can't just turn it when the discussion is over here or there." Ms. Palus informed everyone that there are copies of the plan available on the back table for anyone who doesn't have any and would like one. Mr. Berger, "Just one comment I would like to make. We are still going back and forth with basketball here, tennis there, etc. It really makes sense that we resolve this issue of the road and then we move on because you could put basketball anywhere on the map but it is meaningless without the road." Mr. Masson, "Mr. Chairman that is the road." Mr. Berger, "That is the road?" Mr. Masson, "Yes."

Ms. Arms, "I was just hoping that in your notes you would put Tom's suggestion to move the playground so the playground is closer to the Community Center. I was also hoping that you might be able to draw in something like a bike path from A1A to the different facilities especially to the walking path/bike path." Mr. Berger recognized Mr. Hurley. He did not have anything to say. Mr. Berger recognized Ms. Simoes. Ms. Simoes, "Is that road directly on the edge of the property line of the County to the State... sitting back from its buffers but following down that diagonal is that following the County's property to the States property?" Mr. Yonge, "Yes, it is pretty close." Ms. Simoes, "So that is why we are using that somewhat feasibility is to get it as close as we can to the County property and the State property to have the least impact." Mr. Yonge showed the committee the property line on the map and stated that in his opinion, it would be logical to do that. Ms. Palus asked to speak. Ms. Palus, "One of the reasons was to give as much buffer between FPL and the road itself versus coming in and splitting that property and having the road come across and then having the park divided and crossing roads and such." Mr. Almberg, "With all the discussion of moving the basketball and tennis and providing a buffer, we discussed before that there is approximately 400 ft from the FPL property on the west point to the point of the road. Directly south of the access road, if we put parking in there, both marked and overflow, and then like Brian had suggested, moving the Community Center to the west, we could end up with another 100 or so feet of buffer on that north end and then behind that you could start putting in some of the other amenities. I propose that as Jeff had mentioned before that we get a couple of drafts with different locations and bring them back to the next meeting so that we

can physically see how some of the elements would work out. We have discussed moving everything around, but it is kind of hard when you can't see it." Mr. Yonge stated that he could do that.

Mr. Berger, "I would like to make a comment. I don't know if you really need direction from the committee for some of these drawings. Presumably you're the experts in this field and you can do a couple of alternatives and renderings for us to look at. I don't think it requires committee direction per se and another thing is that I want to remind everybody that its 20 after 8:00 p.m. and we still have new business to cover and we still have public input to cover, so why don't we at this point have the A&E do these drawings for us and bring them back to the next meeting and we will resume this discussion of placement of the elements."

Mr. Hurley, "The thing that concerns me is that, last time we did this, that we put down everything and we are also under the constraints of the budget and the budget I think is about 5.5 mil, so my question is, is there a process that you can do to Phase in the particular elements and of course this committee will have to determine what should be phased in for the first phase, second phase and so on? Because we have this chunk of money and looking at the price tag we could say well we can't afford this in phase one but maybe in the second phase and we would have to determine that for the future development." Mr. Yonge, "We can phase it; it will be up to the committee."

Ms. Adams, "I would like to request some sort of a rule of thumb in price variation in the designs you may be doing, some kind of ball park figure and personally I hope that you may consider putting the Community Center and playground at the intersecting corner of Mullet Creek and the entrance road there. Mullet Creek goes all the way through doesn't it?" (comments were being made over each other, could not understand what was being said) Mr. Berger, "Janet, are you done?" Ms. Adams, "Yes."

Ms. Simoes, "Going back to the road that Jeff has brought up, there is something else too. I want to see two things: one, we talked about closing Mullet Creek Road and making sure it has a large enough cul de sac at the back end before it enters the groves for emergency vehicles to be able to turn around, which is what the county requires. But also I want to know for Honest Johns, since Robert is not here, we talked about closing the park off at night and how do we close the park off and allow the access for Honest Johns to get in and out? Would that all be fenced around there, is that what you are trying to do?" Mr. Yonge, "We could do that with putting in gates, fence swales, something like that." Mr. Berger, "I have to make a second reminder of time constraints because unless there is going to be a motion in respect to this old business we have to move on. We have other business on our agenda and we have to exercise committee discipline."

Mr. Moore, "Do you have enough to go on, do you need anything else from us at this point?" Mr. Yonge, "I have one question to ask, this strand of Oaks is in... (couldn't understand what was being asked)... Members, "Obviously, yah." Mr. Yonge, "Well to some people it isn't so I need to know." Members, "Yah."

Mr. Almberg, "A gentleman in the audience spoke before concerned about traffic and he also mentioned organized sports. I am under the impression that this park will not cater to organized games, am I correct in that?" (members making comments) Mr. Berger, "Let's not have any cross talk." Mr. Hurley asked to speak. Mr. Berger told him to raise his hand. Mr. Hurley, "Let me give you my impression. Flutie field is your sports complex if you want to call it, I have kids that play baseball, whatever, and that is where everybody goes to compete. This is more of an easy park if you will. Flutie has the sports complex, now we have more of a community park which is recreation and that is the difference." Mr. Almberg, "What I was doing is trying to address the gentleman's question about organized games in the park." Mr. Hurley, "No, because what is happening to Flutie is there is going to be an upgrade to lighting and expansion with soccer fields, and other things that will draw more of the competitive sports to Flutie." Mr. Berger, "I have a comment to make. I would not believe any policy with respect to the operations of this park until we have them down in writing." Ms. Palus asked to speak and Mr. Berger agreed. Ms. Palus, "The type of facility that you all are designing again is a multi-purpose field and typically you are going to see kids play pick up soccer, pick up baseball and those are the types of activities you may see out there, with kids practicing but as far as full fledged games and such I don't anticipate that in this facility. We have heard that from the leagues and such because they like to keep everybody together in the same area."

