PARK AND RECREATION ADVISORY BOARD
REGULAR MEETING
WEDNESDAY, JULY 15, 2009
7:30 PM
TOWN OF MALABAR
2725 MALABAR ROAD
MALABAR, FLORIDA

AGENDA

A. CALL TO ORDER, PRAYER AND PLEDGE

B. ROLL CALL

C. ADDITIONS/DELETIONS/CHANGES

D. CONSENT AGENDA

1. Approval of Minutes
Regular Park and Recreation Meeting – 6/17/09
Exhibit: Agenda Report No. 1
Recommendation: Motion to approve

E. PUBLIC:

F. ACTION:

2. Recommendation to Council to Install Culvert at Road Entrance to 17 Acre Parcel
Exhibit: Agenda Report No. 2
Recommendation: Discussion and recommendation

3. Recommendation to Council to Pave Entrance Driveway to Disc Golf Park (to be included in next year's budget)
Exhibit: Agenda Report No. 3
Recommendation; Discussion and recommendation

4. Set Date for Cameron Preserve Trail Cleaning Work Party
Exhibit: Agenda Report No. 4
Recommendation: Discussion and recommendation

G. DISCUSSION

5. Speedway Proposal in Malabar
Exhibit: Agenda Report No. 5
Recommendation: Discussion

6. 17 Acre FCT Land Parcel
Exhibit: Agenda Report No. 6
Recommendation: Discussion

H. OLD BUSINESS/NEW BUSINESS:
New Business:

Old Business:

I. BOARD MEMBER REPORTS:

J. ADJOURNMENT

If an individual decides to appeal any decision made by this board with respect to any matter considered at this meeting, a vertabim transcript may be required, and the individual may need to insure that a verbatim transcript of the proceedings is made (Florida Statute 286.0105). The Town does not provide this service.

In compliance with the Americans With Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the Town's ADA Coordinator at 321-727-7764 at least 48 hours in advance of this meeting.

TOWN OF MALABAR

PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 1
Meeting Date: July 15, 2009

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Approval Park Board Minutes

BACKGROUND/HISTORY:
Attached are the summary minutes for the following meetings:
Regular Park & Recreation Board Meeting – 6/17/09

ATTACHMENTS:
- Draft Minutes from Park and Recreation regular meeting June 17, 2009

ACTION OPTIONS:
Recording Secretary requests approval of the minutes

The following draft minutes are subject to changes and/or revisions by the Park Board and shall not be considered the official minutes until approved by the Park Board.

TOWN OF MALABAR – PARK AND RECREATION ADVISORY BOARD
06/17/09 MEETING MINUTES

This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road.

CALL TO ORDER - Meeting was called to order at 7:32 pm by Chair Hans Kemmler. Prayer and Pledge led by Chair Hans Kemmler.

B. ROLL CALL OF MEMBERS
ROLL CALL:
Hans Kemmler – Chair
Dick Korn, Vice-Chair
Bob Siegmann, absent
Vickie Thomas
Scott Pollard – departed at 9:25 pm
Maryann Marsh, Alt. #2
*Josh Treadwell, Alt. #1, excused
Cynthia Kelley, Recording Secretary

Also present: Debby Franklin, Town Clerk/Treasurer
*Josh Treadwell is serving in the military and is stationed overseas.

C. ADDITIONS/DELETIONS/CHANGES:

D. CONSENT AGENDA
1. Approval of Minutes
Regular Park and Recreation Meeting – 5/20/09
Exhibit: Agenda Report No. 1
Recommendation: Motion to approve

Discussion: Korn reported on page 2, paragraph 4, the last sentence should say a dog (Brittany Spaniel) was killed by an alligator. Korn reported on page 2, paragraph 2, he asked the question as follows: Korn asked if you are talking about State only or government owned property or any government owned property. This land was purchased by the Florida Communities Trust and we have to follow their regulations.

