

**FORT MYERS BEACH
TOWN COUNCIL MEETING
MARCH 16, 1998**

NationsBank Building, Council Chambers
2523 Estero Boulevard
FORT MYERS BEACH, FLORIDA

I CALL TO ORDER

Mayor Anita T. Cereceda opened the meeting on Monday, March 16, 1998 at 6:30 P.M. Present at the meeting were: Mayor Cereceda; Vice-Mayor Ted FitzSimons; Council Members Ray Murphy, Garr Reynolds, and John Mulholland; Town Manager Marsha Segal-George; Deputy Town Manager John Gucciardo; Assistant Town Manager Terry Dillon; and Town Attorney Richard Roosa.

II PLEDGE OF ALLEGIANCE

All assembled recited the Pledge of Allegiance to the flag.

III INVOCATION

Vice-Mayor FitzSimons led the Council in prayer.

IV PUBLIC COMMENT ON AGENDA ITEMS

A CHRIS WEBBER

Mr. Webber, of Mid Island Water Sports, stated that due to current litigation and obvious bias, he does not believe that Garr Reynolds should be able to vote on the water craft ordinance.

B DICK LOUTH

Mr. Louth had several questions of the sheriff's department: if someone had a problem, how would they respond to them? If you call the sheriff's department to make a complaint, whom do you call? Will someone get back to you? When will they get back to you? When someone gets back to you, who will it be? Are there certain officers assigned to the beach who are more familiar with the beach?

C PENNY PARRISH

Ms. Parrish, a homeowner and taxpayer on the beach who lives in Minnesota, said that she is the public information officer for the Minneapolis police department. Community policing gives citizens a voice in crime fighting, and only works if you recognize the value of public input. It works best in places that have their own police department because you know your beat officers. But it can still work here. The major requirement is trust, which seems to be missing here. She disagreed with the quotation in the newspaper that said it is difficult for the person providing the service to assess those services. Law enforcement constantly evaluates their services and makes changes. If not, sheriffs are voted out of office. She urged the Town to work with Sheriff McDougall. Even if you have to pay for a survey mail-out, it is still cheaper than a consultant.

D CARLETON RYFFEL

Mr. Ryffel said he is representing about 30 property owners at the north end of the island. He believes the sea turtle ordinance is well done, strikes a good balance, and he supports it. But the ordinance would be made clearer on page 7 if you add "and (b)" at the end of the section titled "driving on the beach.". On page 4, it talks about mechanical beach cleaning, and you can't rake a beach without driving on it.

E TOM WELLER

Mr. Weller, of Sun and Fun Watersports, said that if you eliminate all motorized watercraft from being launched on the beach, you would still have them come up on the beach. The watercraft operators do a lot for safety on the beach. He is a water safety instructor. They get other people on private watercraft to stop and obey the laws.

F SHARON FAIRCLOTH

Ms. Faircloth owns two watercraft locations on the beach. Banning waverunners will have a broad affect on the beach. Her businesses support 9 people, who live, shop, etc on the beach. Many people could lose their jobs. A lot of people must come to the beach to do this activity if she can support nine people on it. If you ban the watercraft, they won't come here anymore, and they won't go to the hotels or restaurants. Her heart goes out to the victim's family, but she hopes the town will work with them to help make the beaches safe.

G BILL PERRY

Mr. Perry, of Aqua Sports Unlimited, said that it is not just drunken spring breakers that rent waverunners. Most of his renters are families. Holiday Inn promotes watersports in their advertising. Instead the town should look to an education program with the Florida Marine Patrol, so that we would have even safer waters. In 14 years, he has never had an accident or had to call the sheriff's department or the rescue squad. He asked that the Council kill the draft now, so they don't spend any more time on it.

V APPROVAL OF MINUTES: MARCH 2, 1998

Motion: Mr. FitzSimons moved and Mr. Murphy seconded that the minutes be approved as submitted. The motion passed unanimously.

VI FINANCIAL REPORTS: FEBRUARY

Mr. Reynolds asked about expenditures as related to budget.

VII PROCLAMATION ON JUVENILE JUSTICE WEEK (MARCH 15-21, 1998)

Mayor Cereceda read the proclamation.

VIII ADOPTION OF THE PERSONNEL POLICY MANUAL

Mr. Reynolds said there are some things that need to be discussed and deleted. He asked that this be scheduled for a workshop.

