



**ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM
SELECTION AND MANAGEMENT COMMITTEE
PROCEDURES COMMITTEE (PC) MEETING
January 20, 2011
Attendance List**

SELECTION & MANAGEMENT COMMITTEE MEMBERS

Mark Bush
Dave Breininger
Sue Hann
Ross Hinkle
Randy Parkinson
Paul Schmalzerw
Kim Zarillo

PROCEDURES COMMITTEE MEMBERS

Priscilla Griffith
Vince Lamb
Thomas Leser
Pat Pasley
Rocky Randels
Mark Shantzis
Diane Stees
Kim Zarillo

EEL PROGRAM STAFF

Laura Clark
Xavier de Seguin des Hons
Mike Knight
Katrina Morrell

THE NATURE CONSERVANCY

Keith Fountain
Anne Mayer

GUESTS

Linda Mannier, District 3 Commission Office

*Protecting and Preserving Biological Diversity
Through Responsible Stewardship of Brevard County's Natural Resources*

*January 20, 2011
Approved June 24, 2011*



**ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM
SELECTION AND MANAGEMENT COMMITTEE
PROCEDURES COMMITTEE (PC)
January 20, 2011
Meeting Minutes**

CALL TO ORDER:

Rocky Randels, Chairman, called the meeting to order at 2:46 PM and he explained that the EEL Program guidelines contain a provision for an annual joint meeting between the Procedures Committee (PC) and the Selection and Management Committee (SMC) so that staff can provide the Committees with an update on EEL Program activities from the previous year.

PUBLIC COMMENT:

None.

MINUTES:

The November 18, 2010 Procedures Committee minutes were presented for approval.

Clarification was provided that Diane Stees had provided advance notice that she might be a little late in arriving at the meeting and that the written comments she had provided on the minutes had been distributed as a handout. The comments included the following:

- Page 1, Paragraph 2, 1st sentence: ...”item. primarily”... – change period to comma
- Page 2, Paragraph 12, 1st sentence: ...”aware of anything **thing**”... – delete duplicate word
- Page 3, Paragraph 3, 1st sentence:...”Committees has actually”... – change to “Committees **had** actually”...
- Page 3, Paragraph 1, 1st sentence:...”they TDC/EDC member”... – change to ...”**the** TDC/EDC member”...
- Page 6, 5th and 6th sentences...”Diane asked if perhaps the asking of questions had been a motion in itself. Mike said that he was not sure what Diane had meant.” – Strike these two sentences as the speaker had not heard a word correctly and no value is added to the minutes.
- Page 6, 2nd sentence under Additional Discussion: “He stated that had been involved”... – change to ...”He stated that **he** had been involved”...
- Page 6, 1st sentence under Lessons Learned:...”lessons learned during the first twenty year of the EEL Program.” – Change to ...”first twenty **years**”...
- Page 11, 6th paragraph 1st sentence: “Kim that there were various sub-committees” – change to “Kim **said** that there were various sub-committees”...
- Page 12, Additional Discussion, 2nd sentence: ...”and which mirror State Statutes”... – change to “and which **mirrors** State Statutes”...
- Page 13, 5th sentence: ...”on the marked”... – change to ...”on the market”...

MOTION ONE:

Kim Zarillo moved to approve the November 18, 2010 minutes as amended by Dianne’s comments.

Pat Pasley seconded the motion.

Additional Discussion

Paul Schmalzer stated he had also provided written comments, most of which related to typographical errors.

Mike Knight stated that it had been determined that an incorrect version of the language for the LAM revisions related to the SMC Membership Criteria had been inserted and he confirmed that the information in Paul's comments had lead to this conclusion. He confirmed the correct document would be inserted into the minutes before they were finalized and posted to the EEL Program's web site.

Mike also stated that Paul's comments had requested that that the source of an e-mail to Mike regarding property negotiations be identified within the references of pages 6 and 12. Mike confirmed that Stockton Whitten had sent the e-mail and the record would be revised to include this clarification.

