



THE MAILBOAT



VOLUME 13 NO. 3 4th QUARTER 2007

The Town of Malabar got its 1st official Post Office and name on December 24, 1883 when R.A. Ward was named Postmaster by President Chester A. Arthur. Two times a week, the boat that travelled down the intracoastal waterway from Jacksonville, would deliver the mail to the palmetto shack post office along the river bank at Malabar. The mail was dumped on the counter for the population of 25 to shuffle through. With the coming of the railroad, in 1893, the mail boat was no longer needed.

Fall Fest Ushers In Christmas Season

Malabar Fall Fest

Come to Malabar Community Park on December 1st from 11:00 a.m. to 5:00 p.m. to enjoy a day filled with fun and excitement. Featured events are the chili cook off and dessert baking contests. The chili and desserts will be sold after judging. Other events include cookie decorating; a snow ball toss; snowman creation with Papier-maché; making pine cone tree ornaments and a lawn mower tug-of-war. Hay rides and face painting will be going on during the event hours. Music will be provided by the John Quinlivan Band and the Cast Away Bluegrass Bunch. Visit the Town of Malabar website at www.townofmalabar.org for registration forms for the chili cook off and dessert baking contests. The Malabar Volunteer Fire Department, Inc. will be having a rummage sale and will be selling hamburgers, hot dogs and baked goods. For more information regarding this event, please contact Hans or Barbara Kemmler at 321-729-9719. After the events in the park, join us for the Christmas Tree Lighting in front of the Fire Department.

Christmas Tree Lighting

The tree lighting has been a tradition for quite some time in Malabar. Once again, we invite all of you to join this year's event on December 1st. Mayor Eschenberg will "throw" the switch at 6:00 p.m. Grab your family and friends and come join the festivities. For those of you who may be new to Malabar, this would be a great way to meet your neighbors. Everyone is welcome! Public Works will supply the bales of hay for seating and the choir from the Malabar First Baptist Church will lead us in seasonal singing. Cookies and warm cider will be served. Let's not forget the man in the red suit! Santa Claus will arrive on a fire truck with candy for the children. This has turned into a fun community event over the years. Look for the signs around town the week before announcing the event.

From our families at the Town of Malabar to your families, we want to extend the warmest and happiest Holiday wishes to each and everyone.

*May your holidays be filled with the gift of love,
laughter and precious time spent with your loved ones.*

Message from the Town Administrator

As we move into the Fall season, daylight savings time will be leaving us; however our children will still be coming and going from their bus stops so PLEASE watch out for them and keep them safe. We have several beautification projects that are close to completion with the help of our Eagle Scouts at Fern Creek Crossing Park. The major project was a pedestrian bridge that is near completion by Eagle Scout Paul Draper. This project will be a beautiful enhancement to the Park when completed. Following this project, we have been notified of another Eagle Scout project which will be to complete the fencing at this park on the backside. The Town Council approved, at the end of last fiscal year, new signage announcing the park, which has now been installed. We have included the Park's address to aid our emergency service personnel if they were called to respond to the Park. Public Works staff helped prepare the property on the opposite side of the canal by clearing the property.

A big thank you to all the residents who took the time to attend the Scoping Meeting for the Town's Evaluation and Analysis Report on our Comprehensive Land Plan. We received excellent feedback and the information was included into the Letter of Understanding that we forwarded to the State of Florida. You will see more information on this in the article written by the Planner handling the project.

Last, but not least, I hope you will mark your calendar to **save the date** for our upcoming Fall Fest. This year the Fire Department Corporation is heading up the committee. I have had the opportunity to have a "sneak peek" at some of the plans and it really looks like it will be a fun day for us. The date is **December 1, 2007 from 11 AM to 5 PM.**

Candidate Qualifying is over – Meet Our Newest Council Members

Candidate Qualifying is over. We had two seats available, District 4 and District 5. Jeff McKnight qualified for District 4 unopposed and Pat Dezman, incumbent, qualified for District 5 unopposed. Since Mr. McKnight and Mrs. Dezman were the only two people to qualify, one for each District, the Town of Malabar will not be having an election this year. This is Mr. McKnight's first term as a Council Member; please stop by and make him feel welcome. Mrs. Dezman will rejoin Council for her third term.