Motion: Mr. Reynolds moved that this item be rescheduled for a workshop. There was no second. The motion failed.

Motion: Mr. Murphy moved and Mr. FitzSimons seconded that the manual be adopted. **Discussion:** Mr. Reynolds said that on page 15, the section on temporary appointments should be deleted or should be brought to council. He also said that section 5.5 (as needed appointments) would allow more hiring. On page 16, regarding discretionary compensation, he thinks it is too nebulous and the council must keep reins on it. In section 7.2 regarding special pay or holiday bonuses, he felt that the council doesn't have enough to say about it. The rest of the council felt that the safeguards were in place because those payments could not be made without the council's approval. Regarding section 7.3 (merit pay bonuses) he feels that they have been pretty liberal with other people's money and that they need to watch this. On page 19 (holidays observed) there are 11 holidays, and one is the employee's birthday, which he objects to. On page 22 (accrued hours) he wondered why employees need a vacation if they are just going to trade it in. Regarding the exchange of vacation or sick time, he asked why we need sick leave if no one is going to use it. Regarding medical leave, there should be a limit because it can be very expensive and we can get into a lot of financial trouble. He sees nothing mentioned about evaluation of personnel. If we are going to have all the awards, we should keep a track record to see where we are going. Last year he felt that the raises all came to the council signed, sealed and delivered. Mayor Cereceda pointed out that the council voted to approve the raises. He thinks they should be discussed before it comes to them in finalized form. Mr. FitzSimons asked Mr. Dillon if there was anything in the manual that was not the same as generally accepted policies. Mr. Dillon said he took the Sanibel policy and took out a lot of verbiage. He also ran parts of the manual past the Florida League of Cities and they have no problem with it. Mayor Cereceda pointed out that all discretionary items must be approved by the Council. **Action:** Mr. Murphy, Mr. FitzSimons, Mr. Mulholland and Mayor Cereceda voted in favor of the motion. Mr. Reynolds was opposed. The motion carried.

IX PROPOSED SETTLEMENT OFFER FROM GEORGE FREELAND/MOSS MARINA

Terry Lenick, attorney for Mr. Freeland, said he is before the Council to try to resolve the problems before litigation. Expensive litigation could go back and forth for years. The letter to the Council is an attempt to settle. If the root of the problem is that the Town wants parking, that is not a problem. They have done an analysis, and they can use the bottom of two boat barns to add 140 valet parking spaces, even though their records show it is not needed or required. If that is the issue it can be solved today. But he is not sure that is the town's position. As far as he knows, every cruise ship is in a C-1 zone and has been permitted as a marina use. His client's fear is that we are trying to make a cruise ship as a Group I transportation service, which wouldn't be allowed, even though cruise ships are not listed there. Is it the Town's position that the ship shouldn't be there, or that it should have zoning? The case got here

because all of a sudden the boat appeared and had no occupational license. The other issue is the easement over Snug Harbor's property. Mr. Freeland was given that easement for the purpose of traffic and anyone who rents from Mr. Freeland has the right to go across the easement also. But if someone wants to challenge that issue, it should be Snug Harbor. The problem of the residential area has been raised also, but he thinks the real problem is in parking. Fire safety experts have said that the barns could be converted into parking. Mr. Lenick was questioned why he calls this a cruise ship when it is really a gambling ship. He replied that he calls it a cruise ship because that is what zoning calls it. There is no gambling ship in the zoning code. He was asked if he doesn't think that a cruise ship needs an occupational license. He replied that he thinks that is a secondary issue. An occupational license is a tax for doing business in town. They already have a license for a marina, and a cruise ship is a type of marina use so he feels it is already covered. They have already paid the additional tax for extra employees. Mayor Cereceda said she feels that he is asking us for this agreement so that he will never have to go for the occupational license. If we give up this, it would negate our own process. He said if they go for the occupational license, he will have to come to the town for zoning and they are afraid the Council will turn them down. This cruise ship is commercial and it is in an area that is primarily residential. Mr. Lenick said it is zoned C-1 and is next to the Sea Kruz, which is also C-1. Mr. FitzSimons asked if the comp plan is a higher authority than zoning and wouldn't this violate section 18.2.1. Mr. Lenick said no. David Depew, president of Morris-Depew said a boat is a marina use, and the size of the boat does not change that use. Mr. FitzSimons asked how many extra car trips are generated per day, and Mr. Lenick said he was surprised how few. But the law does not require any additional parking unless you consider a boat a building. Mr. FitzSimons said the issue of a boat being a building is semantics, but it has to do with impacts. Mayor Cereceda said the real concern is that there is a new business located at Moss Marina that has changed the nature of the use of that property and has negatively impacted the town and neighborhood. Mr. Reynolds asked how we can answer to other businesses on the beach if we allow one business to come in new and operate without an occupational license. How can we expect anyone else to get an occupational license? It is not that we don't want the boat, we just expect them to follow the same rules. Mr. Roosa said that he has been told by Lee County that Snug Harbor is in an industrial zone. Mr. DePew said that all his research says that it is C-1. Mr. Roosa said all the town ever wanted was an application, so it could be reviewed and go through the public process, so the town can make a decision. He said Snug Harbor submitted a development request and paid all the necessary fees. Mr. Freeland has not done that. Mr. Roosa said that there is a serious factual matter (whether Snug Harbor is industrial or C-1) that cannot be decided tonight, but if it is C-1, then they should be allowed to operate and it is just a matter of what they must do to comply.

