SEMINEOLE COUNTY EXPRESSWAY AUTHORITY
SPECIAL CALL MEETING
Seminole County Services Building
1101 East First Street; Room 1028; Sanford, Florida

July 27, 2010
Scheduled Meeting Time: 4:00 P.M.
(or as soon thereafter as possible)
Actual Start Time: 8:50 P.M.

MINUTES

MEMBERS PRESENT
Commissioner Gary L. Brender, Chairman, Presiding
Commissioner Michael 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
Robert A. McMillan, County Attorney
Matthew Minter, Deputy County Attorney, SCEA Counsel
Sheralyn Brinson, Administrative Assistant, SCEA Recording Secretary

GUESTS PRESENT
FROM THE ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY (OOCEA)
  Michael Snyder, P.E., Executive Director
  Joseph Passiatore, General Counsel
  Robert Mallett, Right-of-Way Counsel (Broad & Cassel Law Firm)
  Michelle Maikisch, Coordinator of Public Affairs

ITEM #1: CALL TO ORDER
Chairman Brender called the meeting to order at 8:50 P.M.

He stated the following:
This is the July 27 Special Call meeting of the Seminole County Expressway Authority Board, with a single agenda item. We have included a Public Participation Section that Commissioner Carey talked about at the last meeting which is shown on the agenda. To begin with, please make sure cell phones are turned off.

ITEM #2: INVOCATION AND PLEDGE OF ALLEGIANCE
Item #2 was omitted.

ITEM #3: CHAIRMAN'S OPENING STATEMENT
See Item #1 above.
ITEM #4: INFORMATIONAL / DISCUSSION ITEM - Jerry McCollum, P.E., Acting Executive Director

Draft Interlocal Agreement Between the Orlando-Orange County Expressway Authority, Seminole County, Florida and the Seminole County Expressway Authority Regarding the Wekiva Parkway

Chairman Brender called for discussion.

Matthew Minter, Attorney for the Seminole County Expressway Authority (SCEA), requested and was granted the floor. He handed out: INTERLOCAL AGREEMENT BETWEEN THE ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY, SEMINOLE COUNTY, FLORIDA, AND THE SEMINOLE COUNTY EXPRESSWAY AUTHORITY, Redline of Revisions to Draft Reflecting Corrections Made on 7/27/10, and asked permission to put the 07-27-10 Revised Draft in context.

Mr. Minter stated:
On June 22, 2010, the Board of County Commissioners (BCC) considered a Draft Agreement that we had received from the Orlando-Orange County Expressway Authority (OOCEA). At that time we sought consensus from the BCC as to what revisions we would send back to the OOCEA. In your green agenda folders for tonight’s Seminole County Expressway Authority Meeting, the document reflects the Agreement that we sent to the OOCEA reflecting the decisions our Board of County Commissioners made on June 22, 2010. At the time we sent that document back to them, we did not know how long it was going to take for their staff to evaluate it or when the OOCEA would actually meet to consider that document. Our problem was we needed to submit a publication for the meeting of our Seminole County Expressway Authority which is what’s going on right now. We had to go ahead and schedule this meeting before we received any feedback from OOCEA. In the meantime, after we published the notice for this meeting, we have had a couple of meetings with their attorneys, one in person and one by conference call. As a result of those meetings, their attorney submitted the changes they are proposing to what our BCC sent back to them. Those changes are reflected in a separate colored folder (orange) that I have given to each of you, i.e., the document that says “Draft Reflecting Corrections Made on 07/27/10”, which is today. To be clear, we sent the June 22 document to them and the changes that are shown in the July 27 document are changes to the June 22 document.

The June 22 document which is in your agenda packet, was noticed for an informational and discussion item; that is what’s on tonight’s agenda.

Commissioner Dallari asked: The document in the orange folder doesn’t really exist per the agenda, correct?

Mr. Minter stated: Not for the agenda, that is correct. That document was revised today.