Why Stormwater Matters

Urban development can have a profound impact on the quality of water entering the Indian River Lagoon. It is our goal to make that impact positive rather than negative. That takes efforts from all of us. During clearing, trees that had intercepted rainfall are removed, and natural depressions that had temporarily ponded water are graded to a uniform slope. The spongy humus layer of the forest floor that had absorbed rainfall is scraped off, eroded or severely compacted. Having lost its natural storage capacity, a cleared and graded site can no longer prevent rainfall from being rapidly converted into Stormwater runoff. The situation worsens after construction. Rooftops, roads, parking lots, driveways and other impervious surfaces no longer allow rainfall to soak into the ground. Consequently, most rainfall is directly converted into Stormwater runoff. The volume of Stormwater runoff increases sharply with impervious cover. For example, a one acre parking lot can produce 16 times more Stormwater runoff than a one acre meadow each year. Malabar requires tree protection to maintain our rural character as well as maintain as much pervious areas as possible. We require each construction site to be designed to withhold the first inch or more of rainwater on site and then slowly direct runoff to retaining or detaining areas that will act as filters so the Stormwater runoff eventually reaching the Turkey Creek or IRL will be filtered as much as possible of adverse nutrients. Please contact the Building Department for helpful information on Stormwater runoff.

WELLS - plan for your future water needs

Cap your free flowing well and drought proof your drinking well. We live within the St. Johns River Water Management District. In our District there are three Aquifer systems that are used for water supply (aquifer is an underground body of rock, cemented shell or limestone and/or sand that is sufficiently permeable to transmit and yield quantities of water to wells): Surficial Aquifer, which is the shallowest, Intermediate Aquifer, and the Floridan Aquifer, which is the deepest. Most of our drinking water comes from the Floridan Aquifer, but in Brevard the Surficial Aquifer is also a significant source of water. Aquifer levels fluctuate due to changes in pressure and drought and rainfall conditions. Rainfall deficits of even a few inches can cause water levels and pressure declines in various aquifers. St. Johns RWMD can offer technical assistance to homeowners seeking information on installing or upgrading a private well by calling 800-RALLY-22.

Town Happenings . . .

Tidbits for Trash...

When cutting vegetation in your yard, it should be cut to lengths no longer than 4 feet long; it should not be mixed with any other type of trash and should be placed at the right of way where you place your garbage cans for normal trash pick-up. Loose yard vegetation should be placed in containers and set at the right of way as well.

If you have "white elephant" trash, i.e. appliances or large household items to be hauled away, please remove the doors so that children playing do not get trapped inside. To have this type of debris removed, please call Waste Management and let them know what you have for pick-up. It can take 7 to 10 days for the pick-up. This type of debris should also be put at the right of way.

If you have any questions regarding the trash pick-up in your area, please call Waste Management at (321) 723-4455; the office hours are Monday through Friday from 8:00 a.m. until 5:00 p.m.

Malabar Fire Department

Season's Greetings from the Malabar Fire Department

As the Holiday Season rapidly approaches, we would like to remind all residents to check all decorations lights for wire wear spots and fuse replacement; use only UL approved lighting material and **DO NOT** overload electrical outlets. Please remember to completely extinguish all candle and/or fireplace flames before leaving the house or retiring for the evening.

Cooler weather is the forecast and with the many fireplaces in Town, the smell of smoke will also be in the air. Before using your fireplace, please check to see if the chimney needs cleaning and the damper is open. When using kerosene or gas heaters, a window should be left partially open of ventilation purposes. Purchasing a Carbon Monoxide Detector should also be considered.

