

Town of Shalimar Special Town Commission Meeting Minutes December 2, 2010

CALL TO ORDER – Mayor Gary Combs called the meeting to order at 6:01 p.m. in Town Hall chambers. He led the "Pledge of Allegiance" to the Flag.

ROLL CALL FOR THE RECORD

Mayor Gary Combs - present
Mayor Pro-Tem - absent
Commissioner Jerry McCallister - present
Commissioner Ursel Behnken - present
Commissioner Glenn Wagner - absent

Others in attendance: Town Manager Tom Burns, Deputy Clerk Sheila Hansen, Police Chief John Cash, Town Attorney Mike Chesser, Officer John Spohn, Officer Steve Shadwell, Michael G. Kent, Laura B. Wright

Signed in Residents: Johann Behnken, Tim and Sharon Smith, Gene Brown, Harry Wickliffe, Jimmy and Bess Jones, Elaine Tucker, Tony Simpson, Gloria and Frank Kane, Brad Gable, Jim Wilton, Robert Chapman, MK Simpson, Ray Morgan, John Henderson, Greg Daniels, Jimmy Campbell, Donna and Charles Johnson, Cheri Hammar, Gloria Turner, Bruce Marshall, Paul Logan, Bonnie McClur, Gordon F. Talbot

BUSINESS:

I. APPROVE MINUTES FROM THE November 9, 2010 TOWN COMMISSION MEETING - Mayor Combs entertained a motion to approve the November 9, 2010 minutes. Commissioner McCallister moved to approve the minutes of the November 9, 2010 Town Commission Meeting with one correction. The motion was seconded by Commissioner Behnken and passed unanimously.

II. APPOINTMENT OF TEMPORARY REPLACEMENT OF COMMISSIONER GARCIA - Mayor Combs explained the procedure that would be implemented to choose a new Commissioner. Each applicant had 5 minutes to speak to the Commission and then the Commissioners listed their preferences on a form, rating each applicant from 1 to 7, one being first choice and 7 being last choice. These forms were then given to Attorney Chesser to tally the results.

Tony Simpson of 905 Sunset Bay Court was the first applicant to speak. His qualifications include teaching at the University to police recruits and that while in military he was part of a team deciding decisions which resulted in solutions of complex problems. He stated that he was interested in interacting between the Town Commission and the Shalimar Police Department. He also stated that he is considering

running for the Town Council in the March election.

Jim Wilton of 243 Shalimar Drive has lived in the area for 44 years and in Shalimar for 22 years. He is a Doctor of Business Administration and a Certified General Real Estate Broker. His qualifications include being a police officer in Connecticut where he retired after being injured. He was Chief Compliance Officer for a company in the Defense Industry and Chief Compliance Officer for a small family corporation. He stated he is interested in doing civilian oversight of the Shalimar Police Department. He also is considering running for the Town Commission in the March election.

John Henderson of 125 Gardener Drive has been a Shalimar Resident since 1993. He held the position of Shalimar Police Commissioner from 1998 to 2002. His motivation for applying for the Town Commission seat is that he wants what is best for the town and also stated that if he was chosen to temporarily fill the Town Commission seat he would consider running for Town Council in the March election.

Robert Chapman of 910 Sunset Bay Court has been a Shalimar resident for 3 years. He spent 27 years as an officer in the United States Air Force. He knows the importance of integrity and honesty. He stated that he knows the importance of staying calm when dealing with adversity. He worked in the Leadership and Accountability Department of the Air Force and was a former squadron commander. He knows management and dealing with complex problems. He ran the air war in Afghanistan and Iraq as the F22 program monitor. He has a large quantity of experience in financial management and working with difficult people with patience and understanding. He was the Deputy of the Senate Liaison Office working with Congress and knows the importance of respecting opponents. He has been a member of the school board and been on his homeowners association which he was President of for a period of time. He has no personal interest in the storage lot issue but feels he is open to the case and feels the issue should go to the voters as a referendum.

Tim Smith of 912 Sarah Drive has lived in Shalimar for 33 years. He owns 3 businesses with 160 to 180 employees. He owns a number of properties in Shalimar. He stated that, after attending 17 months of meetings, he did not agree with the storage lot issue. He said he had thoroughly checked out the storage lot issues. He also was working on rewriting the town animal ordinance. He feels that he wants to be a member of the Town Commission because he believes he cannot complain about Town Commission decisions if he is not part of the Commission. He also stated he would be running for the Town Commission in the March Election.