Ms. Arms, "Except for maybe basketball if you are having full fledged games." Ms. Palus, "You are correct. That could be a possibility." Mr. Berger, "Are we ready to ask these people to do their drawings and bring them back so that we can proceed to new business? I do need to point out that when people start leaving, they are getting bored and I really do think it is time to move on." Mr. Almberg, "Do we need a motion on it?" Ms. Adams, "I would like to make a **MOTION** that we have a certain amount of time every month so that we can have these discussions and we can understand and get more information so that we can make concerned decisions and proceed on a regular basis with this project." Mr. Berger, "Now, would you repeat your motion." Ms. Simoes, "Someone needs to second the motion before discussion." Mr. Berger, "Well I think we need to clarify what the motion is." Ms. Simoes, "Then just call for the motion." Mr. Berger, "I am running the meeting Susan if you don't mind." Ms. Webster repeated the motion for the committee. Ms. Adams agreed. Mr. Almberg, "I'll second." Mr. Berger called for the vote. Members said that he needs to call for discussion. Mr. Berger, "All cell phones; I would really like to have them shut off." Mr. Berger recognized Mr. Moore. Mr. Moore, "So I guess that the question that I have would be how much time do you want, have you decided, how much time we should allow? Are we just going to add a time to the agenda list here as to how long we are going to spend?" Ms. Adams, "More or less, I think we need to make something definite so that there is a certain amount of time that we can get information and have board discussion as to where we want to go with this project and I think we need to be able to do that every month." Ms. Simoes, "That is my discussion is that if I was going to amend this motion, I would amend it to an hour of the committees input, allowing from 7:30 - 8:30 p.m. and then as we come to the committee being able to communicate among each other without what happened a couple of meetings ago. We would be able to have at least that amount of allocated time because this is our job and I was thinking that we might be able to amend the motion to include an actual time frame like what Tom was going with and then go back to like 8:30 for the half an hour of more public input afterwards."

Mr. Hurley, "I can spell park, but I can't design one and I am relying on these guys to be able to answer my questions and I have a lot of questions except I don't want to be constrained by time. Is there something that they call a work... what do you call them... a workshop were we get together? Maybe this committee needs a workshop, get inside a room and throw a lot of ideas at each other, of course that is

open to the public, and get some work going.” Mr. Berger, “A comment I would like to make...” Mr. Hurley, “Excuse me I am not done. We need to do that, let the information flow before we make a mistake on some of the decisions so maybe we need a workshop. I’m done.” Mr. Berger, “Let me just comment about a workshop. It needs to be a public meeting, there needs to be a recording secretary and there needs to be minutes and it needs to be open to the public.” Ms. Adams, “That is fine, I am not eliminating public input.” Mr. Moore, “I would just like to ask staff, what is the norm out there with other committees?” Mr. Masson, “Normally we have these meetings for that purpose and get your input and come back with a proposal.” Ms. Palus, “That is what this meeting is for. The purpose of this meeting is for you to all come together, share ideas, share information and guide the A&E firm as to what you are looking for what you want to accomplish and take advantage of him while he is here. Jack mentioned he is expensive (laughing), but when he is here you need to give him as much information and feedback as possible so that he can go back and provide the information in the plan and so forth.” Mr. Berger, “I have a question for the committee. Can’t you sense when the discussion starts to go around and around and there comes a time to let the A&E firm do their work and exercise a little bit of self discipline?” Ms. Adams, “Excuse me.” Mr. Berger, “Tom wants to make a motion.” Members, “No Tom is saying that there is a motion on the floor.” Mr. Moore, “So what I am trying to get a grip on is do other committees place time on the items on their agenda? Do they restrain themselves like that? Ms. Palus, “No sir.” Ms. Adams, “Then I would like to propose an hour time for discussion for the committee for obtaining information.” Ms. Simoes, “I would like to amend the motion to designate the time frame to one hour to allow the committee to converse with staff as well as themselves on each project.” Mr. Berger asked for a second. (There was discussion of approving the amendment) Ms. Adams approved the amendment of her original motion. Mr. Almberg, “I second.” Mr. Berger, “If there is no more discussion, I call the vote. All those in favor of the motion say I.” Ms. Simoes, “Of the amendment.” Mr. Berger, “All those in favor of the amended motion say I.” Ms. Simoes, “You have to vote on the amendment and then the motion.” Mr. Moore, “What are we voting on? Can you please read it back?” Ms. Webster read the motion with the amendment. Mr. Berger, “All those in favor of the amended motion say I.” **MOTION PASSES 5-4.** Ms. Simoes, “Sir. You have to approve the motion itself; you have approved the amended motion now you have to approve the motion; that is Roberts Rules of Order.” Mr. Berger, “We don’t follow Roberts Rules of Order.” Ms. Simoes, “What do we follow then? If you approve the amended motion then you have to approve the motion.” Mr. Berger, “Because I asked you that back in September Karen and that was your answer.” Ms. Simoes, “So how do we do this?” Mr. Berger, “So what are you asking for, we just had a motion, either it passed or didn’t and it was approved by a vote.” Ms. Simoes, “Because I want it done legally. I want it done right. That is what I do. That is where I am. I work parliamentarian. I know what I am talking about.” Mr. Berger, “Are you grandstanding or are you going to answer the question.” Ms. Simoes, “What did you ask me if I didn’t answer that?” Mr. Moore, “Did we approve the motion or did we approve the amended motion? What are we doing here?” Ms. Palus, “You approved the amended motion and Susan is saying you typically go back and approve the original motion.” Ms. Simoes, “You vote on the amended motion and then you vote on the original motion and that is the way it carries and that is the appropriate ruling under anything I have been part of, that is what you do. It makes it legal. That is the way it is legally done.” Mr. Berger called the question on the original motion. Mr. Berger, “All those in favor say I, let me see hands to count.” **MOTION PASSES 5-4.**