Above all, have a Happy and Safe Holiday Season.

CONGRATULATIONS...

To the Eagle Corp on five successful years of patrolling the Town. We truly appreciate all the time, effort and support from this unique group of citizens.

We Need Your Input

We would like to hear from you on your ideas for a New Town Hall; do the citizens of the Town want Council to continue looking for property for a new building or would you like to enhance the existing building we are in and make an addition of a second story? If a new building is what you are looking for, should the Town use the existing building as a Community Center as it was in the 1960s? Give a shout as to what you think by e-mailing **ckelley@townofmalabar.org** by the end of the year.

Council Member Nancy Borton would like to host a Town Hall meeting in January 2008. Stay tuned for more information from the Town on this.

Attention Residents & Customers

We now have the capability to take debit/credit payments for payments to your Utility account, Building Permits, Business Tax Receipts, etc.

Committee Members Needed

The Town of Malabar is re-establishing its Trails & Greenway Committee. We have two full committee member and two alternate member positions available. If this is a committee that you are interested in serving on, please stop by Town Hall or e-mail Cindi Kelley or Sharon White at **ckelley@townofmalabar.org** or **swhite@townofmalabar.org** to request an application. There are also positions available on the Planning & Zoning Advisory Board, the Board of Adjustments and the Park & Recreation Board. We appreciate your time and efforts in serving on any of our Boards and Committees.

Holiday Schedule for Town Hall

Town Hall will be closed in observance of Thanksgiving on Thursday, November 22nd and Friday, November 23rd. **HAPPY THANKSGIVING TO EVERYONE!!!**

Town Hall will be closing at noon on Monday, December 24th to observe the Christmas holiday. We will re-open for regular business on Wednesday, December 26th. **FROM OUR HOMES TO YOUR HOMES, HAPPY HOLIDAY TO YOU ALL FROM THE TOWN OF MALABAR!!!**

Town Hall will be closing at noon on Monday, December 31st to observe the New Year's holiday. We will re-open for regular business on Wednesday, January 2nd. **MAY YOU ALL HAVE A SAFE AND HAPPY NEW YEAR!!!**

About the Building Department

The Town of Malabar's Building Department issues building permits for commercial and residential buildings, swimming pools, shed, additions, re-roofs and all related construction.

The Building Department reviews all required submitted documents for compliance with applicable building codes as well as federal, state and local laws. As "administrator" of permit applications, the department coordinates the review of submitted documents with Engineering, Planning & Zoning and Utilities Departments.

The Building Department inspects, at pre-determined intervals, different stages of construction. Criteria for passing of an inspection are based on information contained on approved plans and applicable codes.

Compliance with current Florida Building Codes should help you to achieve a successful construction project. Sometimes, dictated by laws or law interpretations require that changes be made with short or no notice. The Building Department will, as always, work to minimize these occurrences and their efforts through proper communication and education.

Please contact the Building Department personnel at (321) 727-7764, ext. 14 to request information and permit status. The Building Department hours are 8:30 a.m. to 4:30 p.m. Monday through Friday.

PROPER MARKING OF OCCUPANCIES FOR EMERGENCY USE

Malabar is rural and many homes and businesses are set back from the roadway. If the building is not clearly visible from the public or private way, an additional building number must be placed in a manner easily visible from a public or private way.

The size of lettering and numbers will be determined by occupancy as follows:

- Single-family dwelling: Minimum of four (4) inches in height and one-half (1/2) inch in width.
- Other residential and all commercial: Minimum of six (6) inches in height and one (1) inch in width.
- All letters and numbers shall be in a contrasting color to the immediate background of the building or structure on which they are affixed.

Please take notice of this requirement and bring your addressing requirements into compliance – it could save your life. If further assistance is required, you may call the Building Department at 321-727-7764, ext. 14.

