



Town of Loxahatchee Groves

Town Council Meeting Minutes

Tuesday, January 15, 2013 at 7:00 p.m.

Loxahatchee Groves Water Control District, 101 West "D" Road

Mayor David Browning (Seat 4)
Vice Mayor Jim Rockett (Seat 2)
Councilman Tom Goltzené (Seat 5)
Councilman Ronald D. Jarriel (Seat 1)
Councilman Ryan Liang (Seat 3)

Town Manager Mark Kutney
Town Clerk Susan A. Eichhorn
Town Attorney Michael D. Cirullo, Jr.

MINUTES

1. OPENING

- a. Call to Order & Roll Call

Mayor Browning called the meeting to order at 7:00 p.m. Upon roll call, those present were Mayor David Browning, Vice Mayor Jim Rockett, and Council Members Tom Goltzené, Ronald Jarriel and Ryan Liang. Also present were: Town Manager Mark Kutney, Town Planning Consultant Jim Fleischmann, Town Attorney Michael D. Cirullo, Jr., and Town Clerk Susan Eichhorn.

- b. Pledge of Allegiance Invocation – Mayor Browning
- c. Approval of Agenda

Councilman Jarriel requested that item 10.a. be moved to follow item 8.

Motion: Council Member Liang made a motion to approve the Agenda, as amended. The motion was seconded by Vice Mayor Rockett. The motion passed 5/0.

2. CONSENT AGENDA

- a. Invoice from Goren, Cherof, Doody & Ezrol, P.A.

Motion: Vice Mayor Rockett made a motion to approve the Consent Agenda. The motion was seconded by Council Member Liang. Town Manager Kutney pointed out that an additional invoice had been received today, and it should be included in the approval. Vice Mayor Rockett amended his motion to include the invoice in the amount of \$612.45 for in his motion to approve. The amended motion was seconded by Council Member Liang. The motion passed 5/0.

3. PRESENTATIONS

- a. CAFR Presentation – *Darlene Malaney, CIMA, Director, Finance Services, Palm Beach County Clerk & Comptroller's Office*

Darlene Malaney, Director of Finance Services with Palm Beach County Clerk & Comptroller's Office presented the Certificate for Achievement for Excellence in Financial Reporting.

- b. Certificate of Appreciation for outstanding support for Read for the Record to Mayor Browning from the Literacy Coalition of Palm Beach County- *Jeanne Heavilin, Volunteer & Outreach Coordinator.*

Jeanne Heavilin, Volunteer & Outreach Coordinator, presented the Certificate of Appreciation for Read for the Record to Mayor Browning.

- c. South Florida Water Management Presentation – *Pam Mac'Kie*

Town Manager Kutney advised that Ms. Mac'Kie could not be present for the meeting, and would be present at the February 5, 2013, meeting for the presentation at that time.

- d. Proclamation for Volunteers – Certificates of Appreciation – *Mayor Browning*
C & C Loader: Johnny Choquette
Color Garden Farms: Elise Ryan,
Weston Nursery: Jim Rockett

Mayor Browning presented the Certificates of Appreciation to Johnny Choquette, Elise and John Ryan, and Jim Rockett, and thanked them for their efforts.

4. COMMITTEE REPORTS

- a. Finance Advisory & Audit Committee (FAAC) Report – FAAC Special Meeting held on January 9, 2013 – *Vice Chair, Elise Ryan*

Town Manager Kutney advised that the Town Council had indicated that input from the FAAC was needed regarding the issue of Town Council compensation, and the meeting had been held on January 9, 2013. Data had been provided to the FAAC, and after their consideration, the recommendation had been for Option 2 of the data presented - a \$500 month allowance per council member

Vice Chair Elise Ryan addressed the Town Council, and summarized the discussion that had taken place at the FAAC meeting on January 9, 2013, reporting that the FAAC recommendation had been for a \$500 per month allowance per council member.

