

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
JANUARY 8, 2008**

I. (A) CALL TO ORDER, ROLL CALL:

Mayor Malcolm Lewis called the meeting to order at 6:30 p.m.

The following members and officials were present:

Malcolm K. Lewis, Mayor
Tom Mayes, Jr., Vice Mayor
Robert M. W. Shalhoub, Pres. Pro Tem
Valentin Rodriguez, Jr., Council Member
Gregory Freebold, Council Member
Joann Hatton, Town Administrator
Jo Plyler, Town Clerk
Wes Smith, Chief of Police
James L. Watt, Town Attorney for Charles Schoech

(B) PLEDGE OF ALLEGIANCE:

Mayor Lewis led the assembly in the pledge of allegiance to the American Flag.

II. APPROVAL OF AGENDA:

Motion made by President Pro Tem Shalhoub to approve the agenda, seconded by Vice Mayor Mayes; Motion approved (5-0).

III. CONSENT AGENDA:

- A) Approval of Minutes of the December 4, 2007 Council Meeting.
- B) Approval of Resolution #08-01 Expressing appreciation for the services rendered by all the members of the “50th Anniversary Celebration” Committee.
- C) Approval of Resolution #08-02 Authorizing budget transfers for Fiscal Year 2006-2007.
- D) Approval to Advertise for the sale of the Town’s generator.
- E) Approval of Friday, February 15, 2008 for Children’s Movie Night.

Motion made by President Pro Tem Shalhoub to approve the Consent Agenda, seconded by Vice Mayor Mayes; Motion approved (5-0).

IV. PRESENTATIONS:

- A) Mayor Lewis read Resolution #08-01 expressing appreciation for the services rendered by the “50th Anniversary Celebration” Committee. Town Administrator Joann Hatton presented the following members with a “Key to the Town”:

Mr. James Tackett, Chair
Mrs. Fran Carlton, Vice-Chair
Mr. Chip Swinarski, Treasurer
Mr. William Murphy
Mrs. Margaret Parkinson
Mrs. Bernadette Shalhoub

Committee members Dr. Richard Galeta and Mrs. Rose Walton were not present to receive their plaque.

- B) Finance Director Bill Thrasher gave a presentation on the status of the Town’s Cash and Investment Amounts (Attached as “Exhibit A” of these minute).

Margaret Parkinson, Sr. Vice President, Flagler Bank, distributed copies listing the rates and amounts in the Checking, Money Market, and Certificate of Deposit (CD) accounts that the Town has on deposit at Flagler Bank. (Attached as “Exhibit B” of these minutes.)

Following discussion Council took action as follows:

President Pro Tem Shalhoub made a motion to liquidate the Raymond James Utility Fund in the amount of \$440,968 and invest in a 4.00% money market account with Flagler Bank, seconded by Vice Mayor Mayes; Motion approved (5-0).

President Pro Tem Shalhoub made a motion that the \$562,774 Utility Fund CD at Flagler Bank that will expire on February 22nd be renewed at 4.75% CD, seconded by Vice Mayor Mayes; Motion approved (5-0).

President Pro Tem Shalhoub made a motion that the \$700,814 Hypoluxo Utility fund at Flagler Bank be vested in a 4.75% CD minus the payment obligations within the upcoming six (6) month period, seconded by Vice Mayor Mayes; Motion approved (5-0).

President Pro Tem Shalhoub made a motion to remove the remainder of funds restricted in the State Board Administration’s (SBA) when they are

released without penalty for withdrawals, and invest in a 4.75% CD account at Flagler Bank, seconded by Vice Mayor Mayes; motion approved (5-0).

President Pro Tem Shalhoub made a motion that Town Administrator Joann Hatton and Finance Director Bill Thrasher obtain Money Market and CD rates from local Public Depository institutions for possible reinvestment of the General Fund and the Regular Utility Fund and report back to Council for their consideration, seconded by Vice Mayor Mayes; Motion approved (5-0).

V. TOWN ENGINEERS:

- A) Keith Jackson, SFRN, Inc., Town Consulting Engineer
- B) Jeffrey Renault, LBFH, Inc., Town Utilities Engineer

In the absence of the Engineers Keith Jackson and Jeffrey Renault, Mayor Lewis referenced their Status Reports stating that all projects are moving forward.

VI. UNFINISHED BUSINESS:

- A) Lake Worth Drainage District (LWDD) Lateral 7 Canal, Right-of-way adjacent to Lake Clarke Shores Community (LCS) Park/Approval of irrigation well not to exceed \$10,000.