MOTION: Korn/Pollard to accept 05/20/09 minutes as corrected. VOTE: All Ayes.

E. PUBLIC:

Chair Kemmler announced that former Mayor Eugene Callagy passed away this week. Alan Wollard, his son-in-law, served on the Town Hall Site Committee.

Chair Kemmler announced that there will be a Fire Wise Community presentation at Town Hall on Thursday, June 18th at 7:00 pm; it is open to the public.

Chair Kemmler announced a meeting with Senator Bill Nelson at the Grant-Valkaria Town Hall on Wednesday, June 24th at 4:30 pm; it is open to the public to discuss federal issues.

F. ACTION:
2. Fencing for Cameron Preserve
Exhibit: Agenda Report No. 2
Recommendation: Discussion and recommendation

Discussion: Kelley gave a brief overview of the packet for this agenda item; including surveys provided by Thomas from residents of Country Cove. Thomas stated she pulled up the EELs website; inviting people to come to the various parks to visit. Pets are not permitted in the parks because they are trying to keep the areas safe. The hogs are destroying the properties and breeding at least twice a year with up to 13 babies each time. There is no dividing fence between the Cameron Preserve and the Country Cove subdivision.

Korn stated that the people of Country Cove need to take responsibility for their own property; fencing their yards at their expense. There is wildlife throughout Malabar; it's part of moving to the country. At the end of Kramer Lane, a resident has had coyotes coming onto his property; lambs have been killed. Thomas' concern is the safety of the public; these are very aggressive animals. Kemmler stated that, with the surveys, we know that the hogs are here. Has there been any safety issue where someone has been attacked or chased by a hog in Cameron Preserve? If this happens, he wants to know about it immediately. The Board would then discuss the safety issues of the hogs in the Town. Kemmler stated that the Board should recommend that Council approve the fencing. He asked Thomas what kind of assistance she is requesting. When this was tabled at the last meeting, he was hoping the Board would come up with some ways to assist the residents of Country Cove other than fencing the property or trapping the hogs. Thomas stated that the hogs don't belong in the Cameron Preserve.

Kemmler asked to see the opinion from the Town's attorney. He read Bohne's opinion into the record. If liability is what she is speaking to; the attorney states the Town has no liability in this issue. Pollard stated he made some calls regarding feral hogs and liability; people he talked to have never heard of liability for feral hogs.

Korn remembers when this came before Council in 2006; the answers provided at that time were no different; we were told that there is no difference between government entities. Korn stated we should inform Council that there is a problem with wildlife, not only hogs, but there are snakes, alligators, etc. There is a concern of wildlife with some of the residents. We need to provide a number for them to call if they are having an issue. Kelley reported that Council has instructed staff to complete a Citizen's Contact Form for each incident concerning hogs. This will be the way we track the activity. The Town should also provide numbers to residents to make contact if there is danger coming to a resident's home. If there is danger, they need a response number; it should also be placed on the website.

Thomas stated that we need to admit there is a problem; why wait until it's monumental. Kemmler asked what her concerns are. She advised the Board that she is concerned for the safety and well-being of the residents. Since it is a public park, we need to make is a safer place. Kemmler asked what happens if the hogs move; someone else will be calling asking for assistance. The hogs are not going to leave. Thomas said to move them. Marsh asked where we should move them to.

Marsh stated her opinion on the issue. She felt that it's part of living in Malabar. She has her own issues with wildlife on her property; she has had to fence in the yard, at her expense. There are no funds in the budget for the Town to place a fence for the Country Cove subdivision. It would seem that Council has staff taking measures to keep track of the hog incidents at this time. It is not the responsibility of the Town to put fencing up.

Kemmler asked Pollard for his opinion on the issue. Pollard stated it is not the Town's responsibility to place a fence for the subdivision; it is up to each homeowner to take care of their property. If the hog is on a resident's property, do with it as you need to. He asked how

many people have been hurt or killed by a wild hog. When he's been out walking and had seen a hog, the hog turns the other way and ran from him. Kemmler stated that the Board will try to formulate their recommendation to Council. Before doing this, there are people in the audience that would like to speak to the issue.