Motion: Mr. Murphy moved and Mr. Mulholland seconded that this item be continued until April 6.

Discussion: Mr. Roosa said there are several hearings and an appeal scheduled before that date. If it is determined that Snug Harbor is zoned C-1, he will ask the hearing examiner to continue those hearings. If the property is not C-1, he will go ahead with those hearings as scheduled. **Action:** The motion passed unanimously.

The council took a break at 7:50 PM and reconvened at 8:05 PM.

X PRESENTATION BY THE SHERIFF'S DEPARTMENT

Col. Dennis Duffala of the Sheriff's department stated that he is at the meeting on Mr. McDougall's behalf. They are here to foster communications and to give information. In August of 1997 the Council passed Ordinance 97-27, giving the sheriff's department the authority to serve as a police department for the town. They were asked to continue to provide the same services as before at no additional charge. They were surprised to hear that the Town was ready to hire an outside consultant without asking them first. The Sheriff has offered his help in assessing law enforcement concerns. Col. Duffala passed out a packet that shows what they can offer. Their computer-aided dispatch system can access all the information that was asked for in the report. The packet has graphs, charts, etc. and is a small sample of the information they can provide. There has been a concern raised about the objectivity of their evaluating their own services. But they are audited in all areas of their service by at least 10 agencies. They are also evaluated by other law enforcement professionals. They can deliver effective services. Lt. Dan Johnson, from the West District, spoke about community policing. He provided a packet of information, and addressed some of the questions raised by Mr. Louth. He suggested that for a non-emergency, people should call 466-2400 (West District station.) He said that the same deputies are

assigned to the beach on a daily basis. There are 8 that are here 99% of the time. Most concerns can be addressed with those officers directly. A lot of the deputies that are down here are here because they want to be and they like it here. Address them first, and if you are not satisfied, go to their supervisor. If it is an emergency, dial 911, or if deputy needs to respond, call 477-1200 (main dispatch office.) He stated that he has had training in community policing. He is currently taking a training course that uses the Department of Justice curriculum. Community policing is an organizational-wide philosophy and management approach that promotes community, government and police partnerships; proactive problem-solving, and community engagement to address the causes of crime, fear of crime, and other community issues. It is a shift from the traditional response, to a proactive approach. Instead of looking at symptoms, they look at the root. It empowers the citizens and the community and gets them to sit down together to come up with solutions. In order to work, you must have a base group of people who will come up with a survey to take back to the community. It works well to have a third party (FGCU is willing) to go to the citizens door-to-door to get the input. If police do it themselves, they get an invalid response. The #1 concern for most people in our community is traffic. We need to come up with creative solutions. He told about a community where citizens identified eight specific violations, they were provided training, and given ticket books. These citizens recorded the date, time, and location of violations and turned them over to sheriff. Postcards were then sent out warning people of the violation. Within 6 months, there were no more problems because people started complying. Another example is a community who identified their #1 problem as domestic violence. They felt that the police were good at arresting offenders, but they were getting out. They came up with the solution that they needed more information quicker so the judge can make an evaluation at the first hearing. They gave officers digital cameras and video recorders to use at the scene. They talked to victims on video. The judge then has pictures of evidence and sees the demeanor of the perpetrator that night. Lt. Johnson said that the Town needs to give them a chance and he knows it will work. Sgt. Jerry Cantrell supervises the traffic unit. It is their responsibility to investigate collisions. They have six motorcycles and six camera-equipped DUI cars. When they have sobriety check point on Friday or Saturday night, they hold it just off the beach. Out of 700 cars, they will make about 12 arrests for DUI. They also make narcotic arrests, catch stolen vehicles, etc. They also have a motor home with the equipment to do breath alcohol testing on the spot. Citizens should call 477-1163 if they have specific traffic problem. Col. Duffala reiterated that they want to offer all their resources, and to work with the Town in any capacity. They can do a professional job and in a less expensive manner than an outside consultant.

