

# **CORRECTED MINUTES OF THE VCOG GOVERNING BOARD**

**REGULAR MEETING  
MARCH 27, 2006**

**VOTRAN CONFERENCE ROOM  
950 BIG TREE ROAD, SOUTH DAYTONA, FLORIDA**

## MEMBERS PRESENT

Commissioner Cassandra Reynolds  
Mayor Greg Northrup  
Mayor George Coleman  
Mayor Dennis Mulder  
Mayor Mike Thomas  
Mayor Roland Via  
Mayor Mark Shuttleworth  
Mayor Albert Erwin  
Mayor Fredrick Costello  
Mayor James Sowell  
Mayor Nancy Epps  
Mayor Allen Green  
Mayor Blaine O'Neal  
Mrs. Judy Andersen

## REPRESENTING

Daytona Beach  
Daytona Beach Shores  
DeBary  
Deltona  
Edgewater  
Holly Hill  
Lake Helen  
Orange City  
Ormond Beach  
Pierson  
Ponce Inlet  
Port Orange  
South Daytona  
Volusia County School Board

Members Absent: Mayor Robert F. Apgar, DeLand; Mayor James Vandergriff, New Smyrna Beach;  
Mayor Mike Thompson, Oak Hill; Councilmember Art Giles, Volusia County

## NON-VOTING MEMBERS PRESENT

Mr. Michael Mellon

## REPRESENTING

Emergency Medical Foundation/EVAC

## OTHERS PRESENT

Alex Kish  
Gary Comfort  
Penny Currie  
Frank Roberts  
Betty Holness  
Matt Zavadsky  
Lawrence Taft

## REPRESENTING

Brent Millikan & Co.  
Citizen  
Ponce Inlet  
New Smyrna Beach  
Volusia County  
Volusia County EMS  
Volusia Fire Chiefs Assoc/DB Fire Dept.

## VCOG STAFF PRESENT

Mary Swiderski, VCOG Executive Director  
Karl Welzenbach, MPO Executive Director  
Herbert M. Seely, Chief Financial Officer  
Mary Curran, Recording Secretary

## **CALL TO ORDER/ROLL CALL/DETERMINATION OF A QUORUM**

At 5:05 Chairman Northrup called the March 27, 2006, regular VCOG Governing Board meeting to order.

The Roll was called and a quorum was declared present. Chairman Northrup led the Pledge to the Flag.

## **PUBLIC COMMENTS/PARTICIPATION**

No comments were expressed.

**CHAIR'S COMMENTS/RECOGNITION**

No comments were expressed by the Chair.

**VCOG EXECUTIVE DIRECTOR'S BRIEFING**

Mary Swiderski noted that copies of her report were distributed for Board members' information. Also distributed was a sample of VCOG's new stationery and business card, showing its new address; and a draft brochure for VCOG, of which she invited members' comments/suggestions. Chairman Northrup also asked members to review and provide any comments/suggestions to Mary Swiderski on the draft brochure. Mary Swiderski announced the availability of Verizon cell phones for members to field-test [note: phones available for limited time only]. Mary Swiderski reported that local government managers said they want VCOG requests made to them through their respective representative on VCOG. Mary Swiderski mentioned, regarding the upcoming May VCOG meeting to discuss Consolidation of Fire Services, if Board members want their respective Manager and Fire Chief in attendance, they need to tell their staff. Mayor Costello wanted to clarify, "are managers not giving Mary Swiderski information she requests"; to which she replied, "managers made their request following her notification/invitation for their attendance and participation at the May meeting."

**REQUEST** made by Chairman Northrup that each member talk to their respective jurisdiction's manager to request and assure attendance at the May meeting since the idea for having Fire Chiefs and managers present is to hear the pros and cons from both sides so elected officials can determine whether consolidation of fire services on a countywide basis is/isn't going to "fit" the municipalities.

## CONSENT AGENDA

**APPROVAL OF THE REGULAR MEETING MINUTES – FEBRUARY 27, 2006**

Minutes of the February 27, 2006, regular meeting of the VCOG Board had been mailed with Board members' agenda packets.