Mr. Berger, “Are we ready to move on to new business? Is there any other old business?” No answer.

NEW BUSINESS

Mr. Berger, “I have some new business. Tom you read a letter at the last meeting and now I would like you to extend the same courtesy and let me read mine without interruption.” He distributed and read his letter (attached).

Mr. Hurley, “You are going to send this to the Attorney General? Is that correct?” Mr. Berger, “Yes.” Mr. Hurley, “So basically we are supposed to go by the Sunshine Laws, correct? You mention in your letter that you met with Robert Arthur, which is another committee member discussing issues outside this committee. Is that a violation of the sunshine laws?” Ms. Palus, “It could be conceived that way, yes.” Mr. Hurley, “I am going to mention one thing. If we get tied up in this, we have a park to build and I don’t want to get bogged down with this nonsense. I am sorry but it is nonsense. What is the conflict of interest?” Mr. Berger, “I will reserve the data and comments that I have until I have a meeting with the County Attorney and that is all I have to say. Now, I have a question for you Karen, what is meant by a meeting after the meeting?” Ms. Palus, “It is a term that is used when people gather after a meeting to discuss whatever.” Mr. Berger asked Mr. Rosasco (a member of the public) what his understanding of that term was. Members of the committee Stated that this was not time for public input; this is the time for the committee to discuss things. Mr. Berger, “That is fine, I can deal with that later.” Ms. Margaritondo, “The motion regarding the Community Center was passed by a margin of 9-4 so we represent the community. This was not shoved down anyone’s throat. The majority of the people felt this way and that is why we are here and why we were appointed to this committee is to represent the community. This is not supposed to be anyone’s personal opinions about the project; we are supposed to represent what we feel the people are wanting by what they tell us. 9-4 is a reasonable representation of what goes on and I also feel that this is going to make us move backwards. We are suppose to be moving forward and now we are back to talking about the things we have already discussed.” Mr. Berger, “I respect your comment.”

Mr. Moore, “Ok so as Susan said it was approved and just to go on record I would like to State that over the last thirty days I have talked to numerous people, three people right away that night, I received phone calls from the general public. Pretty much the consensus I received was, Tom am I getting what I voted for and I said what did you vote for. And they said, well I had the brochure. It was passed around and voted on based on the brochure and was approved. I would further like to make a **MOTION** that we approve this road with the understanding that the County will give us more of a buffer if possible, we would like to have more, lets approve the road with additional buffer if available. Ms. Arms seconded. Discussion. Mr. Moore, “The road has to be there in that area, you have made that clear to us, there is a 100 ft buffer there off the street of Carmen, I think that is plenty. If we an get another 100 or 50 ft that would be great and it is going to be up to the A&E firm to work it out. If anyone else has any input, feel free to address it.” Mr. Loglisci, “It was my understanding that we had this discussion in November and that Chuck said you guys need to max the buffer going south due to the legal access, so I understand your point Tom, but I don’t know if that has been accomplished or not.” Mr. Moore, “What is that?” Mr. Loglisci, “Maximizing the buffer, because the land has already been purchased and they even bought an extra 60 ft or whatever it was above what was there. So my understanding is that they have maxed out the buffer already. Maybe Jack can provide more information.” Mr. Masson, “We are also concerned about the buffer; we want to increase the buffer as much as we can. I don’t think there is an opportunity to move the road.”

Mr. Berger, "I have a comment to make. This (copy of a conceptual plan/idea) was handed out at the November meeting, is that correct?" Members, "It was the January meeting." Mr. Berger, "I was very specific with a question that I asked which was what is the distance between the edge of the road to the edge of the property line and I believe I got a figure from you, Mr. Yonge, of 75 ft. and then I asked what was the distance from A1A to where the access road begins to bend and that was 800 ft. We heard basically those figures today. Is that correct?" Mr. Yonge, "Yes." Mr. Berger, "Ok, I notice that Ms. Dowling is in the audience and owns a house on Carmen and it is my understanding as part of my outreach function, that Ms. Dowling is representing a number of concerned citizens living on Carmen Street. We have a motion on the floor to resolve the issue of the road. It is kind of an irony about the structure of this meeting that here is the motion, we are in new business, we are discussing it and then there will be a call for a vote on it and after that is finished, Ms. Dowling is going to get up to the microphone and express her concerns from the citizens who live on Carmen Street. But it will already be a done deal because this motion will have probably already passed before Ms. Dowling gets up and has a chance to speak and that is how this committee does business." Mr. Moore, "I have spoken to people on Carmen, I am sure Laura has spoken to more than I have, but I have personal friends on Carmen Street and have spoken to both of them and feel comfortable that they would be happy about my motion, going on the basis that the buffer is 100ft." Mr. Berger, "Interesting, I would never speak for Laura Dowling." Mr. Moore, "I am not speaking for Ms. Dowling." Mr. Berger, "But you are assuming that she is going to be perfectly happy with your motion before she even gets a chance to get up and speak."