Mr. Mulholland said he likes what he heard, but he wondered what would be the product of the study. Would there be a written report? Mr. FitzSimons asked if there would need to be a contract. Col. Duffala said it would not be necessary. We already have an interlocal agreement, and this study would not be above and beyond those services. Mr. Roosa agreed that an agreement is not necessary. Col. Duffala said all items on the list are not law enforcement concerns, so not all the issues would be addressed by them. He thinks the biggest concern is response time. They have had a decrease in response time over the last two years. The average citizen probably perceives that the response time is higher than it really is. Mr. Murphy said the whole discussion came about because of a discussion on community policing. Anything that promotes government and police partnerships will go a long way in improving relationships. He is for moving ahead with it. Mr. Reynolds said some kind of a public safety manual is the goal of the council and they need their assistance. If we have a task force to work with them, could they guide them in coming up with a manual? Col. Duffala thinks they could help with that. He said they already do a five-year plan for the commissioners and there is no reason they can't do that for us also.

Motion: Mr. Reynolds moved to accept Mr. McDougall's offer. Mr. Murphy seconded. The motion passed unanimously.

Mayor Cereceda suggested a workshop in May to discuss public safety with the sheriff's department.

XI COUNCIL MEMBER ITEMS AND REPORTS

A JOHN MULHOLLAND

Mr. Mulholland said that he has replaced Rusty Isler on the Agency for Bay Management. At the March 9 meeting, he found out that there is a proposal for a road through the

watershed. He does not think it is a good idea, and that if something like that is being considered, the Town should be apprised.

He said that the MRTF beach raking fact-finding study has been completed, and will be discussed at the next few meetings. He also said they are planning a harbor management study.

B TED FITZSIMONS

Mr. FitzSimons had no items to bring before the Council.

C GARR REYNOLDS

Mr. Reynolds said that at the Chamber traffic committee, FDOT showed plans for redrawing lines and putting up signs on San Carlos Boulevard. We should be seeing signs soon indicating that if you plan to go across the bridge, you should be in the left lane before the second traffic light. Tickets are being given out in that area and when the signs go up, there will be more.

D RAY MURPHY

Mr. Murphy had no items to bring before the Council.

E ANITA CERECEDA

Mayor Cereceda said tomorrow is the 20th anniversary of Sanibel's city manager. She asked if the Council would like to send some token to him and offer their congratulations. The Council agreed.

XII FINAL PUBLIC HEARING: BUSINESS INSPECTION ORDINANCE

Mayor Cereceda read the titles. Mr. Roosa said we received some constructive criticism from an attorney, so he has made changes by adding the words "area open to the public". He cited a case in St. Petersburg that said it is well established that inspectors may enter for code violations. Mr. Mulholland said his problem was that "reasonable cause" is very broad and there is no notice required. He suggested 24 hours or something reasonable. Mr. Reynolds said these are businesses that are open to the public so he sees no problem with it. The public hearing was opened.

A DICK LOUTH

Mr. Louth said this is a flagrant violation of the civil rights code. It is too open ended, and we need to narrow the scope of what we are trying to do. We need to have an update of search and seizure regulations and check our insurance.