Comments from the Town Council:

Discussion took place regarding compensation of \$100 per meeting; \$250 per council member per month; \$500 per council member per month; a 12 month basis of compensation, with evaluation at the end of that time.

Motion: Vice Mayor Rockett made a motion to approve compensation in the amount of \$250 per council person per month for an annual max of \$15,000 for the entire Town Council – and proceed only for 12 months to see how it goes, and then take another look at it next year. The motion died for lack of a second.

Motion: Council Member Jarriel made a motion to approve compensation of \$500 per month per council member, as recommended by the FAAC, with a re-evaluation taking place at the end of 12 months. The motion was seconded by Council Member Liang.

Further discussion took place.

The motion passed 3/2, with Mayor Browning and Vice Mayor Rockett opposed.

Town Attorney Cirullo stated that the vote tonight was 3/2, and the directive would need to come back as an ordinance, when four votes would be needed to authorize the compensation. Any ordinance that was passed could not take effect until the next following election.

It was the consensus of the Town Council that the ordinance would be prepared for first reading at the next Town Council meeting.

5. PUBLIC HEARINGS (Ordinances 2nd Reading)–

a. Ordinance No. 2012-13

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
LOXAHATCHEE GROVES, FLORIDA, RELATING TO ELECTIONS;
PROVIDING FOR VACANCY IN CANDIDACY PROCEDURES;
PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN
EFFECTIVE DATE.**

Town Attorney Cirullo read Ordinance No. 2012-13 by title, as printed above.

Motion: Vice Mayor Rockett made a motion to adopt Ordinance No. 2012-13. The motion was seconded by Council Member Liang.

Mayor Browning opened the public hearing.

There was no one desiring to speak

Mayor Browning closed the public hearing.

The motion passed 5/0.

6. ORDINANCES (1st Reading) - Continued from December 4, 2012, Town Council Meeting

a. Public Hearing:

Ordinance No. 2012-12

AN ORDINANCE OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE TOWN OF LOXAHATCHEE GROVES UNIFIED LAND DEVELOPMENT CODE (ULDC), TO AMEND ARTICLE 10 ENTITLED "DEFINITIONS, ABBREVIATIONS, AND CONSTRUCTION OF TERMS," SECTION 10-015, ENTITLED "DEFINITIONS" TO ADD A NEW DEFINITION FOR "RESIDENTIAL AGRICULTURAL SALES AND SERVICES;" TO AMEND ARTICLE 20, ENTITLED "RESIDENTIAL ZONING DISTRICTS," SECTION 20-015, ENTITLED "PERMITTED USES," TO ADD RESIDENTIAL AGRICULTURAL SALES AND SERVICES AS AN ACCESSORY USE SUBJECT TO ARTICLE 80 (CONDITIONAL USE) IN THE AGRICULTURAL RESIDENTIAL (AR) ZONING DISTRICT; TO AMEND ARTICLE 80, ENTITLED "CONDITIONAL USES," TO ADD A NEW SECTION 80-60, ENTITLED "RESIDENTIAL AGRICULTURAL SALES AND SERVICES," TO PROVIDE CONDITIONS ON RESIDENTIAL AGRICULTURAL SALES AND SERVICES USES IN THE AGRICULTURAL RESIDENTIAL (AR) ZONING DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND, PROVIDING FOR AN EFFECTIVE DATE

Town Attorney Cirullo read ordinance no. 2012-12 by title, as printed above.

Public Hearing:

Town Manager Kutney noted that this was continued from December 4, 2012, so that more information could be gathered by Councilman Goltzené. This ordinance was the original ordinance that was presented on December 4, 2012, and the changes made did not change the title.

Town Planning Consultant Fleischmann reported that the proposed ordinance was received by the Planning & Zoning Board on November 8, 2012, and they recommended approval. The ordinance was presented at the December 4, 2012, Town Council meeting, and at that time

Councilman Goltzené requested that additional time was needed to review the language of the ordinance. Staff met with Councilman Goltzené last week to discuss his particular concerns. The changes made were highlighted in yellow. The underlined sections were sections that were added and strike through sections represented those sections that would be deleted. The Council could decide to approve the unedited edition of the ordinance, or alternatively it could decide to approve the ordinance with some or all of the changes.