Chris Norton, 1611 Country Cove Circle and VP of HOA, came forward and addressed the Board. Mr. Norton gave a brief history of what has been happening. He also gave information to the Board regarding the Fire Wise Community presentation that will take place at Town Hall Thursday night, the 18th of June. This class is to educate the public; some of this information could help with this issue. East west fire breaks along the northern border of Country Cove could be brought in; this would be a win/win situation for everyone. It will help with fighting fire and it could deter the hogs from coming into the subdivision.

Norton stated he doesn't know if hunting on the Preserve is allowed. There are signs posted to say what can and cannot be done; hunting is not on the signs. Cameron Preserve is a park and the Town has a responsibility to maintain the park. Issue of the hogs is something that has been dealt with before. We have had repeated instances of hogs coming through Town property to privately owned property. The public could be in danger. Kemmler asked why the homeowners don't build a fence to keep the hogs out; this is an option that can be addressed at a later date as a possible way to contain the hogs. There have been no reports of anyone being chased or attacked by a wild hog at this time. If this happened, it would be addressed immediately and he stated that he wants to know if anything like this happens so it can be addressed by the Board as soon as it happens. There will be no more discussion of safety issue regarding the hogs tonight.

Norton suggested that the Town further study the fire wise community to provide an east west fire break. Kemmler asked what this had to do with the hog issue. Norton stated that Chief Gianantonio has a concern about the fire breaks in the area; he stated that the east west needed a break. Korn asked if a fire break would correct a potential problem with the hogs; he doesn't think so. Kemmler stated that he supports anything that increases safety in the community. This does not apply to helping with the hog issues in the community; this needs to be brought to Council. Again, Kemmler asked why the residents don't put up a fence; it has been established that there is a problem. We will address the situation if someone is put in harm's way. Marsh did state that fire issues are important but they need to be brought to Council.

Vicky Merrick, 1737 Country Cove Circle, came forward and addressed the Board. Korn stated that there was a problem in 2006. Merrick stated she has been on the board for two elects and it's been a problem since then. The hogs can multiply up to three times a year. She spoke to her brother-in-law in north Florida. He advised her that they fence in the parks in Panama City; they fence the wild areas. Merrick stated that she was told no one can shoot in the trail for safety reasons. We have had trappers come in and set traps; they spook the rest of the hogs; it's a continual problem. Trapped or shot, Merrick thinks this is dangerous. They are not a native animal; they should and need to be contained. She stated Brian Banshee, the trapper could not be here this evening, he's out trapping tonight. He is willing to talk to the Board and Council to give a report on the situation. Kemmler asked why the HOA doesn't fence the property and trap the hogs to remove them. Marsh stated that there are no funds in the budget to fence the property. Korn stated that he was here when Booth was here. A trapper was hired and the hogs were removed. He asked if there is anything in the deed restrictions about fencing. Merrick stated they are allowed to fence but the community is an open community. Korn stated they may need to review their deed restrictions. Marsh stated that the phone

numbers will be placed on the website; if a safety issue comes up, it will be addressed with the Board. Country Cove needs to take responsibility for their own properties. Owners should put up fences; if the hogs are in their yard, you have the right to do whatever with the hogs.

Franklin came forward to provide background information to the Board. A motion was made at last month's meeting. It went to Council; Council instructed staff to use the Citizen's Contact Form as a way of tracking the activity with the hogs. You have instructed staff to put on the website with a sample form and contact numbers. An article will be put in the next issue of the Mailboat to inform the residents. Permission slips have been provided to the trapper and keys to the gates have been given to him. He hasn't checked in with the Town to advise of the status. A request was sent to you by the Town Administrator to help with the cost of the fencing; there are no funds in the General Fund and Council asked that the Park Board review the issue and see if the funds could be used from the Recreational Funds as it may fit the criteria of the funds. A request came from Country Cove regarding assistance with the placement of the fence. The fire lanes are being worked on with staff and the Florida Communities Trust; we are working closely with the EELs also.