**APPROVAL OF THE TREASURER'S REPORT – MONTH ENDING FEBRUARY 28, 2006**

Treasurer's report for month of February 2006 had been mailed with Board members' agenda packets. *Revenues and Expenditures were within the VCOG budget for the month.*

**MOTION** by Mayor Erwin and **SECOND** by Mrs. Andersen for approval of all Consent Agenda items, as distributed; motion **CARRIED UNANIMOUSLY** on a voice vote.

**OLD BUSINESS**

None

## NEW BUSINESS

**REVIEW OF VCOG COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2005 – ALEX KISH, BRENT MILLIKAN AND COMPANY**

Mr. Kish introduced himself and, on behalf of Brent Millikan & Co., thanked VCOG for the privilege and opportunity of working with them in the past year. Mr. Kish presented an overview of the VCOG Annual Financial Report for FYE September 30, 2005, that included: (1) the report is prepared in same manner as local jurisdictions for submission to the GFOA; (2) summary of sections in the report [Introductory Section; Financial Section; Required Supplementary Information; Statistical Information "demographics"; and Supplemental Audit Reports]; (3) auditors have audited VCOG's financial statements and conducted their procedures in accordance with generally accepted auditing standards and government auditing standards required by GAO; (4) the auditors have issued an unqualified opinion [i.e. there are no inconsistencies or problems to be reported]; (5) VCOG's total net assets and a comparison of 2005 to 2004; (6) regarding section on compliance and internal control, auditors had no matters that needed to be reported [i.e. a very clean fiscal

operation]; (6) in the Management Letter, auditors had no findings or no matters that required to be reported to the Board.

**MOTION** by Mayor Erwin and **SECOND** by Mayor Green to accept the VCOG Annual Financial Report for FYE September 30, 2005, as presented; the motion **CARRIED UNANIMOUSLY** on a voice vote.

**PRESENTATION ON CHARTER REVIEW COMMISSION – WILLIAM SCOVELL, CHAIR**

Mr. Scovell presented an overview pertaining to the Charter Review Commission that included: the County goes through this process every ten years; the Commission held a series of “listening sessions” at which they heard from many elected officials and others; he didn’t think the Commission is going to come up with any “earth shattering” recommendations; he does anticipate there will be six (6) Districts of Council-members and the Chair; there have been requests by the Council for additional clerical/administrative staff and additional funds for in-county expenses (e.g. gasoline); the Commission is looking at the Smart Growth report [some of which cannot be accomplished because it’s contrary to the laws of the State of Florida]; the Commission is attempting to find compromises that will have the same effect that was intended in the Smart Growth report; Mayor Fred Costello made some proposals to the Commission at the “listening sessions” that made a lot of sense [however, the Commission really doesn’t have a “magic wand” to bring them about]. Mr. Scovell noted VCOG members have a discussion topic about consolidation of fire services and he reported the Commission had a presentation on this subject, at which the City Manager of Orange City made a very good case for it – at least, for Westside consolidation. Mr. Scovell stated that although this matter is under consideration, the Commission doesn’t have involvement in whatever action(s) will come about on the matter. Chairman Northrup mentioned the Commission talked about adding a sixth District and he asked how that would be set up; to which Mr. Scovell replied how typically all districts are structured. Chairman Northrup commented that every body has their own needs when dealing with their County Council person; he remarked that the beachside’s needs are totally different than anything else in the County and he thought maybe it “wouldn’t be a bad idea” when the County re-divides the districts to have a councilperson who handles nothing but the beachside district. Mr. Scovell explained that although a County Councilperson represents an area, they deal with countywide issues. Chairman Northrup requested Mr. Scovell ask the Commission to talk about the matter because that is a need for the east side. Mayor Via inquired in regards to an At-large Councilperson, if there was ever consideration that “position” would become a Vice Chair of the Council; to which Mr. Scovell replied it has been considered and he added that all Council terms will be four years. Mayor Shuttleworth requested clarification of Mr. Scovell’s remark relating to the Smart Growth program, that it violates State law. Mr. Scovell explained there is a precept in the Smart Growth report which provides for appointments to commissions such as the Volusia Growth Management Commission – i.e. appointment of three persons from VCOG, three from the County and one from the School Board – and they would mediate disagreements. He pointed out it was intended that elected officials would be on this group but this is contrary to State law, according to the County Attorney’s opinion; however, the Charter Review is still looking at alternatives. Mr. Scovell mentioned that the Volusia Growth Management Commission (VGMC) made a good presentation recently to the Charter Review members. Comments were exchanged between Mayor Costello and Mr. Scovell regarding that legal opinion in question; and Mr. Scovell stated there are quite a few legal precedents and he offered to furnish anyone a copy if they want it.

