

**SEMINOLE COUNTY EXPRESSWAY AUTHORITY
BIANNUAL MEETING
Seminole County Services Building
1101 East First Street; Room 1028; Sanford, Florida**

June 8, 2010

4:00 P.M.

MINUTES

MEMBERS PRESENT

Commissioner Gary L. Brender, Chairman, Presiding
Commissioner Michael J. McLean, Vice Chairman
Commissioner Bob Dallari
Commissioner Brenda Carey
Commissioner Carlton Henley
Commissioner Dick Van Der Weide

MEMBER ABSENT

Commissioner Art Woodruff

STAFF PRESENT

Jerry McCollum, P.E., Acting SCEA Executive Director
Antoine Khoury, P.E., Assistant County Engineer
Brett Blackadar, P.E., Principal Engineer, Public Works Department/Engineering Division
Alison Stettner, AICP, Acting Director, Growth Management Department
Tony Matthews, Principal Planner, Planning Division/Growth Management Department
Guy Minter, Assistant County Attorney, SCEA Counsel
Fred Coulter, Financial Manager, Fiscal Services Department, SCEA Secretary-Treasurer
Sheralyn J. Brinson, Administrative Assistant/Recording Secretary

GUESTS PRESENT

Alice E. Gilmartin, AICP, Government Affairs Officer, Florida's Turnpike Enterprise

ITEM #1: CALL TO ORDER

Chairman Brender called the meeting to order at 4:00 P.M.

ITEM #2: INVOCATION AND PLEDGE OF ALLEGIANCE

The Chairman called for a brief moment of silence; thereafter, the Pledge of Allegiance was led by Sherriff's Deputy Kevin Lang.

ITEM #3: APPROVAL OF MINUTES – (November 10, 2009 and January 12, 2010 Meetings)

Upon Motion by Commissioner Dallari and second by Commissioners Carey and Van Der Weide, the Minutes of the November 10, 2009, Biannual Meeting and January 12, 2010, Special Call Meeting were approved unanimously.

ITEM #4: INFORMATIONAL UPDATES AND DISCUSSION ITEMS**(a) Wekiva River Basin Commission – Update from January 25, 2010 Meeting**

Jerry McCollum, P.E., Acting Executive Director

Jerry McCollum stated:

Your agenda package contains the agenda from the January 25, 2010 Meeting. I missed the first part of the meeting; I think Commissioner Carey was there for that; I would say that in terms of the Wekiva Parkway Project, there wasn't a whole lot of discussion on the project; I will give you a better update when we get to that on today's agenda. Commissioner Carey may want to address some of the items from the first part of the meeting.

Commissioner Carey stated:

We have a lot of Wekiva River Basin Commission meetings but the Parkway is not always the topic of discussion; in fact, many times it's not at all. Septic tanks have been our latest discussions. There isn't really anything to report as far as the Wekiva River Basin Commission; we do not have a meeting scheduled for the future to my knowledge.

(b) Wekiva Parkway Project - Jerry McCollum, P.E., Acting Executive Director**Jerry McCollum stated:**

To update you on the Wekiva Parkway Project, OOCEA in conjunction with the FDOT are still working through some issues trying to finalize some of the concepts and fine-tune the project. I talked with OOCEA and at this stage the key thing we are interested in is the public hearing. They have said the public hearings should occur by the end of this year; they don't have a time certain. When we get ready to address alignments, we need to hear what the public input is prior to the Board making any type of final recommendation. That's the latest status I have on it.

(c) Municipal Representatives' Terms - Jerry McCollum, P.E., Acting Executive Director

Jerry McCollum reported that all Board member terms are up to date.

ITEM #5: NEW BUSINESS**(a) Approval of Resolution for the Authority's FY 2010/2011 Annual Budget (Enclosure)****Jerry McCollum stated:**

We are requesting approval of the Resolution for the SCEA Administrative Budget as follows:

Amended FY09/10 Administrative Annual Budget to cover legal advertising expenses incurred for the Special SCEA Meeting held on January 12, 2010

Resolution for the Authority's FY10/11 Administrative Annual Budget

Commissioner Dallari offered a Motion to approve; the Motion was seconded by Commissioner Van Der Weide.

