

TOWN OF LOXAHATCHEE GROVES
Minutes of Regular Meeting, April 3, 2007

MEMBERS PRESENT: Council Member Dave Autrey
Council Member Dave Browning
Council Member Marge Herzog
Council Member Dennis Lipp
Council Member Bill Louda

OTHERS PRESENT: Sam Goren, Esq., Ron Maken, Florida Power & Light, Brian Cattrell from Public Risk Assurance Agency.

The meeting was called to order by Mayor Browning at 7:00 p.m. Vice Mayor Herzog called the roll and the following Town Council members were present: Bill Louda, Dave Autrey, Marge Herzog, Dave Browning, and Dennis Lipp.

The Pledge of Allegiance was recited. Mayor Dave Browning then provided the invocation.

It was requested that agenda item 25 (Gas Tax) be moved up to item 5. Motion by Council Member Bill Louda to approve the agenda as amended, seconded by Council Member Dennis Lipp. Motion passes unanimously.

Gas Tax. Motion by Council Member Bill Louda that the Town Attorney draft an Interlocal Agreement with the Loxahatchee Groves Water Control District that the Town provide the gas tax money in return for maintenance, seconded by Council Member Dennis Lipp. Discussion of the Gas Tax by Council Members. Town Attorney Sam Goren advised that the Town now has a Tax Identification number. Dennis Lipp advised that based on population the Town would receive approximately \$75,000 in 2007 for 2006. Motion passes unanimously.

Interlocal Agreement with Palm Beach County Zoning and Growth Management Services, Code Enforcement. Motion by Vice Mayor Marge Herzog to authorize and direct the Town Attorney to prepare a Memorandum of Understanding between the Town and Palm Beach County for the interim services subject to a final document that has yet to be approved by either side, seconded by Dennis Lipp. Discussion by Council Members. Motion passes unanimously.

Interlocal Agreements with Palm Beach County Sheriff's Office. Motion by Council Member Dave Autrey to authorize and direct the Town Attorney to begin the exchange with Palm Beach Sheriff to get a relationship together in writing for police services. Motion by Council Member Dave Autrey to instruct the Town Counsel to send Palm Beach County Sheriff's Office a letter that the Town will continue coverage at the present level until such time as the Town Council determines otherwise. Seconded by Council Member Dennis Lipp. Motion passes unanimously.

FPL Franchise Ordinance. Motion by Vice Mayor Marge Herzog to place the FPL Franchise Ordinance on the agenda for April 17th for a First Reading, seconded by Council Member Dave

Autrey. Rod Maiken, FPL was available for questions from the Town Council and residents. All communication regarding FPL issues can be directed to Don Kieselewski. Motion passes unanimously.

Retainer Agreement with Goren, Cherof, Doody & Ezrol, P.A. Motion by Council Member Bill Louda to accept the agreement as submitted, seconded by Vice Mayor Marge Herzog. Discussion by Council Members. Motion passes unanimously.

Town Management Discussion. Discussion of how to proceed to begin services of a Town Manager, including the Range Rider program. Motion by Council Member Bill Louda to have a Range Rider representative at the next meeting and to schedule a workshop on April 24, 2007 and to post the notice, subject to the availability of the Loxahatchee Groves Water Control District's meeting room seconded by Vice Mayor Marge Herzog. Motion passes unanimously.

Office Location. Letter received from the Water Control District making their facility available at no cost to the Town other than carrying cost as a meeting site. Discussion of possible locations for office space. Any resident who knows of space available is encouraged to contact the Town Council.

Insurance. Proposal from Preferred Governmental Insurance Trust (PGIT). Two principal provides of insurance to local government are PGIT and Florida Municipal Insurance Trust (FMIT). FMIT will be also making a proposal. Motion by Council Member Bill Louda to direct counsel to request a proposal from FMIT and add to the next agenda along with the proposal from PGIT for the purposes of making a presentation by either or both providers, seconded by Council Members Dave Autrey. Brian Cattrell from PGIT was available to answer questions. Motion passes unanimously.

Bank Account Update. The Town has an Employer Identification Number: 331159224 and can now open a bank account. Discussion of the best way to choose a bank. Motion by Council Member Bill Louda to solicit proposals, seconded by Council Member Dennis Lipp. Council Member Dennis Lipp will speak to several banks and bring their information back to the next meeting. Motion is withdrawn by Council Member Bill Louda and a new Motion by Council Member Dennis Lipp to speak with a minimum of four banks and send data to the Town Council for their review and contact other municipalities, seconded by Council Member Dave Autrey. Motion passes unanimously.