Mr. Fleischman presented a brief power point with the history and key components of the ordinance.

Motion: The following motions were made in regard to Ordinance No. 2012-12:

Councilman Goltzené made a motion to strike the provision regarding special exception for semi-trucks making deliveries. The motion was seconded by Councilman Jarriel. The motion passed 5/0.

Councilman Goltzené made a motion to strike the provision regarding limiting the number of employees to two. The motion was seconded by Councilman Jarriel. The motion passed 5/0.

Councilman Goltzené made a motion that the hours of operation are 8:00 a.m. – 8:00 p.m. five days a week, and on Saturday; Sunday hours 12:00 p.m. – 5:00 p.m. The motion was seconded by Councilman Jarriel. The motion passed 5/0.

Mr. Fleischmann explained that the changes on pages 45-58 related to ownership of the property and the business. Council Member Goltzené suggested that the owner of the business would not necessarily have to be the owner of the property. After discussion, it was determined that the language relating to ownership of the property would remain.

Motion: Councilman Jarriel made a motion to adopt Ordinance No. 2012-12 on first reading, incorporating the changes made. The motion was seconded by Vice Mayor Rockett.

Public Comment:

Howard Voren, 1538 “E” Road: Commented regarding handling all of the mom and pop organizations that existed prior to incorporation at one time.

Todd McLendon, 3481 "D" Road: Commented regarding clarification as to accessory use as opposed to primary use. Town Planning Consultant Fleischmann advised that the principal use had to be a residence; the only criteria in the code was that an accessory use had to be smaller physically on the property than the primary use.

Thias Gonzalez, 13090 Raymond Dr: Commented that she agreed with Howard Voren and noted that the Red Bard opens at 10 am on Sun.

The motion passed 3/2, with Council Member Goltzené and Mayor Browning opposed.

Town Attorney Cirullo advised that the Charter required approval of four Town Council members on second reading of the ordinance.

7. RESOLUTIONS

- a. Resolution 2013-01 Establishing Zoning Fees

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
LOXAHATCHEE GROVES, FLORIDA, AUTHORIZING AND
ESTABLISHING CERTAIN ZONING REVIEW FEES; PROVIDING FOR
CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.**

Town Manager Kutney advised that the Town Council had asked the Management Company to try to recoup costs. He explained the basis of the fees included in the Resolution.

Town Attorney Cirullo read Resolution No. 2013-01 by title as printed above.

Motion: Vice Mayor Rockett made a motion to approve Resolution 2013-01. The motion was seconded by Council Member Liang. The motion passed 5/0.

8. ADMINISTRATIVE UPDATE – Town Manager Kutney

Town Manager Kutney advised that another Petition for Initiative, with a page included that referred to a charter amendment, was received on January 7, 2013.

TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MEETING MINUTES, TUESDAY, JANUARY 15, 2013

Town Attorney Cirullo stated that this is the same question that was the subject of the initial petition that was filed in November. It raises the same legal concerns that were outlined earlier. Palm Beach State College is aware of this petition and they had sent a letter outlining their concerns about the original petition. Nothing is different today than when we met in November, other than the resolution of support. I will update and mention that the core issue has to be with the substance, and whether it is appropriate under state law for a referendum issue. There has been a circuit court opinion that permitted a referendum on an issue similar to this. The city of Boca Raton has filed an appeal and there is a decision pending in the Appellate Court. Any decision in that case would be binding on the Town. The Charter contains a time frame for signatures, and from the Town's perspective, the Committee is in that time frame to collect the signatures.

Council Member Jarriel read a letter from Patrick Kavanaugh, 15060 25th Place North, regarding an incident relative to the initiative petition issue, into the record.