Question from Commissioner Carey:

On your new Budget, Exhibit A shows a balance moving forward of \$40,203.23. Is that correct; that was the same amount we moved forward last year?

Jerry McCollum stated: That is correct.

Mr. McCollum called for Fred Coulter, SCEA Secretary/Treasurer, to explain.

Fred Coulter stated: Because the County's fiscal year and the SCEA fiscal year do not match exactly, sometimes it is difficult to say what the beginning balance will be because we are still spending into July some old bills. Looking at that, the beginning balance coming forward will be slightly lower than what is stated in the Budget, but we are not sure. When the Board gets the BAR in July, after you have approved it and we prepare a BAR for the Board, it will have the final numbers in there.

Commissioner Carey stated: The \$40,203.23 may or may not be accurate but the Budget in detail is correct?

Fred Coulter stated: Yes; the Budget is in detail; you actually have interest revenue now which you did not have in the past, now that we have segregated the money.

Chairman Brender called for the question; the Motion passed unanimously.

(b) Discussion: SR-417 Signage / Seminole Way Signage**Commissioner McLean stated:**

We talked about this at our County Commission Meeting this morning; House Bill 5 passed at the end of April, effective July 1st. I wanted to share with everyone information as to what this sign is going to look like and also possible options we might want to consider. This is the standard signage used for designations; you have probably seen something similar all over the State. It's a single pole, 3 ½ feet long, 2 feet wide, not very large but it is standard; there is really no flexibility in how the sign looks; there are no logos, really not much we can change to this particular sign. There will only be two (2) – one at the entrance coming in from the north from the port of Sanford and one at the entrance coming from the south at the Orange County Line. I asked about additional signs, larger face, bold type. There is a route we may want to consider, i.e., the "Sponsor A Highway Program". You have probably seen those sponsorships by various companies. Commissioner Van Der Weide inquired about a logo; that is something that could be done on the "Sponsor A Highway" sign. There is more flexibility on size and placement and you can use a logo. I am looking into that to see what options we have. It appears that would be something Seminole County or some entity would have to pay for. I don't have information about pricing; but I will get that information for us. I am told that by the end of July we will have this sign up and ready to go; when I have that information, I will share it with you.

Chairman Brender asked about the location of the siting?

Commissioner McLean stated: It's in the handout - at the beginning and the end, one of each.

Commissioner Carey stated:

In agendas and text, etc., Seminole Way has been two words. In Options 1 and 3, it's one word in all capital letters which I think somebody would look at and ask what is that? I think we either need to stick to two words or maybe just make sure we go with Option 2 or 4 with two words.

Commissioner McLean stated:

That's how it was originally conceived and how it is on the web site, one word with the capital "W" of SeminoleWay. I am open to whatever is reasonable.

Commissioner Dallari stated:

I would like to see 2 words; Commissioners Henley and Carey agreed.

Commissioner Carey stated: It's like Seminole Boulevard or Seminole Place, it's two words. Sounds like we have consensus to do it as two words.

All agreed.

Commissioner Carey asked whether a color option needed to be selected?

Commissioner McLean stated:

The signs come in yellow, the older version; or white, the newer version. I suggest the white; it stands out; I wanted to show you both options to get a consensus.

Commissioner Carey made a Motion to approve Option 4 except make the name two words, Seminole Way with both words capitalized. The Motion was seconded by Commissioner Dallari. The Motion passed unanimously.

Commissioner McLean stated he would bring back information on the "Sponsor A Highway Program".

Chairman Brender stated the matter would be taken up again when the information is brought back to the Board.

(c) Discussion: Orlando-Orange County Expressway Authority (OOCEA) Draft Interlocal Agreement Between OOCEA and Seminole County for Wekiva Parkway Development

Chairman Brender opened the floor for discussion.