Chairman Brender stated:
We generally have an Agreement which we will now be going forward with on August 10 if that is what we agree to do.

Commissioner Dallari asked:
Wouldn’t you want the June 22 Agreement to at least be agreed to by this Board here? I thought that was the intent of this meeting. When we talked about this, we agreed on something, the BCC agreed on it, but this Board did not agree on it.
Mr. Minter stated:
I think the reason we labeled it as information and discussion was at the time we scheduled this meeting, we anticipated and Mr. Snyder, OOCEA Executive Director, had warned our BCC in advance that his attorneys expected to make changes.

Commissioner Dallari stated:
He advised us at the meeting that there would be some minor changes coming back. But I definitely think this Board should take the June 22 Agreement and at least approve it.

Commissioner Carey stated:
We have not published this meeting to be an action item meeting; so that would be problematic. And the fact that we have been sitting here for 12 hours having a County Commission Meeting and I was just handed something that I have not had an opportunity to look at, the June 22 document, which has already been revised. Why would we take action when we have not advertised that we are going to take action?

Commissioner McLean suggested the matter be tabled until August 10.

Chairman Brender stated:
I agree with Commissioner Carey. The meeting was not called as a voting meeting. There were several people here earlier; they were told that. Is Mr. Watson still here?
Response from the floor: No, he left.
Chairman Brender: Is Mr. Sid Bennett here?
Mr. Bennett stated he would pass on speaking.
Chairman Brender continued:
There were two people who asked to speak at this meeting but they will not be speaking. The Chair will look for a motion to schedule an August 10 meeting to approve the 07-27-10 item before us. Commissioner Van Der Weide made the Motion, which was seconded by Commissioner McLean.

Commissioner Dallari stated: Before we do that, this Board has not seen the June 22 draft that was sent to OOCEA.

Commissioner Brender stated: Technically, that is correct.

Commissioner Carey noted the document is in their briefing packet.

Commissioner McLean noted the document would be going back to OOCEA for technical changes.

Commissioner Dallari asked: Why wouldn't you want to have both groups on the same page, so to speak, the BCC and the SCEA?

DISCUSSION

Commissioner Carey stated: At the last Seminole County Expressway Authority meeting, we approved a document that said we would have votership; we approved that as the Expressway Authority Board. At the next County Commission Meeting, the County Commission, under the Chairman's Report, brought up the Agreement. The County Commission modified the Agreement; the Expressway Authority Board has never voted on that; it has not been advertised that we were going to vote on it today; and before we could even vote on it, now we have another set of revisions that need to at least be read before we start having this discussion. I am all for the motion on the floor to calendar this to take proper action on August 10 and then adjourn.
Chairman Brender stated:
We will forego the Public Participation Section of this meeting. Speaker Request Forms were received from Sid Bennett and Bob Watson.

Chairman Brender asked if there were any other informational items from the Director; there were none.

Commissioner Van Der Weide offered a Motion to adjourn, which was seconded by Commissioner McLean; the Motion carried unanimously.

ITEM #6: ADJOURNMENT

The meeting was adjourned at 9:00 P.M.

The next Special Call Meeting: August 10, 2010.

The next regularly scheduled meeting date: Biannual Meeting on November 9, 2010.

Attachments

(1) INTERLOCAL AGREEMENT BETWEEN THE ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY; SEMINOLE COUNTY, FLORIDA; AND THE SEMINOLE COUNTY EXPRESSWAY AUTHORITY
   Seminole County Draft Reflecting Revisions from BCC on 6/22/10

(2) INTERLOCAL AGREEMENT BETWEEN THE ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY; SEMINOLE COUNTY, FLORIDA; AND THE SEMINOLE COUNTY EXPRESSWAY AUTHORITY
   Redline of Revisions to Draft Reflecting Corrections Made on 7/27/10

(3) Speaker Request Forms (2)
   Mr. Sid Bennett
   Mr. Bob Watson.

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Approved: 11-09-2010