Additional written comments from Paul included:

- Page 8, line 3. Extraneous period.
- Page 8, par 3. It seems that "5" and "7" should be struck through to indicate changes made since Oct. 19.
- Page 8 last line, I think the language "in a related field of expertise" was removed earlier; elsewhere this statement ends with "natural area sanctuary design."
- Page 9, Page 2-17,6.c., 1st line: "are" should be struck through
- Page 10, "page 2-18" (7) not (87)
- Page 10, "page 5-43". "five" and "seven" should be struck through
- Page 11, 4th paragraph after motion. I believe the usual form is *ex officio*

Rocky asked if anyone else had comments on the draft minutes.

Priscilla Griffith suggested the following change:

- Page 12, 6 paragraphs down, insert word into last sentence: ..."difficult situation related to determining maximum value if the perception **is** that the guidelines"...

Rocky asked if there were additional comments or questions. None were received.

MOTION ONE con't

Kim Zarillo moved to approve the minutes including the amendments stated above.

Pat Pasley seconded the motion.

The motion carried unanimously.

EEL PROGRAM REPORTS

Procedures Committee: Election of Chair and Vice-Chair

Rocky stated that he had been on the Procedures Committee for twenty years, and he intended to stay on the Committee, but that he would like to pass the Chairman's gavel to another member.

Mark Shantzis requested information regarding the responsibilities of the Chairman.

The group discussed possible options.

Mark Shantzis reaffirmed his interest in being Chairman of the Procedures Committee.

No motions were taken. This item will be discussed further in a future meeting.

Procedures Committee Overview: Rocky Randels, Chair

Rocky provided an overview of the history of the EEL Program Procedures Committee (PC).

He explained that the PC had been established by the Board of County Commissioners and that in 1990 the PC had written the first EEL Program Land Acquisition Manual (LAM). He provided clarification that Diane Stees and Priscilla Griffith, who are both current members, have been on the committee since that time.

Paul provided clarification that the LAM had been reviewed and revised in 1997.

Pat Pasley said that the current LAM was difficult to understand.

Rocky said that the objectives of the LAM are:

- To provide in one document, the current policies relating to land acquisition or interests therein, and real property management.
- To ensure that acquisition procedures and real property management activities will be carried out uniformly through the County.
- To make the acquisition and real property management process easily understood and readily available to the public, county staff and all parties involved in the acquisition process.

Rocky clarified that the LAM contains the criteria for the members of SMC and that all revisions to the Land Acquisition Manual require approval from both the PC and the SMC before they can be sent to the Board of County Commissioners (Board) for final approval.

He explained that on October 20, 2009, the Board had directed EEL Program staff to broaden the criteria of the SMC to include an additional voting member with an emphasis on eco-tourism.

The PC and SMC provided a response to the Board's direction on October 26, 2010. At that time, the Board returned the item to the committees with emphasis on adding an additional voting member to both the SMC and to the Recreation and Education Advisory Committee (REAC) to represent eco-tourism.

On December 21, 2011, a new set of revisions to the Land Acquisition Manual was provided by the PC and SMC to the Board for consideration. In addition, SMC revisions to the Sanctuary Management Manual, (which contains the criteria for REAC members) was also provided to the Board for their consideration. The December 21, 2011 revisions, which include provisions for additional members on both the SMC and REAC to represent eco-tourism, were approved by the Board at that time.

Selection and Management Committee Overview – Randy Parkinson, Chair

Randy Parkinson, SMC Chairman, provided information on the Selection and Management Committee.

- The EEL Program is a willing seller land conservation program.
- The mission of the Program is to protect and preserve biological diversity through responsible stewardship of Brevard County's Natural Resources.
- Brevard County citizens voted to approve two referendums to fund the Program
 - 1990 – up to \$55 million

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- 2004 – up to \$60 million
- The guidelines for the EEL Program include provisions for an independent review panel of technically qualified individuals to provide oversight with regard to the selection, acquisition, and management of properties, based on science and with consideration of protection of biodiversity, capacity to manage, public access, environmental education.