William Murphy, Project Manager, LCS Community Park, advised Council that he was in receipt of (2) bids and expecting (2) additional bids for the irrigation well. The bids are not comparable, however, Mr. Murphy was of the opinion that the well drilling and pump will not exceed \$10,000.

Following discussion **Vice Mayor Mayes made a motion to approve an irrigation well not to exceed \$10,000. , seconded by Council Member Rodriguez; motion approved (5-0).**

- B) Mayor Lewis referenced the “Estimated Schedule of Town Hall Complex Completion/Move In” schedule provided to the Council stating that the move in could possibly be in conflict with the scheduled March 30th Barbecue.

President Pro Tem Shalhoub made a motion to change the schedule for the Barbecue to Sunday April 13th, seconded by Council Member Rodriguez; motion approved (5-0).

VII. NEW BUSINESS: None

VIII. AUDIENCE COMMENTS:

Dr. Danilo Zucchelli, 1910 Caribbean Road West, submitted a letter to the Council regarding a neighbor's fence that he believes is encroaching onto his property.

Attorney Jim Watt advised that this is clearly a matter between the property owners.

Tom Gerbus, 1811 Carissa Road, submitted photographs of the Jim Barby property on 7011 Haden Road stating that Mr. Barby is currently residing on the property and noted the code violations in the photographs. Town Attorney Jim Watt responded that the lawsuit is in pending litigation.

Banna Ghioto, 1605 Carissa Road, expressed concern on the Public Notice sent to the residents on January 3, 2008 giving notice that bacteriological samples were collected from the Town's drinking water distribution system and that the three (3) samples collected tested positive for coliform. Mrs. Ghioto further stated that the residents in the apartments on her street did not get the notices and suggested that all Town notices and newsletters should be mailed to these residents.

Mrs. Hatton responded that the water was retested and all samples tested negative. She also stated that the apartment residents receive all notices and newsletters sent from the Town.

Fran Carlton, 8432 Waterway Drive, Thanked the Council for recognizing her with a "Key to the Town" for serving on the "50th Anniversary Celebration" Committee.

Fran Eberhart, 7316 Venetian Way, questioned the constant water running from a fire hydrant in the area of Patrick Lakes. Mayor Lewis responded that the fire hydrant is in the West Palm Beach service area, not in Lake Clarke Shores.

TOWN ADMINISTRATOR:

In addition to her Status Report dated January 3, 2008, Town Administrator, Joann Hatton, advised that the next Council Meeting is scheduled for Tuesday, January 22, 2008.

IX. REPORTS:

- A) In the absence of Attorney Charles Schoech, Attorney Jim Watt referenced the Status Report dated November 28, 2007 and indicated that he had nothing further to report.
- B) Chief Wes Smith advised that he has distributed his monthly report to Council and that he has no further comments.

C) Town Council:

Council Member Rodriguez referenced an article in the Florida Fishing Weekly about Dalton Johnson, winner of the heaviest fish in the peacock division of the November 10, 2007 Lake Clarke Shores Bass Fishing Tournament.

Council Member Rodriguez stated that he attended a Building Progress meeting of the Lake Clarke Shores Municipal Town Hall and thanked Mayor Lewis for his dedication to the construction of this project.

Vice Mayor Mayes commented on the following:

1. Congratulated Chief Smith as Chair of the Florida Police Chiefs Association Technology Committee.
2. A fence has been placed around the abandoned Blanton property on the west side of Florida Mango Road.
3. Reminded everyone of the Saturday, February 9, 2008 "6K Loop Around the Lake" and that volunteers are needed.

President Pro Tem Shalhoub: No Comment

Council Member Freebold inquired on the status of the Time Capsule. Mayor Lewis responded that time and placement will be considered at a later date.

Mayor Lewis informed the Council that a change order for the new Municipal Complex is needed for connection of the sewer pipe at Florida Mango Road. The 42-inch pipe is required to be six plus (6+) feet down instead of three (3) feet that will require dewatering and Palm Beach County also requires shoring of the connection site to prevent a cave in. Cost of the change order has not been determined.

President Pro Tem Shalhoub made a motion to wait for approval of a change order until the final cost is determined and brought back to the Council, seconded by Council Member Freebold; motion approved (4-1), Mayor Lewis opposed.

X. ADJOURNMENT:

President Pro Tem Shalhoub made a motion to adjourn the meeting at 8:45 p.m., seconded by Vice Mayor Mayes; Motion approved (5-0).

Malcolm K. Lewis, Mayor

Jo H. Plyler, Town Clerk