

**BREVARD COMMUNITY COLLEGE
BOARD OF TRUSTEES
WORKSHOP**

September 19, 2005
3:00 p.m.

Lecture Auditorium
Occupational Building #1
Titusville Campus

PRESENT: Mrs. Alberta K. Wilson, Chairman; Mr. C. R. "Rick" McCotter III, Vice Chairman;
Mr. James W. Handley; Mrs. Miriam Martinez; Mr. James Theriac;
Mr. Joe D. Matheny, Attorney; Dr. Thomas E. Gamble, Secretary

1. CALL TO ORDER:

Mrs. Alberta Wilson, Chairman, called the Workshop meeting to order.

2. PRESENTATION OF PROPOSAL BY LOWE'S REPRESENTATIVE:

Mr. Rick Creech, Principal, Creech Engineers, Inc., introduced Ms. Sarah Henke, Project Engineer, Creech Engineers, Inc.; Mr. Jerry Compton, Project Manager, Creech Engineers, Inc; Mr. Chris Thalmann, Lowe's Development Manager, and Mr. Lee Current, Lowe's Real Estate Manager. Mr. Creech reported on the plans, goals, site orientation, and proposed site modifications in the hope of gaining the college Trustees' input and support for continued application regarding construction of a Lowe's Home Center on the north side of the Palm Bay Campus. Plans were described for proposed relocation and enhancement of the main entrance of the Palm Bay Campus, landfill improvements for water quality purposes, as well as roadway construction improvements. Mr. Current stated that a cooperative effort is desired as approximately two to three acres of college land is required to accommodate necessary parking space and design elements. The total project size is 17 to 20 acres. Mr. Thalmann reported that approximately five to 10 delivery trucks would access the road daily.

Mr. Matheny reported that the college maintains the drainage pond as part of the DRI and that the basin appears sufficient to handle the Lowe's construction. Mr. McCotter stated the college needs assurance that there is excess capacity for the drainage pond to accommodate the college's future needs, especially in light of City of Palm Bay growth. Mr. Thalmann reported that they have spoken to St. John's River Water Management District representatives, who required Lowe's to submit studies ensuring there are no adverse impacts to the area prior to permitting. He pointed out the proposed fill will provide improved water quality to all adjacent systems, which will benefit the community.

Mr. Tom McCord, Florida Architects, reported that they have reviewed site issues and discussed impacts to the school. Mr. Creech reported there will be dry retention with percolation through sand with approximately one inch of runoff to the pond, except during times of storm. Commercial traffic was also a concern as possible liability to the college in the event of an accident involving a student. It was suggested that the college roadway be restructured south of the lake thus eliminating cross-traffic involving students. He also

suggested that modifications of design to match the college's architectural motif should be discussed. Mr. Richard Moon, stated that the college has made it a priority to ensure good visibility at entranceways. He requested future discussions regarding modifications to the college signage proposals, to which there was no objection.

Mr. Creech reported that officials of Palm Bay have denied access to the Lowe's trucks through the adjacent gas station due to traffic congestion on Malabar Road. Traffic hazards for students traveling via Jupiter Blvd. are also a concern. Dr. Gamble requested that the entry design be modified to eliminate the pull-offs as noted on the design, as they present hazards. An alternative route would be to provide a pull-off on the opposite side to include a college directory kiosk.

Mr. McCotter summarized the positive aspect of this partnership is that the college would have a friendly neighbor willing to cooperate with the college in aesthetic and safety concerns. In addition, it is important to recognize that the college is a steward of this public property, and that the City and community desires should be weighed in making the decision. Mr. McCotter also discussed several purchase proposals if the Board decides in favor of the development. Lowe's agreed to facilitate permits for the college build-out in accordance with the Master Plan in conjunction with their own permit process. Mr. Creech stated that a conditional use permit is desired within the next 30 days. The Board recommended that Creech Engineering, Florida Architects and college representatives work to negotiate a consensus of ideas, with the major concerns being: 1) traffic/safety; 2) design/visibility; and, 3) pond capacity for future growth. The Board requested that a clear delineation of property requirements be provided to Mr. Matheny, college attorney, who will serve as the lead college contact in these negotiations.

3. PRESENTATION BY HANK SIMON ON BEHALF OF PALM BAY ACADEMY:

Mr. Hank Simon, Simon Consulting Corporation, reported updates on the Palm Bay Academy project to date. He stated that unexpected findings were encountered during recent boring explorations at the 17-acre parcel, which revealed heavy root mattings and organics encountered up to nine feet depth which must be removed prior to construction and replaced with select compacted backfill. He further reported that several alternatives for resolution were studied. He presented the most feasible, cost effective solution to the Board, to create a property Master Plan and only dig up and fill the property where the building will be constructed, at a project cost estimate of between \$400,000.00 to 500,000.00.

Mr. Simon reported that he is requesting the Board's consideration to reduce the purchase price for the 17-acre parcel by \$200,000.00 in view of these findings, as well as a final appraisal value of \$1 million versus \$1.1 million as reported. Mr. Simon reported that Palm Bay Academy still intends to purchase the property, regardless of the decision; however, the closing is approximately 30-days behind schedule. Accordingly, he requested a 30-day contract extension to November 15, 2005, to which the Board concurred.

Mr. Simon stated it is not clear regarding Palm Bay Academy's intentions regarding the purchase of the 20-acre parcel of land owned by the Foundation due to unexpected costs

related to the 17-acre parcel as previously discussed. Mr. Simon stated that the agreement was to continue with the purchase of the 20-acre parcel conditional on the \$200,000.00 reduction in price of the 17-acre parcel.

The Board suggested that instead of reducing the contract price, explorations to give qualified Palm Bay Academy scholarships over time should be explored as a good will gesture. Mr. Little, Vice President, Finance and Administrative Services, reported the college is prohibited from using either Operating or Capital funds for scholarships. In order to accommodate this suggestion, the Foundation would have to agree to set aside the monies for these scholarships based on a request from the college Board of Trustees to the Foundation Board.

4. **BOARD DISCUSSION:**

None.

5. **ADJOURNMENT:**

The workshop adjourned at 4:45 p.m.

APPROVED: Alberta K. Wilson
Chairman, District Board of Trustees

ATTESTED: Thomas E. Gulle
Secretary, District Board of Trustees