Commissioner Dallari stated:

Mr. Chairman, we looked at the Agreement during the Board of County Commissioners Meeting and agreed to move forward.

Commissioner McLean added: Including the stronger alternate language *requiring* a seat at the table as opposed to *requesting*.

Commissioner Carey stated:

Mr. Chairman, based on some of the things that were done this morning, I move we approve the Agreement with the changes that we made this morning which would be as follows:

On Line 48, that the alignment “*has not been approved*” rather than “*has been*”.

We added language on Page 4, the first *whereas the citizens have concerns*, we added the word *alignment* because their biggest concern is the alignment; we wanted to make sure that is in there.

By accepting the alternate language of “*we must have a voting seat*”, that changes Line 160 to the alternate language.

We basically adopted it with both of the items on Page 17 which are the alternate provisions.

I move that we approve it today here at this Authority with the same changes the County Commission made earlier today; the Motion was seconded by Commissioner McLean.

Chairman Brender called for discussion.

Chairman Brender asked whether the Agreement would be going back to OOCEA?

Mr. McCollum stated: Correct. Staff will be making the changes that are agreed upon and sending those back to OOCEA as our response to what they sent us 6 or 7 months ago.

Commissioner Van Der Weide asked whether OOCEA would be sending it back to SCEA?

Commissioner Carey stated:

Just to be clear on the record since you were not here this morning, as the District Commissioner, I am not willing to give up my authority and neither was the rest of the Commission to the Orlando-Orange County Expressway Authority to make those decisions that are critical to the citizens of this County.

Chairman Brender stated:

I think it's fair to say that we only have one chip in this poker table and obviously we need to be careful how that's played and when. There will be some negotiation back and forth via staffs over the coming months; but we should keep in mind we're going to have public hearings at the end of the year.

Commissioner McLean stated:

As of now, we have not given a definitive response; we need to begin the process by doing that and that's what we are doing.

Chairman Brender stated:

The key is we have to look towards the end of the year. I don't think this Board should be planning on having 6 or 7 month delays to figure out what to send back, assuming the OOCEA comes back to us in the coming month or two.

Commissioner Carey stated: They may not take it up until after their elections.

Commissioner McLean stated: We could be encouraging them to consider it sooner.

Chairman Brender stated: That's fair to say and the Chairman will encourage as best as he can.

Mr. McCollum noted that Commissioner Woodruff is not in attendance but had sent written comments to the Board and asked whether all had received same and had an opportunity to review them.

All agreed they had received Commissioner Woodruff's written comments.

Chairman Brender called the question; the Motion to approve the Draft Interlocal Agreement passed unanimously.

Chairman Brender stated:

I received a Speaker Request Form from someone in the audience on this particular item; we can take a few minutes for public input if you would like to at this time.

Commissioner Carey stated: Mr. Chairman, why don't you do it at the end of the meeting before we close. There should be a place on every agenda that is a public meeting for public comment. We typically do it at the beginning of the meeting; but it was not on today's agenda and I think we are about finished.

Chairman Brender stated:

We will move on to Item #6, Other Business, and I will call for a brief moment of public input at that point.

Commissioner Dallari stated: That's what we have done in the past.

Chairman Brender asked if there was any other new business before the Board?
None was presented.

ITEM #6: OTHER BUSINESS

(a) Chairman's Report – *Commissioner Gary L. Brender*

Chairman Brender stated he had no report at this time. There may be another Special Call Meeting as soon as we hear back from the Orlando-Orange County Expressway Authority on the Interlocal Agreement.

CHAIRMAN BENDER CALLED FOR PUBLIC INPUT.

Commissioner Carey stated:

Mr. Chairman, while he's coming down, I would suggest that on our future agendas there be a place for public input at the beginning of the agenda like we do at the County Commission meetings.

Chairman Brender asked if everyone is in agreement?

All agreed.