**REQUEST** made by Mayor Costello for Mary Swiderski to get a copy of the aforementioned legal information and send it to all the VCOG Board members.

Mayor Costello brought up and gave an overview of six points the Smart Growth Committee had discussed that he hoped the Charter Review Commission would consider for recommendation: (1) all Volusia communities have growth issues and its intergovernmental issues regarding growth; (2) the Smart Growth Committee recommended that land use would survive annexation; (3) the potential future annexation areas would be delineated such that throughout the County we would know that if that is every going to be in a municipality it will be in this one; (4) have spheres of influence and levels of service in harmony with each other; (5) primary and secondary utility areas

we want to be saved; (6) we want something that will be a binding arbitrator. Mayor Green stated that in conversations with [County Chair] Frank Bruno, he (Bruno) wanted the County Chair to have more control; Mayor Green asked, "How is the Commission addressing that?" Mr. Scovell recalled it has been expressed, in his presence, that County Chair Bruno is satisfied with his role; that he needs some administrative help and he needs some expenses for "County things" like that. Mayor Green and Mr. Scovell had a brief exchange of comments; following which, Mr. Scovell said that he thought County Chair Bruno would get some administrative help and perhaps additional in-county expenses. A further discussion ensued regarding the County Attorney's opinion on the issue of public officials serving on the Volusia Growth Management Commission. Mayor Costello remarked as a "worst case scenario" VCOG could appoint three non-elected officials and the County three non-elected officials and one by the School Board. Mayor Via made inquiry if the County Chair's veto power has been discussed; to which Mr. Scovell replied it is being discussed. Mayor Coleman recalled Mr. Scovell made a comment of doing away with the VGMC; in response, Mr. Scovell stated "it is felt" the way the VGMC is organized from 1986 with its operation and procedures, it has outlived its usefulness; he mentioned the VGMC's process of weighted voting. Mayor Costello stated that the bottom line is, all the VGMC can only do is determine consistency with the comprehensive plan and local governments need them to do a lot more. Chairman Northrup stated the only thing he'd like the Charter Review to get serious about is the expenses of the County Council members (travel, gasoline, Volusia League dinner/meetings cost, etc.). Mr. Scovell stated that this is something that is definitely being considered but no decisions have been made up to this point. Mary Swiderski inquired of a time table that the Charter Review may get its recommendations together; she thought perhaps a luncheon could be scheduled that all elected officials could attend. Mr. Scovell commented it will probably be June or July; he explained that many of the things that the Charter Review Commission comes up with are management recommendations [i.e. advising the County Council that "it would be wisdom for them to do thus and such"], that it's not something the group can make the County Council do. Chairman Northrup thanked Mr. Scovell for coming and speaking with the VCOG Board. Mr. Scovell expressed his thanks and said if members have anything they want to talk with him about, he is available.

**APPROVAL OF \$1,977.00 FOR VCOG'S REQUESTED PORTION OF THE AUDIO/VISUAL SYSTEM FOR NEW CONFERENCE ROOM TO MAKE IT ADA COMPLIANT (NOTE: MPO PORTION IS \$15,024.00 AND WAV PORTION IS \$19,986.00)**

Chairman Northrup reminded everyone that VCOG, MPO and WAV are moving to a new facility; he reported for the new conference room audio/visual system to be ADA compliant, it's going to cost more than what was estimated. The MPO is going to pay an additional \$15,024 and WAV is going to pay an additional \$19,986, and VCOG was asked to pay an additional \$1,977.

**MOTION** by Mayor Costello and **SECOND** by Mayor Via to approve a VCOG expenditure of \$1,977.00 for its portion of the audio/visual system for the new location Conference Room; motion **CARRIED UNANIMOUSLY** on a voice vote.

**APPROVAL OF FY 06-07 VCOG MEMBERSHIP ASSESSMENTS**

Chairman Northrup pointed out that members had received a copy of the Assessments in their agenda packet; he stated the amounts are the same percentages they have always been. Chairman Northrup called for a motion of approval.