Ms. Adams, "Mr. Berger, I don't quite understand. We just had a discussion where we are considering changing certain parts of the field around to lessen any type of community interference or impact. We have discussed moving the park south on the property and you know I am really insulted. You are suggesting that this side of the committee or whatever doesn't care anything about anybody's property values. And the assumptions that you made last month and I am getting the over tone from you again this evening, and am quite insulted over it. I don't think you really have the right to do that being the Chairman or whatever your title is. And you, we sat here and listened to your book and you suggested that all these people are violating the sunshine law and I have had people come up to me this week suggesting that that you yourself have been violating the sunshine law." Mr. Berger, "Bring all your data to the table."

Ms. Simoes, "We do have a motion on the floor and I did want to have a chance to respond to your letter but a motion was brought to the floor so I hope you allow me a chance to respond. I need you to address something Mr. Chairman, the two people...interrupted by Mr. Berger, "according to your guidelines that is irrelevant to the discussion of the motion."... Ms. Simoes speaking over Mr. Berger... "I have the floor. I want to ask you a question. I need your input regarding these two people who are constantly saying things to me who have purposely taken their chairs and moved them away from everyone else next to me and telling me to shut up and be quiet and saying other things and I would like them to put their chairs back with the rest of the audience. That is what I was going to ask you and you being the Sergeant of Arms, so to speak, I would appreciate it. Public input is at the end and I don't need to be dealing with this." Mr. Berger, "Ms. Simoes, I must remind you that at the last meeting you distributed a copy of guidelines, which you expect me to follow (Ms. Simoes interrupting, "Which you did get!)...and the guidelines talk about relevant conversation. There is a motion on the floor and we are talking about something that is not related to the motion on the floor. As Chairman, my function is to remind you of that and I am reminding you of that and you are out of order." Ms. Simoes, "What about the public and what they are doing to me right now?" Mr. Hurley, "I would like to give my time to Sue to finish her comments." Ms. Simoes, "I was really more concerned that you ask these two people to please put their chairs back into the audience and quit harassing me. That is my biggest concern at this time. Thank you." Mr. Berger, "Mr. Moore was your hand up?" Mr. Moore, "Yes, we have a motion and if we are going to waste anymore time discussing anything maybe we should listen to the floor. Lets vote on the motion and find out what we have going here." Mr. Hurley, "Can I get a request to call the motion and to have Tom repeat the motion?" Mr. Moore, "So my Motion is to approve the road, let the County go to work on it and be aware that we are interested in additional buffer above the 100 ft if possible." Ms. Arms, "I second." Mr. Berger asked that Ms. Webster read back the motion. She agreed. Mr. Berger, "I will now call for the vote with the parenthetical comment that we are about to decide on another issue before a resident of that street has had an opportunity, a resident of that area, has gotten a chance to stand up before this committee to make a comment." (Ms. Arms, speaking over Mr. Berger, commented that Ms. Dowling spoke at the last meeting and the committee heard what she had to say). Mr. Berger called the vote. **MOTION PASSES 8-1.**

Ms. Simoes, "I would like, in reference to the letter that you wrote, ask you a few questions about it. One, when was the date of the petition? I never saw your input in here of your copy of the petition. I would like to know what the date is." Mr. Berger, "I have asked Tina to supply each and every member of this committee with a copy of the petitions; you will get the whole stack." Ms. Simoes, "That is not a problem; I want to ask, was that done after we had been appointed on the committee?" Mr. Berger, "This was done in February/March of 2001 and this committee did not commence until September 2001." Ms. Simoes, "Ok, so then this was before the committee was elected but it was after the referendum was passed with the Community Center and purchase of the land by Brevard County. You had 192 signatures and there is approximately, which is up for debate, about 6,000 people in the South Beaches. I was very much a part of the purchasing of the parcel for the State, which you refer to in you letter that you were a part of too, my organization that I am president of, The Barrier Island Preservation and Protection Association, wrote numerous letters and contacted the Nature Conservancy which dealt with the State when there was 297 acres for sale. We were very concerned that it was about to be purchased by a large developer. It was noted to us that if the County came forward and purchased the 67 acres and took a portion of that 9 million dollars that was to be purchased of the parcel and we worked very close with one unit per acre that were zoned to have 296 homes which could have possibly been put there, that the 67 acres that the County did purchase was a great help and it did help the State, being that I was in with the negotiations of the 232 some odd acres that was left to be purchased by the State with the Nature Conservancy and Jebb Bush who approved it. I am concerned that we are missing the picture ourselves here to, because that 67 acres, it looks to me that we are trying to minimal impact the 67 acres that the County did purchase with 2.2 million dollars and left the remaining amount by the State, which is going back to native in approximately three years. But it looks that quite a bit of that 67 acre parcel will also be going back to native if we all agree upon it, so it looks like we are only impacting approximately 10 acres at the most. I am having a problem understanding, being I have lived down here for over 25 years and I have talked to a hundred people minimum that were for this project and I did see at least 75 people from the public attendance last month that were for the project and I get numerous phone calls as Tom did that stated how pleased they were, people who thought it had already been passed and that our job, was to make best of what the Community Center would do for the community. Now I have a problem with us, you saying that 192 people signed this petition at the Town Star or whatever, after the

