

**JUPITER INLET COLONY  
REGULAR COMMISSION MEETING**

**LIVE AND VIA ZOOM**

Meeting ID 585 628 8134

**08.14.2023**

**7:00 PM**

**MINUTES**

**1. Mayor Block Called the Meeting to order at 7:00 PM.**

**Roll call for the record:**

Mayor Milton Block

Commissioner Richard Busto

Commissioner Marie Rosner

Vice Mayor Mark Ciarfella

Commissioner Ed Hocevar (via zoom)

Chief of Police Robert Schultz

Town Administrator Kevin Lucas

Town Attorney William P. Doney

Town Clerk Ivelisse Chico-Randazzo

- 2. Swearing in of Chief Dan Kerr** – Mayor Block made an announcement the was not on the agenda, Dan Kerr would be sworn in as Chief of Police. Mayor Block thanked Chief Robert Schultz for the work he did while in the position of Acting Chief. Mayor Block swore in Chief Kerr.
- 3. Public Comments** – Traci Siani thanked Mayor Block and Commissioner Busto for the Chief of Police Selection committee and smoothing things in Town.
- 4. Vote:** To approve Consent Agenda
- a. July 2023 General Operating Fund Budget Report & Financial Statements.
  - b. Minutes from July 10, 2023, Regular Commission Meeting.
  - c. Minutes from August 4, 2023, Special Commission Meeting.

Commissioner Rosner questioned the Mayor on the Consent Agenda, she was reviewing the financials and noticed that there was \$42,339.55 paid out in legal fees, she asked if insurance is paying for any of that, Mayor Block responded no.

**Motion:** Vice Mayor Ciarfella made a motion to approve the consent agenda

**Second:** Commissioner Busto seconded the motion.

**Motion passed 5-0**

**5. Commissioner / Staff Reports**

- a. **Town Administrator-** No report
- b. **Town Clerk** – No report

- c. **Chief of Police-** No report
- d. **Code Enforcement-** Mayor Block reported there were 15 potential violations that were regarding complaints about permit status. All were resolved.
- e. **Town Attorney** – No report
- f. **Commissioner Reports-** Commissioner Rosner reported that she attended the first Social Committee Meeting, and the first event would be a meet and greet with Chief Kerr. Commissioner Busto stated that while he was at Town Hall several employees reported to him that there is mold in Town Hall. He asked for Town Administrator Kevin Lucas to get a quote(s) for mold inspections. Commissioner Hocevar (via zoom) asked about the Budget approval process and stated he has questions regarding the budget. He was directed to call Town Administrator Kevin Lucas or Lisa Hines with budget comment and questions.
- g. **Vice Mayor** - No report
- h. **Mayor** – Mayor Block read a prepared report (attached) on the status of the Town.

6. **Discussion:** FY2024 Budget and Set Milage Rate

Commissioner Busto spoke about the budget. He stated that they are on version 12 of the budget. He stated there are a lot of moving parts to creating a budget. He stated that if anyone has any questions about it, to please ask him and he will meet with any resident to discuss.

7. **Discussion:** Plan for JIC Commission for the benefit of the Town.

Mayor Block read a prepared statement (attached) regarding the future of the Town as two Commissioners plan on resigning. The statement outlined the process of having new Commissioners appointed to the board.

8. **Discussion and Vote:** Vote to establish the JIC Compliance Policy

Mayor Block read a prepared statement (attached) regarding the Commission being issued Town cell phones. Mayor Block called for a vote from the Commission to accept the compliance policy.

**Motion:** Commissioner Busto made a motion to approve.

**Second:** Commissioner Rosner seconded the motion

**Motion passed 5-0.**

9. **Wrap-up and adjourn.** The meeting was adjourned at 7:43pm.

**Motion:** Commissioner Busto made a motion to approve.

**Second:** Commissioner Rosner seconded the motion

**Motion passed 5-0.**

Approved by:

\_\_\_\_\_  
Mayor Milton “Chip” Block

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Clerk Ivelisse Chico-Randazzo

\_\_\_\_\_  
Date

### **STATE MANDATED STATEMENT**

If a person decides to appeal any decision made by the board, agency, or Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact the Town prior to the meeting. Please contact the Town Administration Office, Administration Building, 50 Colony Road, Jupiter Inlet Colony, and FL 33469, telephone 561-746-3787.

To: **JIC Residents**  
From: **Chip Block**  
Re: **Mayor Report #3**  
August 14, 2023

We have made considerable progress in seven key areas:

**New Police Chief to replace Chief Pruitt:** The Selection Committee completed its work at the July 27 open meeting, nominating former Jupiter Chief **Dan Kerr** to become Chief of Police in JIC. On August 2, at a special Commission meeting, Kerr was selected by a vote of 4-0.

Chief Kerr was sworn in on August 14. He is now in office. He will work with **Acting Chief Bob Schultz** and me to recommend to the Commission a restructuring of the Police Department to ensure greater economies, efficiency, and safety. My fellow Commissioners and I thank and salute Acting Chief Schultz for stepping up as Acting Chief with rigor and devotion to our Town.

I also thank fellow Selection Committee Members **Dick Busto**, Tequesta Chief **Gus Medina**, **Tony Prosser**, **Pam Rauch** for their diligence and time on this important task.

**Town Charter Referendum:** Resident **Janet Saura** and Town Attorney **Bill Doney**, with input from several residents, are drafting a new Charter to be presented via referendum to town voters to present the proposed Charter to residents for review and comment. There will be a town workshop in the next few weeks when the proposed charter will be presented for public comment. We hope to have the Charter ready for adoption by the Commission at the September 11 meeting.

