

**REGULAR MEETING  
LAKE HELEN CITY COMMISSION  
April 2, 2009  
7:00 P.M.**

**Minutes**

**CALL TO ORDER:** Mayor Joan Duffy

**INVOCATION AND PLEDGE OF ALLEGIANCE**

*Commissioner Burton gave the invocation and led the Pledge of Allegiance.*

**DELETIONS OR MODIFICATIONS TO AGENDA**

*No deletions or modifications*

**COMMISSION ANNOUNCEMENTS**

*No announcements*

**MINUTES:** February 19, 2009, February 26, 2009

**Commissioner Robbins** made a motion to approve the February 19, 2009 and February 26, 2009 minutes.

**Commissioner Burton seconded**

**All zones and the Mayor voted yes**

**CONSENT AGENDA:**

*Bills – April 2, 2009*

**Commissioner Robbins** questioned the bill from the County of Volusia for ditch drainage thinking it should have been a Storm Water Fund expense. **City Administrator Findell** said it was for mosquito control. They maintain the ditches to remove standing water and brush. They also maintain areas where there is a mosquito population. **Commissioner Robbins** also brought up the Progress Energy bill in the amount of \$2850.33 saying that this represents 286 street lights meaning each street light costs \$9.97/month. "As I had asked a couple of times in regards to the three lights in the cemetery – at \$30 a month that would be a savings of \$360/year. Every penny counts." **Commissioner Burton** said, "I think the lights in the cemetery serve as a deterrent. Lights generally keep people at bay. They don't necessarily stop anything but the savings may not be worth the avoidance of possible intrusion." **Commissioner Robbins** said she thought that's why they fenced it.

**Commissioner Burton** had a question about police badges, the new badges and a \$15,000 charge for dispatch. **City Administrator Findell** answered that \$15,000 for dispatch is what our annual dispatch fee costs. It's a yearly charge per our contract with

the county for dispatch services. The badge cost a little over \$100 and was for Lt. Walker.

**Vice-mayor Snowden made a motion** to approve the bills as published  
**Commissioner Lane** seconded

**All zones and the Mayor voted yes**

## PRESENTATIONS

*None for this meeting*

## BI-MONTHLY REPORTS

*City Engineer*

**City Administrator Findell** said that he and the City Engineer worked the day before to finalize their response to the Water Management District's latest request for information on the Consumptive Use Permit. It will be submitted tomorrow and the City should hear back from them before 45 days elapse.

*Local Planning Agency (PLDRC) – no report*

*Historic Preservation Board –no report*

*Parks and Recreation Board - no report*

## PUBLIC FORUM

*James Tyler*

*217 N. Lakeview Drive*

"I want to tell the Commissioners and everybody involved thanks so much for getting the timers on the tennis court lights. I'm sure in the long run you'll find that there will be a savings there and maybe for the next couple of months if you do find there's a savings, that money could be donated to the July 4<sup>th</sup> fireworks fund. Thanks for all the work you did and all the research you did."

"Maybe the City of Lake Helen could apply to Volusia County to utilize workers from a work release program or community service program. They could help with cleanup along Prevatt Avenue and the entrance/exit ramps off Interstate 4. It wouldn't cost anything. All you'd have to do is apply for it from Volusia County. You could get a lot of work done for nothing without putting a financial squeeze on Lake Helen. This would free up the Public Works employees for other tasks."

Mr. Tyler then asked if anything had happened with the Catch and Release program.

**Mr. Findell** said there's been no further discussion because he has been awaiting a call from Fish & Game. Mr. Tyler said he would follow up on that.

Finally, Mr. Tyler suggested that we get a solar kit to power the lights at the cemetery suggesting that there are programs to fund this so we wouldn't have much outlay of cash in order to save money on electric.

**Commissioner Burton** concluded by saying in the stimulus package signed February 12<sup>th</sup>, part of what the President is willing to fund is anything that is green or provides energy savings. There's grant money that's available that could be utilized for that.

**Vice-mayor Snowden** said for clarification that Prevatt Avenue is county maintained. The county contracts with a group that maintains that road. We don't have city crews cleaning up on Prevatt.