Referendum was passed, but before you were put on this committee. Now that this committee did form and most of us do have community outreach, I am involved with five other organizations and I want you to know that the basketball kids that play, as well as the adults that play in Floridana Beach thought it was a done deal and came to me personally as well and many of them were out here in the audience at last months meeting. I do find that a lot of the citizens thought that this project was passed and was a done deal and thought our job was to find out how we wanted the floor plan and find out what the community wanted besides the park. We did a wish list and those items I thought would only be done if funds became available through grants or whatever. The only thing that we do know about is this is a community park and our job was to make a design of this floor plan and come forward with it and not to sit here and bicker and fight constantly and knowing that we were very, very, very close to 296 homes that could have been built back there and that would have made the community really happy. Thank you."

Mr. Berger, "You're welcome."

Mr. Hurley, "This letter is being mailed to who?" Mr. Berger, "Everyone on the cc list." Mr. Hurley, "And you are going to have a one on one, I guess? It says Jeffery Berger and Evelyn, that is your..." Mr. Berger, "My wife..." Mr. Hurley, "So is this being presented as the capacity of a citizen or capacity of Chairman?" Mr. Berger, "Capacity of Chairman." Mr. Hurley, "So you are going to talk to the County Attorney on this, right?" Mr. Berger, "I intend to." Mr. Hurley, "Can we be involved, can the committee be involved in that? I would like to make a **MOTION** that any discussion about the letter with the County Attorney be done as a committee. I would like to hear what is going on. If we are in violation of any kind of laws or anything going on, as a committee member, I would like to know that. I think it would be a good learning experience for all of us." Mr. Moore, "I second." Mr. Hurley, "Good, we have discussion." Ms. Arms, "I just don't understand where you are going with this. What do you hope to obtain from sending this letter out and when you wrote this, I don't get it I guess. It is very much your opinion and you have a right to that, but I don't understand as Chairman, if you are writing this as Chairman, what do you hope to get from this? It is certainly not bringing us together." Mr. Berger, "No it is not bringing us together. But the thing is, you thought last months vote was going to bring us together and last months vote divided us. I am trying to go for accountability at this point in time. I am a little fed up with smoke screen, deception, things like that, I expected more honesty and integrity from our government in terms of how it deals with our citizens and I demand accountability." Mr. Hurley, "And I agree with what you are saying. But these are acquisitions and usually if you make acquisitions you have something to back it up." Mr. Berger, "I do." Mr. Hurley, "Where? In the letter?" Mr. Berger, "I will do it at a time and place of my choosing not yours." Members commenting that there is a motion on the floor. Mr. Berger, "We are open to discussion on the motion. I can tell you this; if this motion is designed to put a gag on me you're all wet." Mr. Hurley, "No, it is not." Mr. Berger, "Because whether you approve it or not, there is no way in hell that an attorney is going to agree to this motion." Members, "We have a motion on the floor that is open for discussion." Mr. Berger, "You are assuming that two parties, one of whom is not present, is going to agree to a motion which you are making. That is a giant assumption that you have no right to make." Members in the background asking for Mr. Berger to call the vote.

Ms. Simoes, "I just want to make sure that I understand what the motion is, is that Brian wants to make sure that the committee is present when you go to Scott Knox, County Attorney, is that what the motion is on the floor I assume? Why would you not want us present there Jeff? If you keep saying you are representing us, like the letter you wrote last time, that you have a right to represent us without us approving it, you keep writing these letters without any form of approval from any of us and you don't care about anything that we have to say." Mr. Berger, "I don't need this committee's approval." Ms. Simoes, "So you are a man of your own rock, island, the whole nine yards, and do you wonder why I asked you to step down? It's because I don't feel like you are representing us. I don't feel that you care about anything that we have to say." Mr. Berger, "Susan, if you want to call for my impeachment, you are welcome to it. I will not hesitate or flinch to call a vote." Members in the background asking to call a vote. Ms. Simoes, "Wait a minute; you have a motion on the floor. Deal with that motion and I will be glad to make the other one." Mr. Moore, "I would like to offer an amendment to this motion and I would like any further discussion with anybody in reference to the accusations you have made here tonight, to come before this committee, not just Jeff." Mr. Berger, "There is no way in hell you will ever get me to agree to that." Ms. Simoes, "Ok, it doesn't matter, call for a vote." Mr. Hurley approved the amendment. Mr. Moore, "This is to include discussion with anyone when representing himself as Chairman of this committee." Mr. Berger asked for the motion to be restated. Mr. Hurley, "The motion is to you as Chairman in reference to this letter, that you include this committee in all discussion as Chairman of the committee." Mr. Berger, "One comment..." The members, "No, that is restating the motion; there is no more discussion..." Mr. Berger, "You are not going to put a gag on me. I have my own attorney and I will be god damned if this committee tells me what I can or can not do." Member of the public told the Chairman he was out of order. Mr. Berger, "You are out of order, sit down." Members commenting that Mr. Berger is out of order and to call the vote... Mr. Berger, "I'll call the vote, it doesn't matter, it won't even stand up in court, you fools." Ms. Palus, "Mr. Berger that is enough." Mr. Berger, "I call the vote, all those in favor say I and raise your hand so I can see." **MOTION PASSES 7-2.**

Mr. Masson, "You have made some serious allegations about the County here and I am offended by that. The other thing is that the committee is concerned that you have signed this as Chairman of the committee, which reflects the whole committee, and some of these members may or may not feel this way and that is all I have to say."