Ray Morgan of 202 Snug Harbor has been a resident of Shalimar for 20 years. He has an Engineering Degree and an MBA Degree. He is retired from the United States Air Force. He is President of his home owners association. He has had a strong interest in the town growth and maintaining continuity at the level the town has reached. He works part time with FEMA and has considerable experience in dealing with the public and officials.

MK Simpson of 2 Gardener Drive has 10 years' experience in the Air Force Military Police. She has attended the Department of Veterans Affairs Law and Training Center. She set up a neighborhood Crime Watch in the Florida Keys. She holds a security clearance with the US Government. Stated she felt her two drawbacks were that she is not current in Florida law standards and has no legal experience.

Mayor Combs stated that all qualifying people should understand that they need to attend the Town Commission meetings and if they cannot attend that they should not apply for the position.

Attorney Chesser totaled up the votes. The voting results were:

Tim Smith	7	Bob Chapman	8
Jim Wilton	9	Tony Simpson	9
John Henderson	11	Ray Morgan	18
MK Simpson	21		

Commissioner McCallister made a motion to appoint Tim Smith as the temporary Town Commission member. Commissioner Behnken seconded the motion and it was unanimously passed.

The Commission thanked the volunteers and stated that they had chosen Tim Smith because of his attendance at majority of the Town Commission meetings.

Attorney Chesser read the oath to Tim Smith who then swore to uphold it.

III. Storage lots: Mayor Combs brought up that he felt that a referendum on the storage lots was not a good idea because it would be a non-binding referendum and he thought it would be a bad precedent and that the Town Commission should make the decision.

Mayor Combs than gave a list of alternatives. 1. Do not develop Richbourg lot and do no expenditures or security. Put in place an annual charge. 2. Use each lot differently allowing approved perimeter parking with large items at the Snug Harbor lot. 3. Forget formal development of the lots and leave them as they are at present.

Commissioner Smith made a motion to eliminate the Richbourg lot and go forward with the other lots to include boats, trailers and no RV's. Commissioner Behnken seconded the motion. The floored was opened to public discussion. After the public discussion a voted was taken. **The motion passed with Mayor Combs the only dissenting vote.**

Commissioner Smith made a motion to go forward with the Cherokee Road lot and the Snug Harbor lot with boats and boat trailers only and use 100 feet of the Cherokee Road lot and all of the Snug Harbor lot. Commissioner

Behnken seconded the motion and the Town Commission discussed this suggestion and then opened the floor to the public. After the public input a vote was taken. **The motion failed with all votes dissenting except Commissioner Smith.**

Commissioner McCallister made a motion to clean up the Cherokee road and Snug Harbor lots and have owners remove stored items and use Cherokee Road lot for Town Hall Parking. Commissioner Behnken seconded the motion and the floor was opened to public discussion. **A vote was taken and the motion failed with a tie with Commissioner Behnken and Commissioner McCallister voting for the motion and Mayor Combs and Commissioner Smith against the motion.**

Commissioner McCallister made a motion to not allow any parking of resident's personal items on town property. Commissioner Behnken Seconded the motion and the floor was opened to public discussion. **The motion failed with Commissioner McCallister and Mayor Combs for the motion and Commissioner Behnken and Commissioner Smith against the motion.**

Commissioner Behnken made a motion to have storage for open trailers on the Cherokee Road lot and no storage at Snug Harbor Lot along with a new set of rules which would be strictly enforced. Commissioner Smith Seconded the motion. After a short discussion Mayor Combs stated that he felt that if storage was allowed on one lot it should be allowed on all three of the lots. The floor was opened to the public. After the public discussion a vote was taken and **the motion passed with the only dissenting vote being Mayor Combs.**

Mayor Combs requested Town Manager Burns to create a set of proposed rules to be available before the December 14, 2010 Town Commission meeting,

ADJOURNMENT: Commissioner McCallister made a motion to adjourn the meeting. Commissioner Behnken seconded the motion and it was passed unanimously.

The meeting was adjourned at 8:28 p.m.

Sheila Hansen, Secretary

December 14, 2010

Date approved