**PUBLIC HEARINGS:**

*Consideration of adoption on second and final reading of Ordinance 2009-01 opting out of the provisions of 95-462*

Mayor Duffy read the preamble:

**AN ORDINANCE OF THE CITY OF LAKE HELEN, FLORIDA RELATING TO THE DATES OF CITY OF LAKE HELEN ELECTIONS AND THE QUALIFYING OF CANDIDATES FOR ELECTION TO OFFICE; OPTING OUT OF THE PROVISIONS OF CHAPTER 95-462, LAWS OF FLORIDA, AS AMENDED BY CHAPTER 98-506, LAWS OF FLORIDA; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR EFFECTIVE DATE OF ORDINANCE AND AN EFFECTIVE DATE.**

**Commissioner Robbins made a motion** to adopt Ordinance 2009-1 on second and final reading.

**Vice-mayor Snowden seconded**

**All zones and the Mayor voted yes**

*Consideration of adoption on second and final reading of Ordinance 2009-02 relating to a speed limit and speed zone study/traffic study*

Mayor Duffy read the preamble:

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE HELEN, FLORIDA RELATING TO A SPEED LIMIT AND SPEED ZONE STUDY/TRAFFIC STUDY; PROVIDING FOR LEGISLATIVE FINDINGS AND PURPOSE; PROVIDING FOR ACCEPTANCE OF THE LAKE PEARL DRIVE TRAFFIC STUDY; PROVIDING FOR ESTABLISHMENT OF A SPEED LIMIT AND SPEED ZONE; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.**

**Vice-mayor Snowden made a motion** that the City of Lake Helen adopt Ordinance 2009-02 on second and final reading

**Commissioner Lane seconded**

**Commissioner Robbins** asked if anybody knew how many speeding tickets have been written. **City Administrator Findell** said he doesn't know the total but he does know during the times that the police department was conducting traffic enforcement recently that there were not very many. **Commissioner Robbins** continued, "Because on the bills tonight, for the News-Journal, there was a bill for \$604, \$302 of it was for this

ordinance. Also included is our time and the Attorney's time. So if no tickets were issued at 30 mph, I wonder if they will write any at 25 mph? We're spending \$1,000 and have no way of knowing if it's going to be money well spent." Mr. Findell said an issue that may be a determining factor about whether the money is well spent or not is whether the ongoing monitoring indicates that the traveling public is not exceeding 30 mph - that people are traveling a safe speed or within a mile per hour limit where you would not issue tickets. The whole goal of this project originally was to reduce speeding on Lake Pearl Drive. So if a 25 mph speed limit helps that goal be accomplished then we will have spent our money well. **Commissioner Burton** added, "As a rule, whatever the posted speed limit is, most people go 5 mph over. If the limit is posted at 30 mph, you might get away with 35 mph. If the limit is posted at 25 mph it might be under 30 mph. So reducing it actually gives you a five-mile cushion that's closer to the speed you want people to travel." **Commissioner Robbins** said, "I did speak to Keith and he told me that Mike was applying for a grant to acquire a radar device that I had brought up before. If we can get the grant and get one of those devices I think that might also work in our favor."

### **All zones and the Mayor voted yes**

Lou Benton from the audience made the comment that this was a Public Hearing and it should have been opened as a Public Hearing giving the public a chance to speak. **City Administrator Findell** said the agenda indicates if you want to speak to an item on the agenda you need to fill out a blue card. **Commissioner Lane** said the meeting is open to the public - anybody could have submitted a card. Mr. Benton said it needed to be opened as a Public Hearing. Mayor Duffy asked if Mr. Benton would like to come up and speak. He declined.

### **COMMISSION CONSIDERATION:**

*Consideration of request by Elisha Lee from the Trading Post to have a Mother's Day event at her facility on May 9, 2009.*

"When I was here last time, I asked if I could have an event in my yard on Michigan Avenue. I was told by about 25 members of this town that I never should've done that. I apologize for wasting your time and mine. Since then I've gotten letters from Chief Chester and from Rick Mullen giving me the OK to go ahead with my plans. They both know the logistics of what I'm doing. You've (the Commissioners) have asked for details of what I'm going to do. That's still unfolding and I'm busy working with Community Roots to get the pancake breakfast going on April 25<sup>th</sup>. My event is May 9<sup>th</sup>. It's not going to be huge. I have about five vendors who want to set up in my yard. I just met an older gentleman who plays the fiddle and he's going to be there. I'm just trying to get some people to come in and buy some stuff. I'll have raffles, goodie bags and things like that." **Mayor Duffy** referred to the signed letters from Mr. Mullen/Public Works and Chief Chester that they have no problem with the event on Trading Post's property.