**MOTION** by Mayor Via and **SECOND** by Mayor Erwin for approval of VCOG Membership Assessments for FY 2006-07, as presented; motion **CARRIED UNANIMOUSLY** on a voice vote.

**REQUEST AUTHORIZATION ON OBTAINING EMERGENCY RESPONSES PROCESSING DATA – MAYOR FRED COSTELLO**

Mary Swiderski stated the Executive Committee recommended this item for the agenda as she needs to request city managers to authorize their respective fire chief to give her information on

emergency responses data. Chairman Northrup explained there are some cities that don't want to release this information to VCOG, even though it is public record information. He added if members want to compare with other cities what their respective cities are doing and improve services, it is really something they need to have.

**REQUEST** made by Chairman Northrup that the representatives on the VCOG Board go to their respective manager and fire chief and request the information be sent to Mary Swiderski.

Chairman Northrup asked if any public officials have a problem with other jurisdictions knowing what their response time is. Mayor Via stated he doesn't have a problem with that but he wondered why there's an issue as officials ought to know what their respective city's response times are and he said "it's self-correcting." Mayor Costello recounted that he had asked for some information from Matt Zavadsky and had received a "great report" for Ormond Beach; however, when he [Costello] had requested information for comparison of Ormond Beach with other jurisdictions, Matt answered he couldn't divulge that from any body other than Ormond Beach. Mayor Costello thought all local area governments ought to be able to have information from Volusia County to compare and maybe improve efficiency. Chairman Northrup stated the point of this whole thing is a jurisdiction's ability to compare and see how its doing in relation to other communities; this gives jurisdictions a benchmark to look at and tell if any improvement is needed or not. Mr. Zavadsky explained the County through the EMS ordinance requires that agencies submit operational and clinical data to enable analysis on the performance of the system: (1) That process is part of a QA process whether it's response times, call processing times, call to shock times, as well as, clinical skills and proficiency; (2) There is an operational quality assurance component and a clinical quality assurance component; (3) All information is bundled and given to the EMS office on a quarterly basis – the information is "incident level detail" [i.e. personal information on individual which is protected by Federal law under the HIPPA Law and it's also protected under Florida Statutes 119]; (4) The summary data that is extracted from that is provided back to the individual agencies every quarter, as well as, what the entire countywide average is. Mr. Zavadsky stated it's up to individual agencies to decide, as owners of that information, what they want to do with it.

**REQUEST** made by Chairman Northrup to Board members that they go back to their respective manager and request that data – not personal information on any of this – which can be comparable to other cities as a benchmark.

Mr. Mellon said when officials are asking for data, he cautioned them that it's just a small part of the data; he mentioned it can also be used – which was part of the TriData study report – to look at consolidation down the road. He stated that EVAC provides complete raw data, because they have a contract of performance, so that information Matt Zavadsky sends back to municipalities, which shows EVAC data, is its data countywide. Mr. Mellon pointed out the vast majority of fire departments are responding to medical calls; he commented they (fire-rescue, ems, EVAC in total) are doing a great job responding but "the patient is not leaving the hospital" and that's the measure of our system. Chairman Northrup stated the bottom line on this whole thing is, it's up to the professionals to figure out how to enable more people to "walk out of the hospital", but it's up to elected officials to make sure to get their people there on time. He continued that the problem is if officials cannot get the different data from the cities – not the personal data – then they're not going to be able to have something that they can compare against the city the same size as their own. Chairman Northrup commented that everybody they've talked to so far in VCOG meetings have said it would be nice to have information to compare if they want. He repeated that all he's asking Board members for is to ask their respective jurisdiction's manager to make sure his fire chief or he gives the information to Mary Swiderski as requested by their rep on VCOG; if the manager doesn't want to then just say "we have decided as the city, we don't want to give you this" and that jurisdiction's information won't be included. Chairman Northrup reminded members the managers won't just give Mary Swiderski the information until their governing body or rep on VCOG has given their okay to release the information. Mayor Mulder stated that he would be happy to go back to Deltona and ask for the information; he just didn't understand why VCOG was having difficulty getting the information if it's not protected by law. Mary Swiderski commented that is something members should discuss with their manager; she mentioned that this is the first time she has experienced reservations from jurisdictions about giving her information that they

have; however, it was all made very clear that fire chiefs work for municipalities and not VCOG and that any request needed to come through the representative on VCOG not from VCOG office itself when it concerns anything to do with that information. Chairman Northrup remarked this is the second item tonight that we've asked you to go back and talk to your managers; he said for some reason there is resistance from managers to give information to VCOG.