Additional Discussion

Mike explained that one of the main purposes of the annual joint meeting, as defined by the LAM, is to get the two committees together once a year to talk about what happened over the course of the last fiscal year. He explained that The Nature Conservancy is the Program's land acquisition contractor and that Keith would be providing information in that area. He added that he would be providing information on some of the Program's highlights over the last year, and then Liz Fox, from Florida Institute of Technology (FIT) was attending the meeting to discuss the planned reformatting of the Land Acquisition Manual.

Acquisition Report – The Nature Conservancy

Keith Fountain from The Nature Conservancy provided information on land acquisition activities from January 1, 2010 – December 31, 2010:

Overview

- 883 acres either appraised or actively negotiated
- Two contracts signed for 19.37 acres
 - Viera DRI Tract A
 - Florida Power & Light
 - Contracts did not go forward to the Board
- One transaction closed for a total of 1.47 acres
- 20 willing seller applications obtained for a total of 390 acres
- Re-submittal of the Coastal and Estuarine Land Conservation Program (CELP) grant applications to assist with acquisition of North Indian River Lagoon parcels.

Closings

- Bappi Investments, LLC
 - Closed on February 10, 2010
 - 1.47 acre addition to the Malabar Scrub Sanctuary

Cochran Donation

- 183.81 acre addition to the Jordan Scrub Sanctuary
- Long pending donation

Small Holdings Projects

- 39 acres protected through mitigation donations
- South Brevard Small Holdings
 - Ten Mile Ridge 34%
 - South Babcock 50%
 - Micco Expansion 60%
 - Valkaria/Micco 31%
 - Valkaria 57%
- Grissom Parkway Small Holdings 48% acquired

Challenges

- Outlook for Florida Forever funding
- Limited EEL Program funds
- Unacceptable conditions for bonding additional \$15 million

However...

- EEL Program Projects Priority Rankings in Florida Forever
 - Indian River Lagoon 37 - #3 in State
 - Brevard Coastal Scrub Ecosystem - #4 in State
- Department of Defense REPI funds (USAF 50% match in partnership funding)
- Possible CELCP funding - #8 ranking (potential \$940,000 in matching funding)

Additional Discussion

Vince Lamb asked if the CELCP funding was a 50% match.

Paul confirmed that it was his understanding that the CELCP funding is a 50% match. He also added that the FPL and Viera DRI Tract A properties qualify for 50% USAF partnership funding.

Vince asked if there was an expiration date on the USAF partnership funding.

Clarification was provided that closings will need to occur on qualified properties by December 31, 2011 to be eligible for the most recent \$600,000 grant allocation from the USAF.

Rocky asked for clarification of whether or not the Viera DRI Tract A property would be threatened by the expansion of Barnes Boulevard, if the Viera DRI Tract A site was acquired.

Sue Hann said that the project was imminent and she could probably look that up.

Rocky asked if there was a way it could be included after the road was widened because he thought that the new road might have a big impact on the conservation value of the land.

Ross stated that the issue was being able to provide a vegetative corridor between the two conservation areas, instead of developed land with buildings.

Paul stated that the Viera DRI Tract A property provided a critical corridor between the 140 acre Cruickshank Sanctuary and the 300+ acre Viera Scrub Conservation Easement.

Dave Breininger requested information on the timeframe that would be required with near term acquisitions as they related to securing the USAF funding before December 31, 2011, and he asked for clarification regarding the mechanism for future acquisitions.

Mike said that from his perspective, what is happening is that as potential acquisitions make their way up to the Board level there is a perception that the prices are too high, even though the prices are negotiated below the average of two appraisals, in addition, some people have expressed concern that the appraisers aren't doing what they need to do, although he believed strongly that the appraisers do a great job.

Dave asked how long it was expected to take for the mechanism for future land acquisitions to be worked out and he expressed concern on the possible negative impacts that could result from any delays.