Ms. Simoes, "I would like to call for your resignation Jeff Berger." Mr. Berger, "now you will have to call for the impeachment of Jeff Berger." Ms. Simoes, "So I can't make a motion to do that? I have to call for an impeachment motion? I would like to impeach Jeff Berger from being on this committee. I don't know any other way to do it. I thought it was a motion, not an impeachment." Mr. Berger, "Are you impeaching me as Chairman or member or both?" Ms. Simoes, "I impeach you both. Am I legally allowed to do that and ask him off the committee? Please, wait a minute. I need to make a motion. I need to use my brain. I am making a **MOTION** that Jeff Berger not be the Chairman of this committee any longer." Mr. Berger, "Now does that mean I will no longer be a member of this committee any longer?" Ms. Simoes, "I don't care, but I am making one certain motion and that is that I am asking that you not be Chairman or president of this committee." Mr. Berger asked for a second. Ms. Arms seconded. Mr. Berger, "It is now open for discussion. Any comments?" Ms. Margaritondo, "I have a comment. I did not want to be on this committee to be involved in this nonsense. I am here to represent the community and have a community park. This is total ridiculous and a waste of time. I am not here for this, so we need to come to some kind of conclusion or agreement because I can't waste my time doing this anymore. I have children at home. This is just ridiculous." Mr. Berger, "I thank you for your comment. I never intended to waste my time either. In September when the meting started, I asked Chuck Nelson, I am going to spend three years of my life on this committee and if we decide to do something else then what is in the Referendum Brochure, and then you decide to veto it, I want to know that the three years of my life wouldn't be for nothing. And Chuck

assured us that as far as he was concerned we would start with a clean slate and would not be wasting our time. Chuck has changed his tune. He went from blank slate to believe me you don't want to go before the County Commissioners. Chuck represented that a smaller building could cost more than a larger one, but anyone who has ever built an outhouse, knows that the cost of construction is directly proportional to the size of the structure. His remark is an absolute deliberate misrepresentation to guide and steer this committee in a certain direction. I am very tired of the foils and subterfuge that goes on with the County. There is a larger item at stake here and that is honesty, integrity and accountability and that is what I stand for. And I don't think that is bullshit and that is why I have put my neck out on the block." Ms. Simoes, (Loudly yelling) "Call for the question... he is out of line...end the discussion." Ms. Palus, "Mr. Hurley, as the liaison to the South Area Advisory Board, I am asking you to call the question." Mr. Hurley, "I will. I am calling the question; all those in favor of removing Mr. Berger as the Chairman of the committee raise their hand. **MOTION PASSES 8-1.**

Mr. Berger, "That is a blessing, because I don't want anymore to do with this. One more comment to make..." Members, "No comments... you are done..." Mr. Berger, "This makes the last motion non-binding to me because I am not the Chairman any longer and I am not bound by it, so phooey on you." Ms. Palus, "Mr. Hurley as the liaison will you please conduct the rest of the meeting since Mr. Slayton, Vice-Chairman is not present?" Mr. Hurley, "You need to sit down Jeff. Are you leaving?" Mr. Berger, "Yes, I am joining the audience." Mr. Hurley, "Jeff, please sit down." Mr. Berger, "Brian don't threaten me." Members asking that Mr. Berger be removed from the meeting... Ms. Palus, "Jeff, come on, it is time to go. He has been removed as Chairman, but is still on the committee at this time."

Mr. Hurley, "We have a lack of Chairman, so do we need to obtain a motion for a new Chairman of the committee?" Ms. Simoes, "I recommend that Brian become the Chairman." Ms. Palus, "He cannot." Mr. Hurley, "I can't because I am the liaison." Ms. Simoes, "Ok, I am sorry." Mr. Loglisci, "Do we have a quorum here now." Ms. Simoes, "We are down to eight, but we have three resignations, so we have a quorum." Mr. Hurley, "So we need someone to come forward for Chairman." Ms. Arms, "Wouldn't it go to the Vice-Chair?" Ms. Simoes, "No, you can leave the vice-Chairman as such. Does some one want to make a nomination?" Ms. Arms nominated Tom. Mr. Loglisci, "What about Mike. I think we should wait and see if he even wants to become Chairman before making any decisions." Ms. Palus, "The guidelines do say that the Vice-Chairman would assume the responsibility of Chairman and then you would elect a new Vice-Chairman. If the committee would permit me I would like to talk to Mr. Slayton to see if he wants the commitment. He may choose to stay as Vice-Chairman or not." Ms. Arms rescinded her nomination for Tom Moore.