**Town Finances:**

- 2024 Budget: Commissioner Dick Busto, with the invaluable assistance of former Commissioner **Lisa Hines**, has prepared the 2024 Budget. It was discussed at the August 14, 2023 Commission meeting. You can find it at the Town's website here: <https://www.jupiterinletcolony.org/budgets-financial/page/budgets> under "Supporting Documents."
- 2023 Budget: I have taken several steps to rectify the current town finances to conform with the budget the Commission passed last fall.

These steps include:

- 1) Sent collection letters to contractors demanding past due payments on renewal permit fees. The Town had \$431,000 in fees past due. We have received or have commitments to receive \$370,000 by August 31. The remaining permit fees, billed at \$134,000, are due by August 31. If not paid by then the work sites will be subject to stop work orders. We are implementing procedures to ensure that collection will be timely in the future.

- 2) To cover unauthorized spending in 2023, I asked the Commission for approval to use the ARPA funds from the Federal Government, which the Commission granted, and our auditors approved. Use of those funds covered \$235,000 expenses, including a new generator, replacement A/C and other expenses incurred in the spring of 2023 that were not in the budget.
- 3) The collection of building fees together with the ARPA funds will put the town FY 2023 operations in surplus as was budgeted. However, the “run rate” of monthly expenses is not sustainable going into FY 2024. Therefore, we must reduce monthly expenses as indicated in the FY 24 Budget.

**Building and Zoning:** Under the able and thoughtful leadership of Chairman **Earl Fischer**, the B and Z Committee is reviewing our permit fee schedule to provide recommendations to the Commission to better align with current and future economics. Those recommendations will be discussed in a future Commission meeting.

**Operating Audit:** With the approval of the Commission at the July meeting, I retained the services of **Michelle Lee Berger**, former City Manager of Sewell Point. Her consultative role is to ensure that we are complying with state and federal law on records and reports and that we are following best practices on all town procedures including HR policies, internal controls, procurement and contracting and many other areas of administration. She began work on August 1 and her recommendations have already proven to be invaluable.

**Financial Audit:** **Kevin Lucas** and I met with our auditors on August 3. They will begin our stub audit shortly. In addition, I asked for a proposal from them to audit our technology system and our cybersecurity to protect us from hackers.

**Legal:** The Town is dealing with several legal procedures, including a request for town records, a claim of a hostile work environment and potential lawsuits. The details of these procedures are confidential. They are time consuming and expensive for the Town. Fortunately, we are ably represented by our attorneys.

I believe we have made progress in the last 12 weeks, but we have a long way to go. My goal is to turn the government over to the new mayor and commission in the best condition possible on January 1, 2024. I will outline procedures to take the town government forward in a separate report.

Thank you for your continued suggestions and support.

## **A plan for continuity of Town governance within the JIC Commission**

Jupiter Inlet County was incorporated in 1959. Since that time, we have had a few changes in how we govern ourselves, often to stay current with the requirements of being a self-contained Town in the State of Florida.

We are in a transition period now, with a recently installed mayor and new commissioner. The mayor and one commissioner have announced their intention to resign prior to December 29, 2023. The filing period for the March 2024 election is November 14-28. We are also creating a new charter to be presented to voters on March 19, 2024.

**Why is it important for all residents to understand this process?** *The topline is this: By the March 2024 election, four of the five Commission seats will be up for election in addition to a referendum on the proposed Charter.*

This paper proposes a process to make the transition as smooth as possible.

First, this Fall, the Commission will select new commissioners to fill the positions of Block and Busto. Those appointed will serve until the March 2024 election and may run for re-election.

Second, all potential candidates must be educated on the new financial disclosure law which is effective January 1, 2024 and agree to its terms. It would be a problem if a candidate were selected by the Commission to fill a seat and then that candidate discovers after filing that he or she does not want to serve.

Third, it would be helpful to continuity of governance to stagger the resignation dates of Block and Busto, filling the seats sequentially.

Ideally Block and Busto would announce their resignation dates prior to the filing period so that candidates are aware when each of those seats will be filled. The Commission should choose among candidates who have filed for the March election.

It would make sense for Busto to resign first because Block's resignation is more complicated.

The procedure to fill Busto's seat is the normal one as dictated by the Charter. The Commission votes a replacement.

Per the Town's Charter, to replace Block as mayor, any commissioner wishing to run for mayor would resign his or her seat to then be nominated for Seat 1. Then a replacement for the vacated seat would be appointed among the candidates who have filed for March.

Since we will have three newly appointed commissioners, each of those seats would be up for election as will Commissioner Rosner's seat. *So, on the ballot for March 19, 2024, will be four of the five Commission seats, in addition to the Charter referendum.*

I've given this much thought and it is the only procedure I can think of to have an orderly transition to a new Commission under the current Charter. **We should keep in mind that the new charter, if approved, will make provision for the terms of the newly elected commissioners.**

## JIC Compliance Policy

It is the policy of the town to maintain all records required by law and to adhere to procedures to comply with all government in sunshine laws. To that end, we have undertaken an operational audit to ensure that we do so. The consultant has recommended that all commissioners be issued town cell phones to use on official town business. I concur.

The phones will be registered by seat, not by those occupying the office and will then be turned over to the replacement commissioner in the event of a change.

The town has received requests for records and this will expedite response to these lawful requests.

It is the policy of the town to respond as thoroughly and quickly to record requests and to do so in compliance with applicable law, including charging a reasonable fee for the service provided. The state statute regarding the fee for public records is FSS 119.07(4).

I call for a vote to formally establish this policy.