Paul mentioned that it was possible that some of the Procedures Committee members may not be aware that the TNC contract would be ending in February. He stated his feeling that in trying to get the best deal possible, there is potential for losing \$600,000 in matching Air Force partnership funds and potentially \$900,000 in matching CELCP funds and be left with no acquisitions.

Mike stated that it is staff's priority to find options for the Board to consider. He mentioned that it was anticipated that staff could have an agenda report for the Board to consider by March. He said that what they did know, was that if a contract that had been negotiated by TNC was approved by the Board before February 15th, staff could work with TNC to close that particular land acquisition. Mike confirmed that the options being considered for future land acquisition work included piggy-backing off a separate contract that TNC might have with the State, or The Conservation Fund might have with another county, going out for bid, and having staff do the work, but the final determination would be up to the Board.

Randy suggested review of properties that were eligible for partnership funding along with clarification of grant time constraints as an agenda item for the next meeting.

Mark Bush asked if the information was currently available and he stated his feeling that the issue was time critical.

Ross agreed.

Public Comment

Vince Lamb stated that his feeling from his discussion with Commissioner Fisher was that the Commissioner wanted to get the highest number of acres for dollars spent and he asked if there were properties that had SMC approval votes which might represent less expensive acquisitions than the FPL and Viera DRI Tract A properties.

Additional Discussion

Mike said that there were quite a number of parcels that have been identified as appropriate for potential USAF grant funding, but most of them that he is aware of have road frontage, which can be expensive.

Paul stated that it was his feeling that trying to get the highest number of acres for dollars spent was exactly the wrong way to make decisions on which lands to acquire.

Ross stated that SMC decisions are based on conservation value, not whether a certain site is a little more expensive because of its location.

Ross also mentioned that it was his understanding that the Air Force is not required to invest its money in Brevard County to meet their obligations under the mitigation guidelines. He added that they have agreed to work with Brevard County because the EEL Program has been successful and because the Program is based on very clear, scientific considerations and recommendations which go to the County Commission. He suggested that anyone who had the communicative capacity to share the information related to the potential USAF funding opportunity should let folks know.

Paul agreed.

Kim stated her opinion that it is possible that a majority of the Commissioners might have the ideological position to let that money leave Brevard County and go elsewhere. She suggested that if citizens speak up, it might help educate the Commission on the purpose of the Program.

Ross stated that the possibility of land acquisition decisions being made for reasons other than conservation value was exactly the reason that the citizens wanted the SMC to be conservation oriented, in order to protect the biological and natural resources of the County.

Randy said that all they could do at this point was to reevaluate the proposed acquisitions while considering the time constraints of the potential grant funding, and he reaffirmed his suggestion for this topic to be an agenda item for the next meeting.

Rocky stated that if staff could provide him with an overview of the two potential acquisitions which might go to the Board in the near future, he would hand carry the information to each one of the Commissioners.

Pat stated that she had an appointment at 4:30 PM and asked if the group could move on with the agenda.

Keith Fountain stated that he would review the information that he had provided to the SMC at the previous meeting. He stated that it is not the desire of TNC to see the EEL Program fall into limbo and that if there was anything TNC was working on at the time the contract ended, they would continue working on it for free.

Rocky and Kim expressed their thanks to Keith.

Mark Bush said that they should try to get as much going as possible.

EEL Program FY 2009/2010 Annual Overview – Mike Knight

Mike provided a 2009/2010 Annual Overview presentation:

Referendums

- 1990: up to \$55 million, 20 years.
 - This funding will no longer be available as of October 2011
- 2004: up to \$60 million, 30 years
 - Sunsets in 2025

EEL Program Mission

- Protecting and preserving biological diversity through responsible stewardship of Brevard County's natural resources.