**Commissioner Robbins made a motion** to honor Miss Lee's request to have a Mother's Day event at her facility on May 9<sup>th</sup>.

**Commissioner Burton seconded.**

## All zones and the Mayor voted yes

*Consideration of request by Saprina Franklin to reduce the rental fee at Melissa Park for a family gathering.*

Ms. Franklin was not in attendance. **Mayor Duffy** said she did not speak with her but we do have a letter that she submitted. The **City Clerk** said she didn't know specifics, the information came from Wendie Levings.

**Commissioner Robbins** said it's not until June so she would move that it be tabled until we have more information.

**Commissioner Burton seconded**

**Commissioner Lane** said he would want to know how many people would be there and more general information than what was addressed in the letter also he'd want to know what does she mean by a "reduced fee"? **City Attorney Groot** said, "This is a general cautionary word about requests like this. You need to have objective criteria that would apply to everybody. I don't think there are any guidelines right now." **Commissioner Lane** said, "It would be better to tell her it's not going to happen. Does anybody know what the fee is?" There was general conversation about fees but nobody knew what they are for Melissa Park. **Commissioner Lane** continued, "There's no real reason why a private individual wanting to use the Park exclusively would receive any kind of break in the fees just because it's a family reunion." City Attorney Groot said, "The way you handle this is to have objective criteria that must be applied to everybody. From my experience I can tell you that when you start getting into objective criteria, it can get very intrusive. You have to start asking questions that you wouldn't normally ask."

**Commissioner Burton** said, "We have a motion on the floor and I think it would be good to have a representative here who can answer our questions." **Commissioner Lane** agreed, adding that we don't have objective criteria to make this decision. **Mayor Duffy** added that we have in the past waived fees for Melissa Park for residents but we need a better idea of what Ms. Franklin means by a reduced fee. **Commissioner Burton** used the Henry Whites Family Union event as an example: "We ask them for a budget as to what it was they were spending therefore it would explain why they would need a reduction as opposed to just giving a blanket 'yes you can use it for free'. We had to do that a few times before they realized they needed to submit a budget. I am all for educating the public in this manner so we can tell them that we're tabling it. If they want to present it they need to come before the Commission."

**Commissioner Robbins** said, "It's different with Henry Whites Civic Association because they more or less have roots here in Lake Helen. It's for the entire city to go to. This is specifically for a family reunion." **Commissioner Burton** pointed out that it is a public park. There's no mention if they want to use the kitchen facilities. Absent of the locked up portion of the park, any number of people can attend a function there without a fee. **Commissioner Robbins** added, "That's the case at any of our parks." **City Administrator Findell** said all we need is more information. That's obvious from this discussion

**All zones and the Mayor voted yes.**

*Consideration of appointment of Vince Cuda to the Parks & Recreation Board.*

**Vice-mayor Snowden made a motion** to approve the appointment of Vince Cuda to the Parks and Recreation Board.

**Commissioner Robbins seconded.**

**All zones and the Mayor voted yes.**

*Consideration of Resolution 2009-07 relating to the creation of a City "Identity Theft Prevention Program"*

**City Administrator Findell** said, "Basically the resolution and the policy were written in order to comply with federal regulations that are commonly known as the red flags rules that deal with the federal government's attempts to curb identity theft. These regulations require financial institutions and creditors to establish a written identity theft program. The City of Lake Helen, and other governmental entities that provide services for which customer accounts are established, are considered to be creditors under the federal regulations so that's why we have to do it. Cities that have utility services typically are the ones that are affected, whether they are electric utilities or water utilities, because you are providing a service for which the service is provided before it's actually paid. You're actually maintaining a written list of consumer customer accounts. This was written based upon the regulations as they were established. The high points of the regulations are that it provides a comprehensive guide to city employees for actions to take to minimize the potential for identity theft. To identify and detect the red flags of identity theft which include unusual account activity, fraud alerts, attempted use of suspicious documents, etc. It gives staff the tools to respond to instances of either actual or potential identity theft. The federal regulations originally required the program to be established on or by November 1, 2008. We were in the process of preparing the documents when we got word, that because of the confusion over who was an applicable entity under the regulations, that the federal government pushed that date back six months until May 1. We've put it together for the Commission to adopt by resolution and then the program will be incorporated into our policies and procedures manual." **Mayor Duffy** said she went through the document and it's very thorough, so thorough, in fact, that there may be things in it that don't apply to us. It's very detailed and that's good in case the city grows. **Commissioner Robbins** asked, "Under the first whereas, 'identity theft is the criminal use of an individual's personal identification information and identity thieves steal information such as a person's name, social security number, address' etc. We do not at this point ask for that information of our customers do we?" **City Administrator Findell** answered, "No. We had some discussion over the last few months about revamping our application procedures because there are other issues that have arisen over the years that we think revamping our application procedure will assist us with." **Mayor Duffy** asked if the police department still requires a copy of a drivers license. The answer was yes - drivers license and social security number. **Commissioner Robbins** asked for what purpose. **Mr. Findell** said both are necessary for background checks. **Commissioner Burton** then added "As I've reviewed the audit report that we've had for the past couple of