Florida Construction Lien Law

According to Florida law (F.S. 713, Part 1), those who work on your property or provide material and are not paid in full, have the right to enforce their claim for payment against your property. This means if your contractor fails to pay for materials or pay his subcontractors, the people who are owed money may look to your property for payment, even if you have paid your contractor in full. The Building Department can provide information for you regarding this but here are some main points:

Require a release of Lien from any contractor or material supplier or a partial release for partial payments. Construction jobs with a value of \$2,500.00 or more are required to have a Notice of Commencement (NOC) filed and recorded with the Brevard County Clerk of Courts.

The Building Department is prohibited from performing the first inspection if the NOC is not filed with the Building Dept.

Always remember to verify your contractor is licensed and insured and has been issued a Building Permit prior to construction.

PLEASE HELP OUR TROOPS

Please help our Malabar Fire Department to assist our troops with "SHOEBOX DONATIONS" again this Christmas and coming year. Donations listed below are welcome gifts for our Military Servicemen and Women in the Middle East to receive.

A table will be set up at the Fall Fest for drop off of donations to send to soldiers in Iraq. Here is a list of the top requested items: snacks (beef jerky, tuna and chicken soft packets, peanuts, chewing gum, powdered Gatorade/Kool-Aid/Crystal Lite, coffee-any type) razors, q-tips, eye drops, body wash, shampoo, shaving cream, bug spray, sun block, lip balm, tooth brushes, tooth paste, wipes, white cotton socks, prepaid phone cards, DVD's, music CD's, magazines, hand held electronic games, batteries (AA or C), battery operated fans.

****Monetary gifts greatly appreciated to help pay for postage****

Also, a beautiful poster board display has been made available in Town Hall to post pictures of Military personnel with a Malabar connection. This board will be on display in our military booth during the Fall Fest. You may bring a picture of your family member or friend serving in the military to add to the poster board at the Fall Fest or bring it to Town Hall.

Comprehensive Plan Meeting Well Attended

Thirty residents, Planning and Zoning Advisory Board members, and Town Council members participated in a meeting on October 1st, 2007 in the Town Council chambers to determine development issues for an evaluation of the Town's Comprehensive Plan. The meeting was facilitated by Lorraine Tappen, a planner with Calvin-Giordano and Associates (CGA), hired by the Town to complete the state-required *Evaluation and Appraisal Report of the Town of Malabar Comprehensive Plan*. The Comprehensive Plan provides the basis for land use and zoning, requires infrastructure for development, and provides for environmental protection.

Each municipality must complete an Evaluation and Appraisal Report (EAR) every seven years. The main purpose of the EAR is to provide guidance on updating the Town's Comprehensive Plan to meet current statutory requirements for Comprehensive Plans and adjust to the community's goals and vision. This is the first EAR for the Town of Malabar since adoption of the Comprehensive Plan in 1998. During the 1990s, Malabar was exempt from completing the EAR because its population was under 2,500.

The October 1st "Scoping Meeting" (called scoping because it assists in determining the scope of work) allowed attendees to voice their likes and dislikes/concerns about their community and development. The Town's Planning and Zoning Advisory Board has also spent countless hours reviewing the Comprehensive

Plan with Town staff to determine which sections of the Comprehensive Plan need updating. The comments made by attendees and notes from meetings of the Planning and Zoning Advisory Board were recorded and used to determine a list of major issues for the EAR.

Major issues to be considered in the EAR include:

1. Enhancing Indian River Lagoon access and historic features
2. Need for a corridor plan along Malabar Road
3. Improve pedestrian/bike/equestrian connectivity
4. Timing of infrastructure improvements
5. Enhance and protect rural atmosphere
6. Address blight and redevelopment
7. Stormwater management and Indian River Lagoon water quality

Each of these issues will be discussed in the report in addition to state requirements for EARs. The final report and recommendations for amending the Comprehensive Plan will be presented at two meetings in December with the Planning and Zoning Board and the Town Council. Once approved and adopted by the Town Council, the Florida Department of Community Affairs will determine if the report is sufficient. If sufficient, the Town may proceed to amend its Comprehensive Plan based upon the EAR. EAR-based amendments must be completed within eighteen months of the sufficiency determination of the EAR.