EEL Program Directives

- Land Acquisition
- Land Management
- Passive Recreation
- Environmental Education

Land Acquisition Administration

- 417 acres acquired
- \$977,080 in acquisition partnership funding and mitigation management fees
- Automated staff time tracking system

- Land Acquisition Manual and Sanctuary Management Manual Revisions

Land Management

- 650 acres prescribed fire
- 9 miles of fire line installed
- 22 tons of trash removed
- 24 acres of vegetation reduction
- 150 acres of wildfire / line rehab.
- Turtle Rescue (Approx. 400)
- Management Plan preparations
- Replaced Mulching Mower

Passive Recreational Access / Environmental Education

- 49, 229 Center visitors (walk-ins and programs)
- Outreach 1,097
- Community Festivals 9,500
- Opened Sams House
- Does not count trail use
- Second Barrier Island Center Summer Camp

Volunteers

- 11,289 volunteers, hosts, tours, trail maintenance, weeding, archaeological surveys, photography, citizen advisory committees, etc.)
- \$235,385 value to the Program

Grant Funding

- \$207,373 in invasive exotic plant management grants
- 1,051 acres treated for exotic species

Expenditures

- Administration \$1,045,304: 7%
- Land Management \$1,258,319: 16%
- Land Acquisition \$2,323,317: 16%
- Environmental Education and Public Access \$645,632: 5%
- Bond Debt \$8,847,057: 61%

Bond Fund Status

- Bond Funds Available: \$9,301,622
- Proposed Defeasement: (\$3,622,321)
- Encumbered for capital projects: (\$805,371)
- Bond Fund Balance: \$4,873,930

Upcoming Committee Tasks

- LAM Reformatting

Additional Discussion

- Mike stated that there were plans to defease some of the available bond funds in order to lower the debt payment and provide additional funding for operations.

- Mark Bush suggested consideration of reviewing the information presented for environmental education and passive recreation. The typographical error will be corrected.
- Mark Shantzis stated that staff wasn't administering the bond debt and he suggested consideration of revising the Administrative category's percentage figure.

AGENDA ITEM

Land Acquisition Manual Reformatting Presentation – Liz Fox

Mike introduced Liz Fox from the Florida Institute of Technology (FIT). He explained that staff had met with Liz and they had come up with a mechanism so she could provide a draft document for the Committees to review which would provide clarification of the intended style for the Land Acquisition Manual reformatting.

Liz thanked the group for having her attend the meeting. She explained that one of the projects that she has previously been involved in was to review and reorganize the information in the FIT catalogs in order to cut out duplications and contradictions, and to make the information more user friendly. She stated that she was supportive of the EEL Program's efforts and that she was looking forward to working with everyone.

Liz stated that the procedure that she was going to follow would provide for an audit trail of all the changes that were made, and everyone one would know when they were made, who commented on them, and what the comments were, so that in the future, if a question comes up that might have a liability issue, there would be a digital copy of the entire process. She added that she felt that these things could be done and the end result would be a nice, succinct manual of policies and procedures that staff will be able to use.

Ross stated that he felt the project has real merit, but the thing everyone will have to be careful about is to remember that the project is for reformatting, not revising things that change meaning, because the experience has been that sometimes things can have multiple interpretations. Ross added that he was sure Liz was very good at what she did, which could be quite a value.

Liz stated that she thought it was very important to be sure that everyone has a look at each revision to ensure that clear language was used and it was easy to use the layout of the book, without changing any of the meaning.

Mike stated that staff identified the pages where most of the confusion seems to exist. He added that Liz would be providing an initial draft, which would probably be reviewed by staff before it is passed on to the Committees, and after staff has tweaked the document, it would go through the Committee process.

Paul stated that his concern will be that the reformatting process which the committees agreed to does not become a whole scale revision. He acknowledged that there had been discussion regarding the possible incorporation of flow charts to make things more clear, but it seemed that there was the potential that the project was morphing into a widespread change of language, which seemed to him to be beyond the scope of what was envisioned.

Mark Shantzis said that he knew he was a newcomer to the committee, but it sounded to him like Liz would be acting more like an editor, saying let's make this more clear, and he did not think she had any intention of changing it.