years, the auditor commented about the lack of a fraud prevention policy in the City. We would be in compliance with our own auditors by approving this resolution.”

**Commissioner Burton made a motion** that Resolution 2005-07 be accepted as read  
**Vice-mayor Snowden seconded**

**All zones and the Mayor voted yes**

#### **COMMISSION DISCUSSION:**

*Discussion regarding Family Movie Night/Motion Picture Licensing Corporation licensing requirements and fees.*

Parks and Recreation discovered that they cannot do this without an annual license which would cost \$505 annually and would only permit one facility to use it which would be City Hall. It's not transferable and can't be used anywhere else in the City. There are restrictions placed on it. There's a gray area if donations are collected from the general public. **Mayor Duffy** asked the Commission if they want to purchase this copyright compliance solution for the legal use of motion pictures. It's called an umbrella license and costs \$505 just to show films once in a while. Randy Molnar has been talking to Betty O'Laughlin about the license. He's involved in the movie industry and he's looking into this for us. **City Administrator Findell** said his concern was not spending \$505. His concern are the restrictions that are placed upon the City even with the issuance of the license. "My concern in that regard was that I wasn't sure that if we complied with the restrictions that we wouldn't be operating counter to what we'd want to do with movie night which is advertise it. One of the most important things I saw in the restrictions was related to advertising. You're not allowed to advertise except within the facility where it's being shown, not even outside on the marquee. You can advertise movie night inside the facility. You can have a flyer that describes the movie but it can only be posted inside the facility. The flyer we were given last meeting couldn't be posted anywhere but inside the building." **Commissioner Burton** said, "The intended audience for movie night that we're looking at couldn't really care if it was posted on milk cartons or anywhere. I think if there is a movie night the kids that would be coming would be coming because it's a movie night. This is an adult type of perspective. Sean (Abshire) is sitting there - I think Movie Night was his idea and I think it was a good one. I would hope that we don't dampen his spirits by letting technicalities get in the way. We could have a movie night because the word would spread among the kids, whatever that movie might be. Just as long as they have someplace to go and hang out and do something that would keep them from getting in trouble. I think, overall, we're saving more money by having kids in a controlled safe environment than having them out on the streets spray painting buildings and doing things that would get them in trouble. For \$500 a year I think we would be shortsighted not to think that we could get a benefit out of it." **Commissioner Robbins** said there still is the gray area of charging a fee or accepting a donation. **City Administrator Findell** agreed, "The restrictions are very specific in that you cannot charge a fee. The City Attorney and I talked about this today and reached the same conclusion that even the donations could be problematic because it would look as if you were circumventing the restrictions. So, in order to avoid potential legal conflict we would refrain from asking for donations."