Mr. McCollum asked: Is that on items scheduled or just anything people want to bring up?

Commissioner Carey stated:

We heard all about Jetta Point Park today; it was not on the agenda but it's under public comment. If it is relative to the Expressway Authority, they should be heard.

Commissioner McLean stated:

If we are going to do everything, I think we should put it at the end to give people the benefit of what we discussed.

Chairman Brender stated that a Public Input Section would be placed on future agendas under “Other Business”.

Commissioner Van Der Weide stated: Whatever you decide will be fine with me. Let’s just do it; I think we owe it to the people.

Chairman Brender stated: The Chair recognizes Charlie Shaw; please give your name for the record.

Mr. Charlie Shaw stated:

My name is Charlie Shaw; I am representing the Wekiva Parkway Community Coalition, Inc. (WPCC), and also the Sylvan Lake Homeowners Association. I had two items to talk about but I was told originally since one of them was not on the agenda I couldn’t talk about it but now it seems like maybe I can.

Commissioner Carey stated: You have three (3) minutes to talk about whatever.

Mr. Shaw stated:

The first matter I would like to address is the slope buffered offset. This leads to a comment Commissioner Carey made concerning the Interlocal Agreement, with the major concern being the alignment; and I agree that is the major concern. Another major concern is the actual design of the roadway regardless of where it’s going to be placed. Going back to the point raised in several of the SCEA meetings previously, the slope buffered offset requirement design, at the May 2009 SCEA meeting, the SCEA asked the OOCEA Consultant for the PD&E Study, Mark Callahan of CH2M HILL, if the study and proposed design for the RPA was accommodating the required buffering and sloping. The question was not answered during the meeting and the WPCC followed up at the next SCEA Meeting in November 2009, with the same question and it again was not answered. At Commissioner Henley’s request following the January 2010 Meeting, Gary Johnson, then SCEA Executive Director, arranged a meeting with FDOT, which was held on the 19th of February, attended by Gary Johnson; Jerry McCollum; George Lovett, FDOT District V Director of Development; and WPCC representatives. The purpose of this meeting was to find out on behalf of the SCEA if FDOT believes the PD&E Study with the proposed RPA design satisfies the buffering and sloping mitigation requirements specified in the Wekiva Basin Area Task Force Final Report which was then re-affirmed in the Wekiva River Basin Commission Coordinating Committee Final Report, and the planned actions fit the design did not so comply; and these requirements were to promote a parkway look and feel with appropriate natural buffers between the roadways and the adjacent areas and seek to minimize the impacts on existing neighborhoods and residential communities. This is language from the final reports. It further specifies within the reports as to the requirements including offering by way of Blue Ridge Parkway and that the Wekiva Parkway should be a model for all parkways in the State. Mr. Lovett stated in the meeting on February 19 that their organization builds roads and highways and as restricted by the State does not build toll parkways and cannot accommodate any buffering or sloping offsets. Although the RPA design clearly does not contain as required any buffering or sloping offsets, Mr. Lovett stated they were satisfied with the current roadway design at the level it is done right now. While the WPCC has repeatedly brought this issue and others to the attention of the OOCEA consultant, FDOT and the SCEA, there have been no changes to the RPA design and our issues remain unaddressed. They have been listened to but they have not been addressed. In summary, we believe the

current RPA design and the PD&E study do not and cannot satisfy certain core requirements of the proposed parkway which are to promote the parkway look and feel with the buffers and minimize the impacts on neighborhoods and residential communities. The WPCC therefore requests that the SCEA and the SCEA Commissioners adopt a proactive posture towards resolving the very serious concerns the citizens of the Wekiva Basin area have about the proposed roadway alignment and the design, none of which have been addressed to date. At a minimum, we would like to see an action plan drafted to address these concerns.

The second matter relates to the Interlocal Agreement. My remarks at that time were based upon the draft which we had before the meeting. I understand from what I just heard that probably many of these concerns were addressed at the BCC meeting this morning. It sounds like, not having seen the document, the only concern we may have right now is the one that was referred to by Commissioner Carey and that is the alignment which is a major concern; but we are also concerned with the design.