Town Manger Kutney continued with his administrative update. He referred to the workshop that was held recently regarding the moratorium effort and Okeechobee Blvd, and noted that a second workshop would be held with the property owners along Southern Blvd., as well as the general public, in order to receive input as it related to the moratorium effort.

Public Comment:

Marshal Newell, 3508 "C" Road: Commented regarding the petition, and that it was asking that the people of Loxahatchee Groves can vote on whether they want the college or not, and that no one would be forced to sign.

Vice Mayor Rockett commented that it is unfair that more of the story is not included – the people have to know what they are voting for.

Town Manager Kutney continued with his administrative update, and announced that State Representative Pafford would hold a Town Hall Meeting on January 31, 2013, at the Village of Royal Palm Beach Cultural Center, 151 Civic Center Way, Royal Palm Beach, Florida.

Town Manager Kutney continued with his administrative update, and advised that Lee Wright, 727 "E" Road, had indicated that he had an interest in selling the property, 15.3 acres, to the Town. Mr. Kutney stated that he had indicated that the process would be to bring it to the Town Council to see if there was any interest.

Council Member Goltzené recused himself if there was discussion in regard to that matter due to business matters with Mr. Wright.

Town Manager Kutney reminded the Town Council that Council Member Liang needed to appoint a member to the Unified Land Development Code Review Committee. Council had indicated that it would provide the staff with specific sections that they would like to look at. An introductory meeting date was planned in January, and Mr. Kutney would receive input from the Town Council at any time prior to that time. He indicated that the Committee would first try to correct all of the problems that have been identified, or that may be encountered as the review took place, and secondly, the Committee would find the nebulous, in appropriate and over-regulatory matters that the Town Council would want the Committee to review. It was the consensus of the Town Council that was the process that would be followed.

Town Manager Kutney provided an update on code enforcement policies and upcoming matters that would be heard at the Special Magistrate hearing.

9. OLD BUSINESS

- a. Ryan Liang appointment to ULDC Committee

Council Member Liang appointed Katie Davis to the Unified Land Development Code Review Committee.

- b. Code Enforcement Policy – Town of Loxahatchee Groves

Town Manager Kutney reviewed the code enforcement policy that was discussed at the last Town Council meeting, noting that code enforcement complaints will still be handled on a complaint basis, and that the Town Manager is authorized to commence proactive code enforcement without a written complaint in cases where code enforcement violations are observed in Commercial Zoning districts within the Town. The Town Manager is also authorized to initiate code enforcement efforts upon direction from the Town Council during a Town Council meeting when a violation may cause irreparable harm or is deemed to be egregious in nature. Illegal manure dumping complaints are also handled proactively pursuant to Ordinance 2012-03.

Martin McKabe, “C” Road (Southwest corner Okeechobee and “D”): Commented that he was looking to make mulch for sale; to do chipping and mulching as an accessory use; he could meet all requirements except the 5 acre requirement.

Town Attorney Cirullo clarified that the issue is how do you establish a mulching process.

Town Manager Kutney replied that the code requires 10 acres; it is a conditional use approval. He did not know that Mr. McCabe was even operating, until Councilman Jarriel brought it to our attention, and it was then found that it was in violation.

Mayor Browning commented that this is something we are going to be dealing with in the ULDC review.

Motion: Council Member Goltzené made a motion to approve the policy as set forth by Town Manager Kutney. The motion was seconded by Vice Mayor Rockett. The motion passed 5/0.

Mayor Browning explained that Mr. McCabe should meet with Town Manager Kutney and go through the process.

Council Member Jarriel commented that the application was applied back in July of 2012. Here it is January, and we still have not solved the problem.