Joshua Quinland, 1693 Country Cove Circle, came forward and addressed the Board. He stated that no one has experienced the hogs like he had. The hogs have cost him thousands of dollars in repairs to his yard and plants. They don't come out every day; it could be a few days in between. The trapper placed the traps on his property; as soon as the trap was removed, the hogs would return to his property. The last problem was encountered 18 months ago. He felt that if you don't have the problem yourself, there is no reason to talk about it. The trees from the Preserve are growing up and over onto his property. Kemmler stated he would advise the Town Administrator and ask that this be looked into.

Barbara Watson, 1677 Country Cove Circle, came forward and addressed the Board. As she has listened to the trend of the conversation this evening, it doesn't seem that the Board is interested in this issue. If you don't have the problem, it doesn't seem important. She has not had any issues in her yard, but she donated funds to pay for the trapper. She has concerns for her grandchildren who play in the yard. Marsh stated that we may, with the information being gathered, be able to place funds in the budget in the future. Korn stated that the number given to Thomas needs to be published on the web site for the residents. Thomas stated she felt that the Board is at least proactive; taking down information so we can address the issue with keeping good records to track the activity.

Kemmler went over the motion from last month's meeting. Any and all alternatives have been discussed. Everyone on the Board has sympathy for those having problems with the hogs.

At this time, no motion for a recommendation to Council by the Park Board was given. Kemmler stated that staff is tracking all activity, trappers are trapping and removing the hogs, contact numbers are being placed on the web site for the residents. Kemmler will investigate hunting in the Cameron Preserve and let the people of Country Cove know what is found out.

G. DISCUSSION

3. Capital Improvement Ideas for 2010-2015

Exhibit: Agenda Report No. 3

Recommendation: Discussion

Discussion: in looking at the list from 2001, the Board removed the items from the list that had been accomplished or what they felt needed to be eliminated. Franklin gave a brief overview of the CIP and how it goes with the Comp Plan. As long as she is the Clerk, she will work on

TOWN OF MALABAR

PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 2
Meeting Date: July 15, 2009

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Recommendation to Council to Install Culvert at Road Entrance to 17 Acre Parcel

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BACKGROUND/HISTORY:
At the last meeting of the Parks & Recreation Advisory Board, it was discussed to use this parcel of land as a project for the Boy Scouts. In order to be able to access the property, a culvert would need to be installed by the Town. Hans Kemmler, Chair, would like to discuss and make a recommendation to Council that a culvert be installed at the entrance of this property.

ATTACHMENTS:
- Portion of Draft Minutes from June 17, 2009

ACTION OPTIONS:
Discussion and recommendation

Portion of Draft Park Board Minutes from June 17, 2009

H. OLD BUSINESS/NEW BUSINESS:

New Business:

- **Boy Scout Project - 17 Acre FCT Land Parcel (Staff Report)**

Discussion: Franklin advised the Board that this property is south of Dr. Leedy's office; between Leedy and Cameron. Franklin made a call and found out it needs to be opened to the public. Wilbur's suggestion was to start out as a day camp to work on achieving their badges; cut the needed trails; they could make a chick saw hut. A driveway would need to be cut in and the Town would need to put a culvert in. Franklin is to provide a map of this area for the next meeting.