**Commissioner Burton** said but we wouldn't refuse them? **City Attorney Groot** said, "Don summarized it very well and **Commissioner Burton** is correct in that if you have a program where the goal is to have children come in and watch movies and that's your goal, that's fine. You're limited to those restrictions though. The restrictions may seem silly or overly precise. However, in a similar situation, a \$90,000 judgment was awarded against Tampa Bay Downs because they did not comply with the stipulations. **Mr. Groot** said they only played about six songs and they were told not to do it. It was Fun and Family Day at Tampa Downs and they ended up with a \$90,000 fine for not getting the \$500 license. There's no issue about buying a license and showing free movies that are on the inventory of the licensor. I understood the goal is to collect money for 4<sup>th</sup> of July. Therein lies the rub. There's no rub with getting a license and showing all the movies the licensor has under their inventory. If you change your objective to not raising money but to keep kids off the street, that's different." **Commissioner Burton** said we're back to getting kids off the street to which **Mr. Findell** added that we could then advertise the name of the movie and other pertinent information within the building where the license is carried. **City Attorney Groot** said, "To advertise outside the building you'd have to buy a specific license for a specific movie and that would cost you more. You'd have to get a license similar to what a movie theatre has." **Commissioner Lane** said they're just protecting their movie theaters and then he asked Sean when you came up with this idea was it primarily to raise money for fireworks? Mr. Abshire nodded yes. **Commissioner Lane** continued by asking if he would want to pursue it as a fun thing to do outside of raising money. If it wouldn't raise a dime, would you want to do it. Sean Abshire said yes he would. "I think it would be a good way to keep children off the street and stop some of the spray painting and vandalizing." **Mayor Duffy** described a situation back in the 60's with her son explaining that if you do this without the proper licensing you will get busted. She asked if the Commission wants to go ahead with licensing at \$505 which would give permission for indoor exhibitions at Lake Helen City Hall with just a general movie night advertisement outside the building. The City Clerk suggested waiting until Randy Molnar was consulted. **City Administrator Findell** said if the Commission chooses not to secure a license then we need to know that as quickly as possible so we can remove the advertising around town. **Commissioner Burton** said, "I will donate \$100 if anyone else will." He then asked if this can be approved pending input from Randy Molnar or Sean raising the money." **City Administrator Findell** said the turnaround is very fast once the license is applied for. It's a matter of just paying for it online and then the license is in effect. **Mr. Groot** said what **Commissioner Burton** is really proposing is contingent approval. **Commissioner Burton** said maybe people in the community would like to invest money like I said I would.

*Lou Benton  
Lake Pearl Drive*

"There's more to this than what all of you are talking about. Who's going to oversee these kids? Who's going to be in charge of the equipment? Who's going to be responsible for damage? Let's get realistic. We've all been to movie theatres and have seen what they look like afterwards." **Mayor Duffy** said there's no food allowed, it's written on the flyer. Mr. Benton continued, "The money is not the only thing to

consider.” **Mayor Duffy** replied that the Parks and Recreation Board addressed these concerns at the last meeting.

**Vice-mayor Snowden** said Lou brought up good points. “I question how big a turnout you’ll get.” He asked Sean Abshire what he thought and Sean answered that it would probably depend on the movie but he feels that the turnout would be good.

**Commissioner Lane** asked Sean what he considered a good turnout to which Sean replied a couple dozen people.

**Vice-mayor Snowden** continued, “So there could be 25 people confined to this area. There is valuable equipment in here and in the building so I think it would need to be well supervised. We don’t want this to cost money and to continue costing money.

**Commissioner Lane** added that anytime a facility is used there’s maintenance.

**Mayor Duffy** said we might be better served to use a different facility so there wouldn’t be as much concern with damage and policing.

**Commissioner Burton** said, “This is the people’s house. We are the custodian of those facilities and we shouldn’t be keeping people out of the people’s house.”

**Commissioner Robbins** said the intent is good but we weren’t aware that we’d run into these stumbling blocks. **Commissioner Lane** suggested that Sean restructure his plan and have a Family Game Night or something other than movies that could take place in the Commission Chambers or on the front lawn or something like that.

**Commissioner Burton** mentioned that the Shuffleboard Court might be a good venue.

**Commissioner Robbins made a motion** to table this item until Randy Molnar is consulted.

*Ralph Kelly  
170 tangerine*

“The old city chambers has nice theatre seats. Why can’t they use that facility?”

**Commissioner Lane** said everybody has to keep in mind that the license is facility specific. **City Administrator Findell** added that the practical problem is the equipment issue. The Commission Chambers is set up for that. **Commissioner Burton** said what Ralph said might make sense. Get a big screen television and set up chairs.

**Commissioner Robbins** said there’s the multi-purpose room at the CAC that has a big screen tv.

*Mary Dickinson  
336 S. Lakeview Drive*

I agree with using the youth center. The CAC was supposed to only be a snack bar but it turned into a full on restaurant. If it was set up for a teen center why don’t they have all the necessary equipment? You have to have a projection screen around here. I’ll donate \$100 toward it as long as that’s what it goes for. If it doesn’t work out after a year, stop it. Movie night wouldn’t kill anybody.”