Mr. Hurley, "I will finish up the meeting." Ms. Palus, "Prior to voting off Mr. Berger, I was hoping to have the opportunity to let you know that there are some letters in your packet that Mr. Berger asked us to provide to the committee. He requested that the letters be a quiet reflection, so that is why we waited until the end of the meeting to let you know it was provided in your packets as he requested." Ms. Simoes, "I would like staff to find out if Jeff is staying on the committee or not." Ms. Palus, "He was only voted off as Chairman." Mr. Moore made a MOTION to remove Mr. Berger from the committee. The members commented that everyone needs to calm down and wait before making any other decisions right now. Mr. Moore rescinded his motion. Mr. Hurley called for Public Input.

PUBLIC INPUT

- Jim Rosasco –Mr. Moore keeps making the comment that the votes voted on the Referendum Brochure. The County Attorney says, "By the express terms of the ballot language, the voters were placed on notice that the proceeds of the bond issue were to be used for the "acquisition and construction of needed recreational improvements" as well as for operation and maintenance of recreational improvements. No specific improvements were identified in the ballot language. Subject to the limitations discussed below, it is the opinion of this office, that the Board is able to approve any recreational improvement projects that are needed as determined in the discretion of the Board." Some of you are saying that this brochure is what the people voted for. Mr. Rosasco asked how many brochures were distributed. Ms. Palus replied more than 25,000. Mr. Rosasco stated that there are 8,000 residents in South Beaches if that tells you anything, so not everyone got one. Mr. Moore said that he did not say that all voters saw the brochure. He stated that what he said was that the people who knew that this Referendum was on the ballot and inquired about the park, where given the brochure and the people who approved the Referendum and educated themselves where referenced to that brochure. The people that educated themselves where given that. The Attorney has not made this letter public. Mr. Hurley asked if Mr. Rosasco saw the brochure before the voting. He replied yes. Mr. Hurley asked if Mr. Rosasco handed any of the brochures out and he replied yes, but he voted on the language on the ballot, not the projects and elements. Mr. Rosasco's next question was about the Community Center. He asked the committee to look at the 14,500 square foot Community Center provided of Woody Simpson and asked the committee what was missing from that plan that is needed for an 18,000 square foot building. Ms. Simoes asked if he was at the community meeting where the brochures were given out, because she was there and did not see him there. This is typical with any project. I deal with this stuff all the time and you are lucky to get a maximum of 20-25% voter turn out at anything other than a primary election. The voters approved the Referendum and you have to respect that. Mr. Rosasco asked again about the Community Center.
- Mr. Masson, "The various structures that we are going to re-use in our various projects throughout the County (about 6-7 Community Centers). It is a lot cheaper for us to come up with one basic design then to spend the dollars to come up with 6 different designs. Right now we are going through the conceptual process."
- Mr. Rosasco asked why the committee is voting on a site unseen Community Center.
- Mr. Hurley, "Jim you are the Chairman of another committee and you voted on a conceptual plan with out seeing all the designs for everything."
- Mr. Rosasco, "I just asked a simple question, these people are saying that the need a 18,000 square foot Community Center and I want to know what they think they need that is not in the 14,500 square foot Community Center."
- Mr. Moore, "We as a committee have a right to decide what we want to do with the Community Center and we have not even discussed that yet."
Many people talking over each other...Discussion ensued.
- Dan Miller – I was wondering, there was a rough sketch that I provided at the last meeting which included buffer. There seems to be a lot of importance on the buffer. The buffer seems to be the distance of the land, not including trees or whatever. Also, I

would like to thank everyone for staying here and sticking this out for the community. I just want to make sure the community stays the way it is so you guys just hang in there. Also the referendum was approved and did show a community center. Thank you. Ms. Simoes, "I just want to let you know that your sketch has been provided to this committee in our packet and the committee will take that into consideration and I just wanted to let you know that." Ms. Adams, "Jack, earlier you indicated that the paperwork Mr. Berger is submitting to whoever represents this whole committee and I think this committee needs to find out what we need to do or, he doesn't represent me, I will put it that way. I do not speak for everyone on the committee, but he doesn't see it my way and I don't want that misconstrued with the Parks Department or whatever. What do we need to do?"...Comments being made that he is interviewing with the newspaper...Mr. Hurley, "The staff will look into that and get an answer to the legality of it, ok?" Ms. Adams, "Ok."