The public hearing was closed. Mr. Murphy said initially he was afraid the ordinance reeked of gestapoism. He has since backed off some, but he thinks it is not fair to the business owner and he doesn't like the intent. Mr. FitzSimons said we have already experienced difficulty with our code enforcement officers being denied access, which is fundamentally tacit in the permits and licenses that are issued. It is our responsibility to uphold the regulations in the town and know if the businesses are adhering. We aren't going to go inspect businesses just for the fun of it. It would be complaint-driven. The applicant doesn't have to grant the permission, but we don't have to grant them the license either. Mr. Murphy said complaint-driven means we know there is an existing problem already. So why can't they be notified ahead of time? An inspection in the middle of the day is quite a disruption to a business. Mr. FitzSimons said the owner must know they are in violation, so they must be expecting an inspection. Mr. Roosa said that currently you can refuse to let a code enforcement officer inspect, and the officer has to go get a warrant to inspect. Mr. Roosa said he understands the concern for notice and that it would probably not create a serious problem to the code enforcement officers if we added that language. This item could be continued to the next meeting until we check with them.

Motion: Mr. Murphy moved and Mr. Mulholland seconded that this item be continued to the next meeting. The motion passed unanimously.

XIII FIRST PUBLIC HEARING: AMENDMENT TO LAND DEVELOPMENT CODE REGARDING SEA TURTLES

Mayor Cereceda read the titles. Mr. Roosa said there was a section that was overlooked and will be added at the next meeting. It is a restriction on jet ski moving before 10 AM during turtle nesting season. It was in the LPA resolution. It will be in section 14.74. Regarding Mr. Ryffel's concern, that can be added also for clarification. Mr. Mulholland asked if this ordinance would preempt the MRTF from coming forward with a more restrictive ordinance on beach raking. Mr. Roosa replied that the more restrictive ordinance would apply. The public hearing was opened.

A DYLAN KAESTNER

Mr. Kaestner said this is his 7th year to work with Turtle Time. He hopes the Council will pass the ordinance as amended.

B EVE HAVERFIELD

Ms. Haverfield said that there has been a sea turtle ordinance since 1989, and this is an amended version that is clearer and is needed to regulate any activity that happens on the beach during sea turtle season.

The public hearing was closed. It was set for 2nd public hearing on April 6.

XIV FIRST READING: ORDINANCE ESTABLISHING THE TOWN PUBLIC SAFETY TASK FORCE

Mayor Cereceda read the titles. It was set for public hearing on April 6. Mr. Reynolds said he is afraid that this is leading us to a public safety consultant again rather than working with the sheriff's department.

XV DRAFT DISCUSSION; AMENDMENT TO THE TOWN VESSEL CONTROL AND WATER SAFETY ORDINANCE

XVI DRAFT DISCUSSION: AMENDMENT TO THE TOWN PERSONAL WATER CRAFT ORDINANCE

Mr. Roosa said the intent of the amendments is to phase out launching of any motorized vehicles from the beach. Mr. Mulholland said he does not think this is a good idea and would rather take steps that would help with safety. Mr. Reynolds said he has a problem with lines 89 and 90 which states there must be six or more vehicles in the water before a chase vehicle is required to be with them in the water. If someone falls off when there is only one vessel out, he is in just as much jeopardy. It was pointed out that this provision is part of the original ordinance and not part of the amendment. Mr. FitzSimons pointed out some minor changes that he would like made to the draft. He also said he sees the benefit of having an immediate ban on private parties, and having the commercial ones ending by 2001. He would also like to see "or 1000 feet therefrom" added after "sandy beach area" to avoid people launching watercraft from a barge or something. Mr. Roosa suggested the wording "within Town limits." He also would like to add that no new licenses will be issued. Mr. Mulholland said he would like to see five steps implemented instead: a marine patrol safety course immediately; make buoys larger and more visible and move them out to 1000 feet; operators should be required to go out with renters and stay out with them the whole time; parasails should be moved to one mile from the beach; and we should suspend the license of any business involved in an accident until the Coast Guard investigation is complete, and pull their license if they are found at fault. It was noted that this ordinance needs to go to the LPA before public hearing. Mr. FitzSimons suggested that the MRTF also review it for recommendations.

XVII DRAFT DISCUSSION: ORDINANCE TO CREATE A CURFEW

Mr. Roosa said that this draft was fashioned after the new Fort Myers ordinance. The problem for our ordinance is that violators may well have parents who live in Cape Coral or Fort Myers. The town would not have any jurisdiction over those parents, so we may need to take out the provisions about parents. He wondered if Mr. FitzSimons wanted this to apply town-wide or just to the downtown area. Mr. FitzSimons said he envisions it applying to the whole island. Mr. Mulholland said rather than a curfew, we should think about implementing a youth program and do something positive. He doesn't think curfews work. He agrees with the intent, but it should be positive rather than negative. The ordinance was set for first reading on April 6.