- c. Paying yearly debt assessment for OGEM roads that are finished – *Ron Jarriel*
 - 1. Town to pay for rest of lettered roads to be OGEMed with approval of residents – *Ron Jarriel*
 - 2. Town to pay for the resurfacing of Bryan Road, Compton Road and Marcella Blvd. Estimate needed from local contractors now – *Ron Jarriel*
 - 3. Town to purchase property at 3995 “A” Road for future equestrian, bike and hiking trails – *Ron Jarriel*
 - 4. Get an estimate from local contractors on cleaning out Compton Road drainage ditch on north side – *Ron Jarriel*
 - 5. Establish interlocal agreement with LGWCD for hedging Town Road easements/right-of-ways – *Ron Jarriel*

Discussion took place regarding reviewing all of the Town funds to determine what dollars were committed and what could be available to be spent on roads. Vice Mayor Rockett exhibited a document put together by staff that reviewed all of the funds available and what was committed

so far. Discussion took place regarding the Intergovernmental Committee meetings, and various roads in the Town that needed work.

Town Manager Kutney stated that he understood the frustration; relative to the Intergovernmental Committee, he had indicated to the Town Council that we are ready to go once we get the administrator for the LGWCD. He offered that he could meet with one of the supervisors if the Town Council so directed. He noted that the Management Company has been working diligently, and would issue an invitation to bid regarding the roadway work. He hoped to have the engineering RFP done at the end of January.

Town Attorney Cirullo explained that the moratorium would expire at the end of March. Proposals will be brought before the Town Council in March, and that was a very compressed time frame; there was litigation in federal court as well. Both items were deadline driven.

Vice Mayor Rockett recommended that the RFP for engineering services be accomplished. He noted that the whole discussion about what the District could be asked to do, and what role they would have was a very long and complex discussion

Motion: Councilman Jarriel made a motion to approve establishing an Intergovernmental Committee again, and do it now and make a meeting as soon as possible as long as the Town Manager is available, and I would like to be at that first meeting, and I am sure that John Ryan can be on the other.

The motion failed for lack of a second.

Public Comments:

Howard Voren, 1538 "E" Road: Commented regarding the joint meeting with the LGWCD and discussion regarding the LGWCD turning over the road easements,

Town Attorney Cirullo clarified that the motion made included the letter roads, plus Compton and Marcella and Bryan.

Motion: Council Member Jarriel made a motion that action be taken on all of the Ogemed roads, the district roads, and Bryan, Compton and Marcella. The motion was seconded by Council Member Liang.

John Ryan, A Road stated: There are no public easements recorded for Bryan Road. On Compton and Marcella; the District does not have ownership of an easement right. The county

named us as a grantee on behalf of the public, and we have instructed our counsel to work with the Town Attorney to find out what kind of transfer we can make to the Town that has sufficient validity for the Town to take responsibility of those roads. We think that in July 2014, the Town may be able to qualify under a Florida Statute to actually take responsibility of the roads. There is no hesitancy on the part of the District to turn over whatever our interest is, but we don't really know what our interest is.

The motion passed 5/0.

Marsha Newell, 3508 C Road: Commented regarding the committee, and that who is on the committee should be decided by the Town Council.

Marianne Miles; 3413 B Road: Commented that she had handed in a packet in regard to the roads that she would like the Town Council to review, and that the facts and figures she had put together took a lot of time and energy.

Harold Murphy: 13245 Compton Road: Commented that Compton Road was dangerous and needed to be fixed; drainage was also blocked.

Virginia Standish: 15410 North Road: Commented with feedback as to why some residents voted no for OGEM on their roads; the transfer of easements from LGWCD to the Town, and the legal consequences thereof.

10. NEW BUSINESS

- a. Charter and Ethics Code Violations -*Ron Jarriel* [Clerk's note: item 10.a. was heard immediately following Item 8.]

Councilman Jarriel commented that he believed that the Town has the best management team that money could buy, and that he supported them and thought they did an outstanding job. He referred to a letter to him from the Town Manager regarding the work done on 6th Court North, and the Town's ethical code, as well as a letter from the Town Manager to the Loxahatchee Groves Water Control District on the same issue. Mr. Jarriel proceeded to read the letters into the record, and then provided his comments. He noted that he had gone to the Palm Beach County Commission on Ethics, and that it was the opinion that there was not anything unethical done on his part. He requested that the Town Council let him know if the Town Manager was justified in writing the letter.