Liz confirmed she had no intention of changing content.

Paul stated that was the clarification he wished to have.

Pat Pasley passed out a few copies of a document that Liz had done some work on. She apologized for not having copies for everyone.

Kim stated that she would like to address a couple of concerns. She said that she felt that Liz had expressed her intent and it seemed to be a reformatting in line with what the committees agreed to. Kim stated her understanding that Liz had met with Pat, Commissioner Infantini, and Mike.

Pat stated that Liz had not met with Commissioner Infantini, she had only met with Mike and herself.

Kim stated that she had thought that Commissioner Infantini had attended one of the meetings.

Mike stated that Commissioner Infantini had not attended any of the meetings.

Kim continued that when the Committees had discussed a possible reformatting, Mike has said that there was no funding for a project of this type and she expressed her thoughts that it might have been beneficial if the topic had come back to the Committees for discussion, if dollars were going to be spent on the project.

Pat stated that she would like to address that, if she could. Pat stated that she met with County Manager, Howard Tipton, in November and she brought the Land Acquisition Manual to his attention because of the reviews she had received when the document was distributed to FIT. She stated that the FIT folks had said there was a lack of clarity in the process which might be a problem if there were ever any kind of legal issues that were brought up and she had been very concerned when she read their reviews and that was why she had gone to Howard Tipton. Pat stated that Howard Tipton was concerned about the process and that he had said that he would provide some money to proceed if it could be kept under a certain amount.

Kim stated that she would like to get back to her question to Mike. She stated that keeping the committees informed is very important, and that she didn't have a problem with Liz working on the reformatting and that she would be very happy to receive a draft version in tracked changes for review because that took a lot of the burden off the committee members. Kim stated that down the road, there may be criticism regarding the expenditure of funds and she wanted it on the record that the committees had not made that recommendation, and that she felt it should be part of the committee process.

Mike asked if it was the understanding of the SMC and PC that staff did not have the authority to make a decision about whether or not they spent funding on a project like this.

Kim said that they were getting back into a circle with staff about what staff can or can't do on their own and that revisions to the LAM were a committee process, so the committees should be a participant in the decision making process.

Randy stated that he felt that given the relationship between the committees and the manual, he felt that it would have been more appropriate to inform the committees of the intent, but not everything they did.

Pat stated that it was her understanding, according to Howard Tipton, that he owns this process; the manual had failed two audits - which she had brought up to him, and he had said we've got to fix it. She said that she did not know where the money would come from.

Mike confirmed the money would come from the EEL Program budget.

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Kim stated that the EEL Program is the people's program and it belongs to the citizen's of Brevard County. She said that she understood that Mr. Tipton, as County Administrator, has some decision making in the process, but the Committees are brought together to ask for their advice, and they were here. She said they need to be kept in the loop; that was all she was asking.

Mike stated that was the intention of this meeting. He stated that no money had been spent and that there had been some direction to try to make the reformatting happen and it was ready to go; the purpose of the meeting had been to make the Committees aware, so if there was a concern, this was the time to say so, before they pulled the trigger.

Kim asked for clarification of how much money they were discussing.

Mike said at the current time, the maximum cost had been established at \$750.

Kim stated that was relatively inexpensive and she asked for clarification of cost before the project needs to go out to bid.

Mike stated that \$750 was the threshold and he stated that it was his understanding that the project could continue with change orders.

Kim agreed.

Mike suggested that they see what they could get for \$750 and take the project one step at a time and he added clarification that if multiple reviews are required, that will drive up the cost. He stated that if the Committees would like to take a position that the cost of the project should not exceed a certain amount. this was the time to discuss it.

Mark Shantzis asked if the anticipated cost of the project would be closer to \$4,000 or \$40,000.

Liz said that she could redo the book and have it ready to print out of a printer for \$750 if it didn't have to go through committee review.

Mark Shantzis asked if the Committees could say here's \$750; print us a book the way you think it should be, and then we'll look at it.