**Commissioner Burton** said, “No doesn’t mean never. The idea was birthed and we just need to work out the details.” Lou Benton said, “People are deciding what’s going to happen at the Teen Center without consulting with Keith. Are you (Commissioner Burton) going to put all the chairs back up in the old Commission Chambers? The seats aren’t attached to the floor anymore.” **Commissioner Burton** said they’d use the Café.

**City Administrator Findell** said, “If the room at the CAC is used it will be coordinated through Keith.” Lou Benton said nobody said that and that he’s not able to read minds. The public needs to know what you’re talking about. **Vice-mayor Snowden** added that the license doesn’t apply to private individuals so somebody could open their home – that’s another option.

**Commissioner Robbins made a motion** to table this item until Randy Molnar is consulted.

**Commissioner Lane seconded**

**All zones and the Mayor voted yes.**

#### **STAFF REPORTS:**

##### *City Attorney*

“I provided each Commissioner with a copy of the order dated March 31<sup>st</sup> issued by Judge Rouse in the Troy vs. City of Lake Helen case. Judge Rouse denied the Troy’s motion for rehearing and leave to amend. The Circuit Court case is final in favor of the City and hopefully this litigation has come to an end. If it has not we will find a Notice of Appeal or a Petition for Writ of Certiorari within the 30 day time limit. As of right now, the Circuit Court ruling is final in favor of the City.

*Police Chief - no report*

##### *City Administrator*

“I’ll bring you up to date on stuff relative to the stimulus bill. **Commissioner Robbins** mentioned that she had a conversation with Keith about Lt. Walker applying for a speed sign trailer. He’s also applied for funding for a number of other law enforcement tools such as in-car cameras and some computers. Along that same line, I just completed and submitted an application for a sidewalk along Macy Avenue from Kicklighter to Ohio Avenue which, if funded, would complete a missing sidewalk link, the most important one, in Lake Helen. That particular sidewalk would connect with eight miles of sidewalks in the City in all directions but south. These are competitive grants so actually receiving them is another thing entirely. We will continue to make use of the stimulus funds as we are able to. I looked on the State of Florida/DOT website to check the status of the County Road 4139 resurfacing project that was recommended for funding by MPO and by DOT District 5. It’s been recommended by DOT headquarters in Tallahassee and is going to the Legislature for approval.” **Mayor Duffy** thanked **Mr. Findell** for all his work on getting our projects funded and asked if we are still on the list for sidewalks? The City Administrator said we are on the B-list. The B-list contains projects that are to be funded in future years. “We are fortunate to have gotten listed and ranked as high as we did.”

*Code Enforcement Officer – no report*

## MAYOR'S REPORT AND COMMISSIONERS' REPORTS BY ZONE

### *Commissioner Robbins/Zone 1*

“During the last meeting, we had a malfunction with the recording device. I’ve talked to Nancy and Don about getting a new camera. Eddie’s is pretty adequate. It has software that can be downloaded to the computer and put on DVD. I looked on eBay - used ones start at \$100; new ones cost \$299. It would be a good back-up to have as Eddie may not always be here to film. The City might want to consider buying one as a backup. You never know what kind of power failure or whatever can happen. Nobody realized that it wasn’t recording.”

### *Commissioner Burton/Zone 2*

“I attended the State of the County meeting. Keith had presented the cost of a COP program that we tabled. I spoke to somebody about it – we might possibly get the Sheriff’s department to add another group of people to their program but there would still be a cost issue.”

“Speaking about the stimulus program - it does have some impact on civilians and municipalities. There are things that we can purchase that would be beneficial. It’s imperative that we consider what the bill has to offer.”

“The other day while at City Hall I ran into an acquaintance who had presented Don with a proposal to do a mold inspection because of what could possibly be a mold infestation in the building. This might exist and could be a health condition. We might need to move quickly.”

“I want to discuss the Tony Troy litigation. My concern is that we have a member of the PLDRC who through litigation created a conflict and he might want to relieve himself of being on the board. It does not bode well to have one of our planning commissioners sue the City. I’m not making a motion; unless I make a motion I’m just talking. I would think before I make the motion it’s something we should consider. Make a motion or resolution to ask Mr. Troy if he’d do well to not sit on this board so we would not have this hanging over us or him.”