Town Council Administrative Procedures. The Town will have a code book which will have within it the Charter and a Code of Ordinances. Town Council may wish to consider that the Town Manager help establish first code book. This code book may include a procurement code, and other items needed for day to day procedures. This is a future legal obligation. Motion by Council Member Dave Autrey that discussion on planning and zoning board be placed on the Agenda for April 17th, seconded by Vice Mayor Herzog. Motion passes unanimously.

Town Web Site.

Discussion concerning the Town's website and the need to have a website representative.

Committees.

Veronica Close discussed ideas for the Council to consider when appointing committees. Motion by Council Member Bill Louda we add the discussion on committees and request that the Range Rider Program give us input on Committees. Seconded by Vice Mayor Marge Herzog. Discussion by Town Council about the creation of committees. Council Member Dave Autrey volunteered to contact various individuals that have done municipal start-ups, facilitated comprehensive plans, have done this and have them give presentation. Motion by Council Member Bill Louda that at the workshop meeting on April 24, 2007, that Council Member Dave Autrey will line up people to come and bring us suggestions of committees that we will need, seconded by Vice Mayor Marge Herzog. Motion passes unanimously.

Traffic Issues. Traffic Signal at "C" Road on Okeechobee Boulevard. Stops Signs Council Member Lipp stated he had requested that Palm Beach County traffic begin a signal warrant study for Okeechobee. They recommended that the Town Council send a letter requesting that a traffic signal be placed on Okeechobee somewhere. He also advised that roundabouts could be done by an action of the Board of County Commissioners. Motion by Council Member Bill Louda that the Mayor write a letter to Palm Beach County finding out if a traffic signal could be placed at C Road and if not, where along Okeechobee one could be placed. Seconded by Council Member Dennis Lipp. Council Members discussed this item and received public comment. Motion by Council Member Bill Louda to instruct the Mayor request a signal warrant study for a traffic signal at C Road. If that is not possible, where one might be and to include any other potential traffic calming devices or procedures such as roundabouts and four way stops. Seconded by Vice Mayor Marge Herzog . Discussion by Council Members. Motion was amended by Council Member Bill Louda to read authorize the Mayor to write a letter to Palm Beach County to see what we can do on Okeechobee for traffic calming emphasizing our desire for four way stop signs at multiple roads, seconded by Vice Mayor Marge Herzog. After discussion by Council Members, the motion passed 3-2 with Council Member Dave Autrey and Mayor Dave Browning declining. Dennis Lipp with invite Dan Weisberg, Director of Palm Beach County Traffic Division to the April 24, 2007 workshop. Motion by Vice Mayor Herzog, seconded by Council Member Dennis Lipp to effectuate the transition of item 19, 20, 22, 24, and 26 to the workshop. Motion passed unanimously.

Revenue Sharing Application. Motion by Council Member Dave Autrey that the Mayor sign the Revenue Sharing Application, seconded by Council Member Bill Louda. This motion was passed unanimously.

Discussion concerning Authorization of Expenditures. In that there is no revenue for the Town yet, this item was moved to the next Agenda.

Proposed resolution regarding Permanent Removal of the E-Road, 140th Avenue Thoroughfare from the Palm Beach County Thoroughfare Right-of-Way Identification map. The following proposed resolution was read:

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SUPPORTING THE PERMANENT REMOVAL OF THE E-ROAD, 140TH AVENUE THOROUGHFARE FROM THE PALM BEACH COUNTY THOROUGHFARE RIGHT-OF-WAY IDENTIFICATION MAP; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

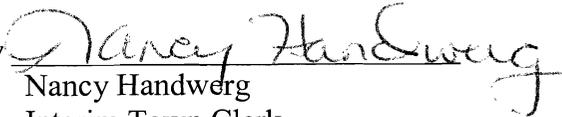
Motion to approve this resolution by Council Member Bill Louda, seconded by Vice Mayor Marge Herzog. Motion passes unanimously.

Discussion concerning Agenda for April 17, 2007 Regular Meeting. This item has been discussed throughout the meeting.

Public Comment. Public comment received.

Council Members Comments. Council Members comments received. Tim Mahoney would like to meet with the Town Council. He will be sent a list of scheduled meetings and invited to attend at his convenience. Consensus to send Dave Autrey to speak at the Palm West Chamber of Commerce Leadership Group to explain the Town Charter. Consensus that Marge Herzog will be the delegate to the League of Cities.

On motion by Council Member Dennis Lipp, the meeting was adjourned at 10:30 pm.

Submitted by 
Nancy Handwerg
Interim Town Clerk