Liz said yes.

Mark Shantzis asked if the Committees could then review it and put all their comments on it.

Liz said yes.

Mike stated that this was the approach they were at now; for \$750 the Committees would get a draft they could look at, and from there decided if they wanted to proceed.

Mark Shantzis suggested consideration of a formal vote.

Mike stated that if there was an expectation that he should not consider any amount higher than \$750 he needed to know that.

Kim said that it was just that the first time this was discussed, there had been a statement that there were no funds available for a project of this nature and she just wanted it to be clear that the Committees had not decided to spend that money and that it was very important that things come through the Committees in the future.

Pat stated that her feeling was that the Sunshine Law prevented her from going to everyone and telling them what was occurring, and that when they found out that Liz was available they just wanted to proceed in an expeditious manner.

Liz stated that she hadn't really been looking for a part time job at the time, either.

Mark Shantzis asked if it was possible that they might get a draft book that was half the size of the current LAM for \$750.

Liz said probably.

Mark Shantzis said it sounded good to him.

Sue Hann stated that she understood the idea about keeping the Committees in the loop, but she didn't think it was within either committee's purview to direct the budgetary expenditures on what she saw as an administrative item. She added that she believed Mike was well within his authority to work out whatever arrangements were necessary as long as he complied with County purchasing regulations.

Mark Shantzis stated that he felt Mike did have authority to a certain number and that they weren't talking about spending \$50,000.

Sue said it was her understanding that the intention was for Liz to bring something back for the Committees to review.

Mike said that he thought that Kim was just trying to make a point that the Committees hadn't formally supported the expenditure of funds and that she was just trying to make it clear that staff had previously indicated they didn't have the money to do it.

Mark Shantzis stated his understanding that although there had not been a vote, the consensus was that the project would go forward, with County Manager approval to authorize Mike to get things started to obtain something the Committees could take a look at, because they had the review responsibility.

Vince asked for clarification regarding whether or not both the PC and the SMC had to approve the language before it was forwarded to the Board for their approval.

Paul stated that was correct.

The group discussed a possible time frame. It was determined that an approximately 30 day timeframe would be sufficient

Mike stated that it had been clear for a long time that the reformatting would not hold up any attempts being made to purchase land.

Paul commented that the Program currently has an accepted document and that clarification had been provided there was no intention to change the intent.

Rocky said he was supportive of expending the \$750 required to get a draft document.

Ross stated that he would like to clarify that the land acquisition process is complicated and it could be confusing, but it was not broken. He said that he took exception to someone saying that it was broken, because it really wasn't. Ross added that the process is complex and could be confusing, but it works pretty well.

Paul stated the he wanted to address the statement made earlier in the meeting that the LAM had failed two audits. He stated that all the issues indentified in the audits had been addressed.

Mike confirmed that was correct. He clarified that there were questions raised by the audits, but the responses provided by staff were accepted by the auditors and the audits were closed out, so to say that the audits were failed was not accurate.

Ross added that staff had done a great job in addressing the questions raised by the audits.

Pat said that she wanted to submit that as the LAM went through the FIT people who reviewed it, they all came back with comments that it was confusing, redundant and not clear. She said that anyone should be able to pick up the LAM and understand the process and that was her whole thing when she had started on the Committee last year. She said that she didn't need to sit down with Mike when the book says it contains everything you need to know and for her to have to ask for an explanation of what the book was about was not right.

Rocky provided a reminder of the time.

Mike said that he just wanted to thank Liz for coming to the meeting and that they were looking forward to working with her.

Rocky emphasized that Liz should feel free to take the time that she felt was needed to do a draft document.

Mike thanked everyone for their time and he expressed his gratitude for Committee members' involvement with the Program.

Public Comment

None.

NEXT MEETING:

To be determined.

ADJOURNED:

The meeting was adjourned at 4:30 PM.

SUMMARY OF MEETING MOTIONS:

- 1 Motion to approve the November 18, 2010 SMC/PC Minutes as amended.