Discussion took place between the Town Council members.

Council Member Jarriel stated that the Town Manager should have handled the situation with him, and that he did not see anything wrong with his actions in regard to the road work that would save money for the Town. Any questions should have been clarified at the meeting at which the issue occurred. He stated that he had contacted the Town legal staff and asked that the letter be read over and that he is told whether the action was unethical.

Town Attorney Cirullo stated that he does not give opinions on whether someone acts unethically. The ultimate conclusion is for the Town Council, because it is their charter and their code. He does not investigate these matters. The Town Manager felt that there was an issue and he put it in this format, and now it is before the Council. He stated that Mr. Jarriel was the judge of his own conduct under the charter and the code, and at this point, the Council has to decide whether to take any action and what that action would be.

Town Manager Kutney stated that he felt compelled to address the other side of the issue: The Management Company enjoys working with the Town Council, and Ron is a fine man and I like him and all of you very much. There have been numerous attempts by myself and Bill Underwood to try to counsel Ron that the direction he is going affects not only him, but the entire Town Council. We work out of a Town Council majority, and to have an individual council member doing things that could affect the entire Town Council is a dangerous situation. We understand ethics law and what you have to do. I never intended to put Ron in this position. I don't have the authority to file ethics charges. Mike is correct, you all are the judge. All I can do is suggest when I think behavior is getting out of hand. I have made attempts to meet with Ron, and did meet with him, and I felt that the only way we could get his attention was to put it in writing. He insisted that this be put on the agenda. He spent a lot of time talking about my letter to the LGWCD. Ron cannot have it both ways – as a resident, and as a council member. My concern to them was that I was speaking on behalf of the Town as your authorized representative. The issue is this: before we even got into that situation, earlier that evening Ron got up and made a comment that the Town had \$4 million and that the resident should come and talk to us. Bill and I have told Ron that you cannot do that, and you are putting yourself and the Council in harm's way. The road issue is now being confused. The question was one of interference and violating ethics.

Public Comment:

Dominic Pologruto, 12918 Marcella Blvd.: Mayor Browning read his comments of support for Council Member Jarriel into the record on request.

Jeff Smith, 3410 “A” Road: Mayor Browning read his comments of support for Council Member Jarriel into the record on request.

Don Widing, 13169 Marcella Blvd.: Commented regarding the correspondence between Town Manager Kutney and Council Member Jarriel and the LGWCD.

Todd McLendon, 3481 “D” Road: Commented regarding the issue concerning Council Member Jarriel.

Gerald Eickes, 3481 B Road: Commented that Vinceremos is a great organization, and if that is all it took to keep the support there, I don’t have a problem with cutting those trees.

Vice Mayor Rockett stated that Council Member Jarriel is asking the Town Council what it thinks. I think he gets over-zealous sometimes, but that’s it.

Council Member Liang stated: I support Ron and what he is doing. I think the question is why did he feel he needed to go directly to the District. Ron at times feels he needs to take things into his own hands and get it done – government moves too slowly. We do need to follow our own guidelines. Mark, I would have liked to have had some notice or been talked to before we got this letter sent to the District, just to feel how the rest of the Council wants to handle the situation. This could have been handled better, but now let’s get past it and move on.

Council Member Goltzené stated: My thoughts are that our function as a Town Council is to make policy, set rules, make regulations, etc., and in doing that, we ought to realize that these ordinances are for everyone, including ourselves, and the ethics ordinance should be followed and policy should be followed. If the goal is to have a town manager form of government, Ron needs to understand that his role in this situation is one of five and one who is to vote on issues and give direction to the management, and then allow them to do the work. There are rules, regulations and laws and great complexity in the rules we live by in the 21st century. We are a government, and when we make rules the rules need to be followed. Ron should give Mark the respect to get the job done. I don’t believe that there are people in this town who want us to borrow money or raise taxes. How does he stretch the \$4 million and pay for \$9-12 million worth of roads. I do not want to punish Ron, and this entire procedure is at his desire. If he wants to get someone to investigate this, that is his decision.