TOWN OF MALABAR

PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 3
Meeting Date: July 15, 2009

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Recommendation to Council to Pave Entrance Driveway to Disc Golf Park (to be included in next year's budget)

BACKGROUND/HISTORY:
Hans Kemmler, Chair, would like to discuss and have the Board make a recommendation to Council to budget funds for the 09/10 fiscal year for paving the entrance driveway to the Disc Golf Park

ATTACHMENTS:
- N/A

ACTION OPTIONS:
Discussion and recommendation

TOWN OF MALABAR

PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 4
Meeting Date: July 15, 2009

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Set Date for Cameron Preserve Trail Cleaning Work Party

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BACKGROUND/HISTORY:
Hans Kemmler, Chair, has asked that the Board set a date for a trail cleaning work party.

ATTACHMENTS:
- July 2009 Calendar
- August 2009 Calendar

ACTION OPTIONS:
Discussion and recommendation

July 2009

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3 4th of July Town Hall Closed in Observation of Holiday	4 4th of July
5	6 Town Council 7:30	7	8 Joint Council & PZ Meeting 7:30	9	10	11 Soccer Registration Malabar Community Park 9-11 AM
12	13 Space Coast League of Cities Dinner Meeting	14 Malabar Mariners Association Meeting 5;00	15 Park Board 7:30	16	17	18 Malabar Mariners Association Meeting 4/;00
19	20 Town Council 7:30	21	22 P&Z 7:30	23	24	25 Soccer Registration Malabar Community Park 9-11 AM
26	27	28	29	30 Brevard County School Board Public Hearing 5:30 PM	31	

Town of Malabar

2725 Malabar Road
Malabar, Florida 32950

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E-mail:
TownClerk@townofmalabar.org

August 2009

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3 Town Council 7:30	4	5	6	7	8
9	10 Space Coast League of Cit-ies Dinner Meeting	11 Malabar Mariners Association Meeting 5:00	12 P & Z 7:30	13	14	15
16	17 Town Council 7:30	18	19 Park Board 7:30	20	21	22
23	24	25	26 P & Z 7:30	27	28	29
30	31					

Town of Malabar

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TOWN OF MALABAR

PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 5
Meeting Date: July 15, 2009

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Speedway Proposal in Malabar

BACKGROUND/HISTORY:
Ike Hecker, Jr., President of Premier Properties of the Space Coast, Inc. asked Council for permission to make a presentation at the joint meeting of July 8, 2009. Council granted him 15 minutes; he made a brief presentation. Mr. Heckler will be making an appearance at the Planning & Zoning meeting on Wednesday, July 22, 2009; Park Board Members are welcome to attend.

ATTACHMENTS:
- Portion of Draft Minutes from RTCM July 6, 2009 (to be provided prior to meeting)
- Portion of Draft Minutes from Joint P & Z and Council Meeting of July 8, 2009 (to be provided prior to meeting)

ACTION OPTIONS:
Discussion

TOWN OF MALABAR

PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 6
Meeting Date: July 15, 2009

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: 17 Acre FCT Land Parcel

BACKGROUND/HISTORY:
At the last meeting of the Parks & Recreation Advisory Board, it was discussed under new business that this area of the Town be used as a project for the Boy Scouts. It was suggested by Bob Wilbur, Chair of the Planning & Zoning Board, that they also use it as a day camp to achieve their badges and cut in the necessary trails.

ATTACHMENTS:
- Portion of Draft Minutes from June 15, 2009
- Map/Survey of 17 Acres (to be provided prior to meeting)

ACTION OPTIONS:
Discussion

Portion of Draft Park Board Minutes from June 17, 2009

H. OLD BUSINESS/NEW BUSINESS:

New Business:

- **Boy Scout Project - 17 Acre FCT Land Parcel (Staff Report)**

Discussion: Franklin advised the Board that this property is south of Dr. Leedy's office; between Leedy and Cameron. Franklin made a call and found out it needs to be opened to the public. Wilbur's suggestion was to start out as a day camp to work on achieving their badges; cut the needed trails; they could make a chick saw hut. A driveway would need to be cut in and the Town would need to put a culvert in. Franklin is to provide a map of this area for the next meeting.