Commissioner Carey stated:

It did speak to the aesthetics of the parkway; it's design, aesthetics, alignment; we just wanted to make sure we covered everything in our comments.

Mr. Shaw stated:

It is more than aesthetics; the buffered offset is a biggy. It requires considerably more right-of-way taking, costs, possible litigation and a whole bunch of other sticky things that matter; it is a major thing if it was done. We are talking about the buffered offset mainly on the segment where it swoops down to connect with SR-417 and I-4 departing to the SR-46 corridor; right now it's pretty much designed as a vertical wall.

Chairman Brender stated:

You should be aware that a lot of the FDOT restrictions on how they construct may not be applicable in this particular case. The way things are looking, this is going to be an OOCEA operation. A lot of what you are speaking of, the specifics of noise mitigation, parkway feels, aesthetics and that sort of thing will have to be addressed in detail.

Mr. Shaw stated:

At the meeting with Mr. Lovett, I purposely did not raise that because I am characterizing somebody else's comments, Mr. Lovett's comments about what he thinks OOCEA may or may not do. But that subject did come up and Jerry McCollum can speak to it too. Mr. Lovett basically felt there was more flexibility both in funding and ability to do things on the part of OOCEA. As far as specifics, I really need to make this point, as to what we were talking about, the main topic, the sloping and buffered offsets, Mr. Lovett's opinion was that was not going to happen with OOCEA either for a variety of reasons which I won't get into the details now; but Jerry McCollum has those.

Commissioner Carey asked Mr. McCollum if there are Minutes from that meeting?

Jerry: McCollum stated:

I don't believe there are any Minutes that I am aware of. We didn't call the meeting; Gary Johnson and I attended.

Also, what was said is that some of these items will be in final design when they address it a little more. Mr. Lovett's concern, to re-emphasize, some of it related to eminent domain in terms of the ability to condemn property for what purpose. It was said that OOCEA many times is a little more liberal when it comes to landscaping and considering noise walls because the FDOT is very specific about where they can and cannot put noise walls.

Chairman Brender stated:

The other thing to keep in mind is your concerns primarily fall under the last 5 ½ miles of this road. Don't think that just because they are refusing to address the entire 22-mile stretch in trying to address noise mitigation and parkway feels, what we are concerned about and what you will have I believe the support of this board on is that for the last 5 ½ miles that have to do with Seminole County, we will do everything within our power to see that some of your concerns are addressed.

Mr. Shaw stated:

Not to undercut at all our concerns about the alignment which are not unjustified, wherever it goes, we would look to the segment in Seminole County wherever the design is placed upon alignment, that it would contain these buffered offsets and not vertical walls.

(b) SCEA Member Reports

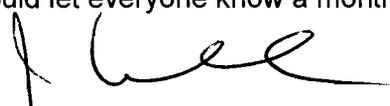
None were given.

END OF REGULAR BUSINESS AGENDA

ITEM #7: ADJOURNMENT

There being no further business at this time, the meeting was adjourned at 4:30 P.M.

The next regularly scheduled meeting – Biannual Meeting November 9, 2010. Chairman Brender noted he would let everyone know a month in advance of any Special Call Meetings.



Jerry McCollum, P.E.
Acting Executive Director



Gary L. Brender
Chairman

Attachments

1. Minutes – November 10, 2009 Meeting
2. Minutes – January 12, 2010 Meeting
3. Amended FY 2009/10 SCEA Administrative Annual Budget
4. Resolution for the Authority's FY 2010/11 Administrative Annual Budget
5. Handout: Draft of Seminole Way Signage
6. Draft Interlocal Agreement: Between Orlando-Orange County Expressway Authority, Seminole County and the Seminole County Expressway Authority for Wekiva Parkway Development
7. Speaker Request Form (1)
Mr. Charlie Shaw

Approved: 11-09-2010

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