### *Vice-mayor Snowden/Zone 3*

“I share Commissioner Burton’s sentiments. I attended the League of Cities meeting sponsored by Holly Hill. They had a guest speaker who is the regional liaison between the League of Cities and the seven county district that Volusia County is a member of and so is Lake Helen. The speaker pointed out that there are 405 municipalities in Florida that are members of the Florida League. There are 86 municipalities in the seven county region that we’re in. Because of the economy, they are starting to look at things that affect us and others within the region. Those concerns that affect us also affect other communities. The concerns are: countryside, centers, quarters and conservation. They passed out flyers and asked us to submit things that we as a community do that hit on any of those topics. One of the critical things that the State of Florida has started to look at is the agricultural industry because tourism that’s been part of the boom for many years is falling off. Agriculture is still a strong presence in Florida. That’s something we don’t want to lose sight of. Agriculture brought this state to the point that it is and made it attractive for the developers to come in and destroy agricultural land. We’d like to revert back to or maintain an agricultural base. There

was a Volusia Day and a delegation went to Tallahassee; Volusia County was well represented.”

“Regarding Commissioner Burton’s comment regarding a planning board member. I had spoken to him back at the initiation of that lawsuit against the City. I felt at that point that he’d established an adversarial relationship with the City because he was suing the City where he served. His representation to me was that it’s an entitlement that he serves at the pleasure of the City but he serves as a citizen and would not in any way voluntarily step down from that post.”

*Commissioner Lane/Zone 4 – no report*

*Mayor Duffy*

“It’s been a busy month as far as meetings go. I’m overloaded with information. Today I received information from the state that there are \$168 million stimulus dollars for energy efficiency and conservation. They will be coming out with a definitive list but basically it will cover any efficient energy project. There will be grants available. I don’t know if anything will pertain or apply to us. Look at [www.flarecovery.com](http://www.flarecovery.com) for more information.”

“I’ve also been going to MPO (Metropolitan Planning Organization) meetings. We’ve been approved for the repaving project. There are other funds that may be available to fund other projects in Lake Helen because MPO’s budget changes regularly. So much is going on it’s getting difficult to keep up. It’s all important and I represent the City at a lot of these meetings. Don goes to the Manger’s meetings and we get some of the same info. We try to keep you informed and keep Lake Helen in the loop.”

**Commissioner Robbins** asked Don if Cheryl has been able to get a 5 month report on the City finances so we can look at where we stand. Has she been able to get that pulled together. **City Administrator Findell** answered, “No. She provided me with a budget detail so I’ve been working with that to see where we are with our finances, especially revenues, this year. I’m looking at some trend lines from last year and am trying to project for next year. She’s planning on the new software allowing her to put that information in a more usable format for the average person. I’ve got the information on a line-item by line-item basis and a month-to-month basis. Mark Peterson came in and set up the server the other day and the people she’s been working with from Harris assisted in loading the software. In the last couple of days they ran into a couple of glitches but they were resolved. She’s informed the training people that the software is loaded. Next, she’s going to work on transferring data into the new software and expects to be ready for training by the end of the month. One of the things that they discovered while loading the software and working their way through the program was that a backup drive had not been part of this package so that’s something that needs to be done. It can be an external drive. We’ll get that shortly. That’s the news on the financial front. And Ann (Robbins), anytime you want to come in and discuss any of this with me, I’d be happy to.”

**Vice-mayor Snowden** had another comment to make that came from the League of Cities meeting. There are those people who genuinely respect City government and those that generally disrespect City government in Lake Helen. The League published

their final list of names for the Distinguished Service Awards. Each year, Lake Helen is represented and frequently we have individuals who are chosen as distinguished servants. They are chosen by their peers and counterparts. Our City Administrator is a finalist on that list. He is in the running for City Manager of the year. Congratulations are in order.

**Mayor Duffy** said, "I have a special love for Growth Management Committees after serving on them for so many years. The property out near the Boy Scout camp belongs to Miami Corporation and they've owned it since 1922. Recently, they published their plans for what they are going to do with their 59 thousand acres. The map was in the paper. I've always been frightened about what they might do and was warned to keep an eye on them. It's sad. I have the information in the office if anybody wants to read it."

**Meeting was adjourned at 8:50 p.m.**

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**Joan L. Duffy, Mayor**

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**Nancy Wilson, City Clerk**