PASSED RESOLUTIONS & ORDINANCES

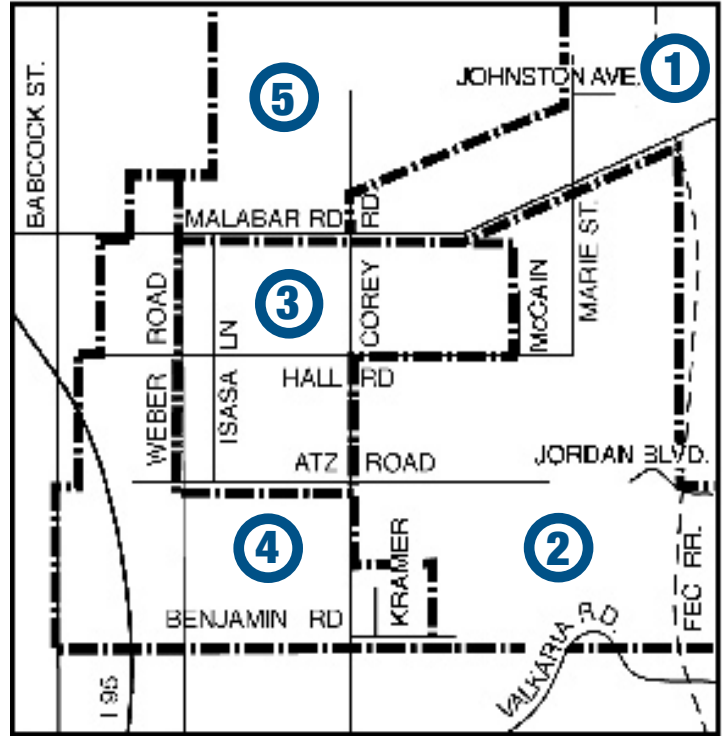
These are the Resolutions and Ordinances that passed or failed since the 3rd quarter 2007 newsletter:

Ordinances:	2007-11	Amending Chapter 13 – Roads
	2007-12	Adopting Millage Rate for 07/08 FY
	2007-13	Adopting Budget for 07/08 FY
	2007-14	Doggie Dining
	2007-15	Emergency Ordinance (to amend Ord. 2007-12 decrease in rollback rate of millage)
Resolutions:	14-2007	Adding Administrative Fees for Outstanding Lien Searches
	15-2007	Lease Agreement w/Riverside Leasing/2007 Wildland Fire Truck
	16-2007	Removal of Flow Chart from Employee Manual
	17-2007	Certification of Annual Stormwater Utility Assessment; Adopting an Annual Budget for the Town's Stormwater Utility
	18-2007	Budget Adjustments for 06/07 Fiscal Year
	19-2007	NPDES Permit Renewal

Know Your Representatives on Council

The following Council members represent these districts:

District 1	Nancy Borton 141 Riverview Dr.	724-1540
District 2	Brian Vail 2700 Smith Lane	952-9110
District 3	Chuck McClelland 2050 Linrose Lane	723-0143
District 4	Jeffrey McKnight 2005 Flashy Lane	722-1243
District 5	Pat Dezman 1670 Country Cove	724-5817
Mayor	Tom Eschenberg 2835 Beran Lane	724-1007
Town Administrator	Bonilyn Wilbanks-Free Town Hall	727-7764 x11
InterimTown Clerk/Treasurer	Debby Franklin Town Hall	727-7764 x12
Town Fax		722-2234
County Comm.	Helen Voltz, Dist. 3	952-6300
St. John's River Water Mgmt District		www.sjrwmd.com



Editor - Debby Franklin www.townofmalabar.org

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