**REQUEST** made by Mayor Costello that Mary Swiderski e-mail all the Board members the two items the Board has asked for, that way the cities will have exactly what she needs, and he will just forward that e-mail to his manager and tell him to provide these things to VCOG.

Mayor Costello made the point that Matt Zavadsky's "hands are tied" pertaining to that information; therefore, this is not a question of why Matt cannot release the information, it's a question of why cities cannot release it. Mayor Costello stated that he wholeheartedly endorses what Matt is doing which is protecting the confidentiality of those people that are giving him the information. Mayor Epps wanted to know exactly what the questions are that we're trying to find. Mayor Costello stated it is release of the summary information that's been collected by Matt about evaluation of medical services. Mr. Zavadsky stated that all municipalities have been provided all the reports on a couple of occasions of call processing time, activation time, response times, patient contact times, as well as, various other quality of criteria. He said the cities also get a separate worksheet which gives them their statistics so they can compare each one of the data elements with the rest of the County.

**REQUEST** made by Mayor Costello that Matt Zavadsky give Mary Swiderski the names of all those [data elements] so she can e-mail that list to VCOG Board members.

Discussions ensued that officials actually had that information five or six months ago and reviewed what the average number of people walking out of the hospital were, what response time was, etc. Mrs. Andersen asked when cities receive this report [annually, quarterly or monthly] because she was thinking, with all the special events that occur in certain areas of the County at certain months of the year, that those response times are going to fluctuate a bit and it might make a difference in the overall picture if it's not monthly or quarterly; to which Mr. Zavadsky stated that it's quarterly. Mayor Sowell want to bring up a topic that he thought would be brought up sooner or later; he related about the severe heart attack he recently suffered and that his wife's request that he be transported to a different hospital was refused; he couldn't understand why a person cannot be transported in an emergency situation to a facility of their choice. Mr. Mellon stated it's based on the medical condition; if EVAC paramedics don't think a patient can survive the trip, they are going to take an individual to the closest facility; he stressed that they are paramedics, they cannot diagnose, they treat the individual's symptoms. He continued that also, as required by law, the ambulance must take an individual to a facility that is certified to treat certain medical conditions. EVAC ambulance, in its contractual performance with Volusia County has a section in it that says if an individual's medical condition will allow EVAC, they will take an individual to the facility of their choice. Mayor Sowell admitted the paramedics did a fantastic job of providing emergency treatment.

Chairman Northrup again reminded Board members to talk with their respective city managers regarding these requests for information.

## **BOARD MEMBERS' COMMENTS**

### MAYOR ALLEN GREEN

**REQUEST** by Mayor Green whether VCOG can gather the data on transportation impact fees; how are they distributed by quadrant and where are the monies taken in. Mayor Green wondered who would have that information; to which Chairman Northrup responded that it is probably the MPO. Following brief comments, members clarified they'd like to know where impact fees are coming from and how are they being disbursed.

**REQUEST** made by Mayor Costello that Mary Swiderski send this information to everybody.

MAYOR NANCY EPPS

She gave a brief update on the working waterfront issue; she announced there has been a new development and the Town is trying to save another boatyard. Mayor Epps said Ponce Inlet is coming back to local governments and asking for their help again.

**ADJOURNMENT**

There being no further business to come before the VCOG Board, the meeting was adjourned at 6:28 P.M.

AS SUBMITTED, THE FOREGOING MINUTES OF A REGULAR MEETING OF THE VCOG GOVERNING BOARD WERE APPROVED IN AN OPEN MEETING HELD ON APRIL 24, 2006, IN THE CONFERENCE ROOM, AT 2570 W. INTERNATIONAL SPEEDWAY BOULEVARD, SUITE 120, DAYTONA BEACH, FLORIDA.

**VCOG, Inc.**

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Chair

ATTEST:

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Recording Secretary