- Mike Biennas – I just have two things that I would like to bring up. First of all I see name tags with names and it says member, I have no idea who anybody represents and that I think is essential that we know that. I know a few of them. My next question is, the issue I would like to bring up is that some of us say that the majority of 7,483 residents from A1A down to the Sebastian Inlet is for the park. If that is true, I would not be here, I don't believe that. There are a lot of people that I have talked to that don't believe that. So how do we resolve that? The only way we can resolve that is a vote. A vote of registered voters in that area. It is not a very hard thing to do. All you have to do is send out the ballots and have them fill them out and send them back in. I am very community park. If the majority of the community wants it, then God Bless them, let's do it. But if they don't then let's not do it. Thank you.
- Dolly Biennas – I have a statement and it is first I want to thank all & everyone here. I also recognize that we all have differences of opinions and that we are all very passionate about what we believe in. The question that I would like you all to ponder in your hearts, I don't need an answer right now. But, we are members of the community, not only of Melbourne Beach but of the greater Brevard County and I look at the cost, the 5.5 million dollars for a park that will serve x amount of people and as I understand that could be about 8,000-12,000. My question is have you folks done the math of what that breaks down to for every man, women and child in the South Beach area? And is that morally right for the rest of Brevard County? Another question I have is have you folks ever heard the expression "Allow the Camel to come into the tent?" Once the camel is in the tent, it is very difficult to get the camel out and the camel may have needs to care of that may not be acceptable to those people who live in that tent. So that is the questions that I ask all of you to feel in your heart and serve Brevard County in the best possible way. Thank you for your time. Ms. Simoes, "I object to the word morally. Secondly I know, I am sure that you all have homeowners meetings and I know that we have a homeowners meeting with approximately 178 homes with approximately 300 people that live in those homes. I know that Sunnyland has a homeowners Association and the only place we can go is to the Chapel by the Sea for \$50 and we can't get our people in there for annual meetings. I know that the Barrier Island Conservancy and Protection Association, I have meetings of up to 500 people and have no place to meet. I begged and borrowed to get us in this Church because there is no place to meet. It is very hard to meet anywhere or have a dance or anything that is not done by these two churches. We have no place to meet on beaches at all. There are a lot of issues that affect us and we do live in a pristine community and we have no place for outreach, no community centers, nothing where we can meet or do anything. I feel that we have no place that we are not paying money to be able to utilize." Mr. Moore, "I reiterate that in reference to, really there is nothing for the kids in the neighborhood. The only place our kids have to go is the Town Star. The money that is available. Let's spend it. Let's provide a place to bring our community together. Not only us, but our children, our families, and our seniors and that is all I have to say. Mr. Hurley, "One thing, we are trying to do something for the community. Now when that contractor was down across from Indian River Landing, and went all the way down A1A and was just unbelievable. Was there any opposition for that?" Ms. Simoes, "There was a lot of opposition with the water and canal." Discussion ensued.
- Harry Hicks – I am just an ordinary guy. A lot of these monies, I think are not just all county funds, but come from grants and things and must be built to a certain fashion and are very costly. Ms. Palus, "It depends on the project, but most of the funds from the Referendum dollars."
- Harry Hicks – I don't know Ms. Dowling but if there is a possibility that there is a berm that could be built to satisfy the neighbors I think that would be a good idea. I just feel like this park needs to be done. I don't have children and I have no agenda but I am for this park. I have lived here for many years and I have seen some of these kids grow up and I want to see a place for them to be able to go. We have no activities for these kids or places for them to go. The building, the size doesn't matter. It is a place for the community to come together and a place for the community to utilize. I apologize about me blowing up early but to listen to the previous chairman use the kind of language he did in a Catholic Church is irreprehensible to me. It is rude, shows a lack of respect and I every time I have gotten up to speak, I have spoke my three minutes and when my three minutes where up I sat down and shut up. You have to have orderly meetings. Not having people angrily running there mouths back and forth while the committee is doing business. You speak when it is your time and you sit down and keep your mouth shut until it is your turn again. Thank you. Ms. Simoes, "I want to thank Mr. Hicks for what he said. The one thing that does bother me is that I am not sure if Father Nolan would allow us to continue to meet if he had heard that language used in here. I am really serious. You don't know what it took to get us in here and I really am blown away, the more I thought about it, the more concerned I am that if Father Nolan had been driving his cart by or something and heard that, he wouldn't let us be here. We would have to go to Long Point with the mosquitos or something. Members of the public speaking over each other. Mr. Hurley asked that they wait, the committee is speaking. Discussion ensued.
- Hillary Steinberger – I am here to discuss the possibility of a dog park. Basically I am just here to find out if there would be any possibility of putting in a dog park which allows dogs a place to socialize off leash with other dogs and that is it.
- It was asked how much land was needed. Mr. Steinberger replied, "Ideally ten but we would settle with three acres." Ms. Simoes, "My concern is we have ocean and riverfront and there are no pets allowed and when we brought it the insurance companies, the dogs would have to be on a leash due to insurance concerns. I do understand your needs, but have concerns that this is a County park. We visited other parks and a lot us liked that dogs were allowed at Gleason. But I am concerned being that it is a County park and may have a liability issue."

- Hillary Steinberger explained that they have other dog parks and it has been proven that dogs are less aggressive when off a leash because it is neutral territory. Also BARC has the Liability Insurance and we have been working with the County to use other parks as well. Ms. Palus, "We will provide you with the information that BARC has provided to us so that you can have more information." Mr. Moore, "Are there any dog parks in the area?" Ms. Steinberger, "there are not any currently in Brevard County, but we are working on it." Ms. Palus, "I will let you know that BARC has met with our Palm Bay Regional Park Committee and they are providing three acres for a dog park in there plan. Satellite Beach is working on one as well." Mr. Hurley, "I think this is something we can discuss further on down the road. We will wait for information form Ms. Palus about the Dog Park." Ms. Simoes, "Karen needs to find out what Jeff is doing and what is going on with our Vice-Chairman and the members who have not been attending." Ms. Palus, "I will contact those individuals." Discussion ensued. Ms. Palus mentioned that the committee could start earlier at 6:30 p.m. instead of 7:00 p.m. The committee agreed.

ADJOURNMENT

There was no further business to discuss. Mr. Almberg made a **MOTION** to adjourn and Mr. Moore seconded. **UNANIMOUSLY APPROVED**. The meeting adjourned at 10:21 p.m.