11. CLOSING COMMENTS

a. Public

Robin Shehan and Henry Noyes, 14345 Tripp Road North: Commented regarding a problem with a neighbor and a motor cross track, and that the noise could not be tolerated and something needed to be done.

Todd McLendon, 3481 "D" Road: Commented regarding the initiative petition and that the petition is to give the people a voice to tell the Town Council what they want.

Marianne Miles: 3412 "E" Road: Commented that if the people that are signing the petition for the college wanted to take a vote to have it done, they should have done it a while ago before the property was purchased. If they don't want it, they should get together and buy the property from the college, so that it doesn't cost the taxpayers money for an ongoing process for getting this resolved. She commented regarding people riding horses on the road, and commented regarding the packet she had handed in regarding the roadways.

b. Town Attorney

c. Town Council Members

Vice Mayor Rockett requested that, if the Town Council agreed, Town Attorney Cirullo could advise the Town Council on a monthly basis how often meetings are set up with the LGWCD attorney, when the meets are held and what was discussed.

Town Attorney Cirullo advised that a meeting had been held in early December when the District was trying to figure out how to get an administrator, there had not been any hesitancy on the part of the LGWCD attorney, and he would be happy to provide updates in any form that the Town Council desired. He offered that he could give a verbal update, or a brief bullet report under his report once a month on the status of road transfer issues with the District.

Vice Mayor Rockett stated the he would want to see something once a month if possible.

After discussion, it was the consensus of the Town council that Town Attorney Cirullo provide a report once a month.

Vice Mayor Rockett: Regarding the initiative petition, stating that it was not simply the right to vote, and that people need to be told the end result that they will be part and party to, if they sign the petition and a vote is taken, and the intent is to have the Council undo what they have

approved. They always have the right to sign, but they should know the consequences of signing.

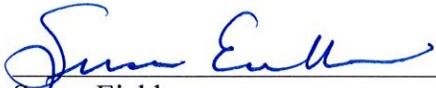
Council Member Liang: Goodnight.

Council Member Jarriel: Thanked everyone. Apologize for his part in making it this late. I am glad that Jim Rockett and Mayor Browning are running for re-election.

Mayor: Thanked everyone for coming. Added one thing – maybe what we need to do is change our charter to let everyone vote for every land change in Loxahatchee Groves. America does not have a pure democracy. It is a republic and you elect people to make decisions, and we make decisions with the best input that we can get and come up with a conclusion.

12. ADJOURNMENT

There being no further business, the Town Council meeting of January 15, 2013, was adjourned at 11:25 p.m.

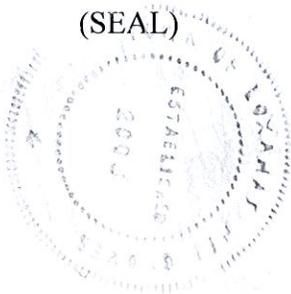


Susan Eichhorn
Town Clerk



David Browning
Mayor

(SEAL)



**These minutes were approved by the Town Council at the
February 5, 2013, Town Council Meeting**

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, TOM GOLTZENE, hereby disclose that on 15 JANUARY, 20 13:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, LEE WRIGHT;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

POSSIBLE PURCHASE OF PROPERTY FROM LANDOWNER (LEE WRIGHT IS ACRES) I have leased property & RUN CATTLE ON THIS property and have done WORK FOR PAY THROUGH MY COMPANY 3E TREE FARM; AMONG OTHER BUSINESS DEALINGS over the year.

1.18.13

Date Filed

Tom Goltzene
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.