XVIII RESOLUTION URGING THE LEGISLATURE TO PROVIDE DEDICATED FUNDING FOR BEACH MANAGEMENT

Motion: Mr. Murphy moved and Mr. Mulholland seconded that the resolution be approved. The motion passed unanimously.

XIX RESOLUTION URGING THE LEGISLATURE TO CHANGE MANDATORY TRIM LANGUAGE

Motion: Mr. Murphy moved and Mr. FitzSimons seconded that the resolution be approved. The motion passed unanimously.

XX OLD BUSINESS

A UPDATE ON MARINE RESOURCES TASK FORCE EDUCATIONAL PROGRAM

Mr. Mulholland said the MRTF has developed a handout. They wanted to let the Council know what they are doing and see if they have any objections. About 20,000 will be printed in color and will be put in marinas and anywhere else that it can be distributed to the public.

XXI NEW BUSINESS

A RESOLUTION FROM THE MARINE RESOURCES TASK FORCE REGARDING HARBOR MANAGEMENT

Mr. Gucciardo said this resolution was passed by the task force and asks the council to consider allowing them to form a study group and hire a consultant. They will work with different jurisdictions to take over management of the waters. Mr. Mulholland said there have already been some studies done, and they will use them, but this will also address enforcement, derelict vessels, etc. He thinks they will be able to get some grants to help with the effort. They do not have a cost for the consultant yet, and would not hire one before coming back to the Council. He envisions eventually having a dock master, and the town would run the anchorage and charge a fee for anchoring. He hopes to work with San Carlos Island on the effort.

Motion: Mr. Murphy moved and Mr. FitzSimons seconded that the MRTF resolution be accepted. The motion passed unanimously.

B REQUEST BY JOHN MULHOLLAND TO ATTEND INSTITUTE FOR ELECTED MUNICIPAL OFFICIALS

There was no objection to Mr. Mulholland's attending this event.

XXII TOWN MANAGER'S ITEMS AND REPORTS

Mr. Gucciardo said we have been advertising for a volunteer to serve on the CAC of the MPO but have gotten no response. Lena Heyman already sits on that as an appointment by Ray Judah. She would be willing to become the town's representative, therefore freeing up Commissioner Judah's appointment. The council had no objection.

Mrs. Segal-George said that Terry Cain has been working with Keep Lee County Beautiful. There is an opening for a town appointment to that board, and Ms. Cain is willing to serve. Mr. Mulholland said that the MRTF is unanimous in their support of Ms. Cain. There was no objection by the Council to Ms. Cain becoming the Town appointment.

XIII TOWN ATTORNEY'S ITEMS

Mr. Roosa said that he has researched whether Mound Key can be annexed by the Town, and found an attorney general's opinion that it cannot because of its distance from the town and because there is no social relationship between the town and any residents, if there were any.

Regarding the question of the County taking over the fire districts, there is a statute that allows for that. It will require a resolution by the county commission and a study that would be followed up by a resolution of the council members of the fire district. There is no need for a referendum.

XIV PUBLIC COMMENT

A SHARON FAIRCLOTH

Ms. Faircloth said that last year they started implementing the new law that requires a test for all 16 year olds (this year it is 17 years). It is working well and is a good test. They read information about water safety before the test. They have had no problems with kids not wanting to take the test, and very few have failed.

B CHRIS SCHAAB

Mr. Schaab said that he is very sorry about the personal watercraft accident. But people come here thinking that this is a boater's place. In addition, he has personally saved the life of three people on this beach in the 13 years he has lived here. One of them was swimming after his rubber raft. He also does other things like cleaning up broken glass and trash, cleaning the public easement, etc. that is good for

the community. We didn't try to get rid of all skateboards because two kids hit a German kid over the head with a skateboard. The wife of the man who died has been in communication with him and she is not as narrow as the people on the Council.

XXV ADJOURNMENT

The meeting adjourned at 9:57 PM.

Respectfully submitted,

Peggy Salfen
Recording Secretary