

MINUTES
VOLUSIA FOREVER ADVISORY COMMITTEE
Wednesday, April 22, 2009
3:30p.m. - 5:30p.m.
VOTRAN BUS FACILITY
950 BIG TREE ROAD, SOUTH DAYTONA, FL 32119

Approved on July 22, 2009, as Amended

Board Members in Attendance:

Anne Hallum, Chair
Chris Schlageter, Vice-Chair
Barbara Coomber
Thomas Fleishel
Neil Harrington
Alan Long
Phil Maroney
Kevin O'Dwyer
Wanda Van Dam

Also in Attendance:

Douglas M. Weaver
Ed Isenhour
Randall Sleister
Stacey Manning
Jeanette Munson
Glenn Grimes
Bill Riggle
Jeanne Butts
Thomas Murray McDonald

Lyder Johnson
Simone Johnson
Margie Richard
Alan Alshouse
Jim Phillips
Owen Hughes
Ryan Rusnak

Meeting Called to Order

Ed Isenhour called the meeting to order at 3:34p.m.

Roll Call

Ed Isenhour instructed the Recording Secretary to record the roll of the Members in attendance, in which nine (9) Members were present.

Ed Isenhour stated that the County Council recently selected the Members of the Committee, which included a mixture of new appointments and re-appointments. He introduced each Member and stated whether they were newly appointed, or re-appointed to serve a two-year term from April 1, 2009 through March 31, 2011.

Recognition of Members

Douglas Weaver stated that County staff had a Certificate of Appreciation to present to former Members John E. Wagner and Jason McGuirk for their contribution as members. However, Members John E. Wagner and Jason McGuirk were not available to attend this meeting to accept the certificate. County staff intends on delivering the Certificate of Appreciation to them.

Ed Isenhour added that County staff would also like to recognize former Member and Chair Dennis Bayer for his time and effort along with his leadership as Chair. In addition, County staff would like to recognize former Member Dwight Lewis for his time and effort. County staff anticipates formerly recognizing these Members at the July 22, 2009, Committee Meeting.

Election of Chair and Vice-Chair

Ed Isenhour explained that in accordance with Resolution 2007-79, the Committee shall annually elect a Chair and Vice-Chair. He opened the floor and called for nominations of the Chair.

Member Phil Maroney nominated Member Anne Hallum for Chair with Member Neil Harrington seconding the nomination.

Ed Isenhour called for further nominations of the Chair. Hearing none, he closed the nominations and called the vote. Member Anne Hallum was elected as Chair by a unanimous voice vote.

The meeting was turned over to the newly elected Chair, Anne Hallum.

Chair Anne Hallum opened the floor and called for nominations of the Vice-Chair.

Member Wanda Van Dam nominated Member Phil Maroney for Vice-Chair with Member Chris Schlageter seconding the nomination.

Member Phil Maroney respectfully declined the nomination, citing the fact that he had previously served as both Vice-Chair and Chair, and wanted to provide another Member the opportunity to serve. As a result, Member Wanda Van Dam withdrew her nomination of Member Phil Maroney for Vice-Chair.

Chair Anne Hallum nominated Member Chris Schlageter for Vice-Chair with Member Phil Maroney seconding the nomination.

Chair Anne Hallum called for any further nominations of the Vice-Chair. Hearing none, she closed the nominations and called the vote. Member Chris Schlageter was elected as Vice-Chair by a unanimous voice vote.

Approval of Minutes

Anne Hallum, Chair, called for a motion to approve the January 28, 2009, Minutes. Member Phil Maroney made a motion to **approve** the September 17, 2008, Minutes, as written. Member Alan Long **seconded** the motion that **carried** by unanimous voice vote.

Evaluation and Ranking of Eligible Applications – Ed Isenhour explained that the Committee would be reviewing six (6) properties, which were deemed as eligible during the 2nd Cycle of 2008 (July 1, 2008 through December 31, 2008), to determine their placement on the Group "A" or "B" List along with reviewing those projects already on the List. The ranking determination of each property (Group "A" or "B" List) would be handled one at a time with a voice vote. He reminded the Committee that in order for a motion to pass it requires a simple majority vote of the Members who are present, which would be five (5). He stated that the Committee's recommended Group "A/B" List would be presented to the County Council on June 18, 2009, for final approval.

Ed Isenhour and Randall Sleister provided a PowerPoint presentation with pictures and location maps, and a brief overview of each property, as follows:

- 1. RBD Limited Property** – This undeveloped property is approximately 350 acres in size consisting of one (1) large parcel and multiple small lots located on the north side of SR 44 just east of the St. Johns River in the western DeLand area. It is part of an antiquated subdivision and adjacent to the Lake Woodruff National Wildlife Refuge. It is within the State's Wekiva-Ocala Greenway Florida Forever Project area. A County park (Ed Stone Park) is situated on the north side of SR 44, at the St. Johns River, and provides boating access to the river. A commercial marina is located in the area between the property and SR 44. A partially developed residential area is situated to the east of the property. Access to the property would be via water. The habitat type, which was determined after reviewing aerials, is floodplain swamp dominated by bald cypress and blackgum cypress with minor amounts of red maple, sweetgum and wax myrtle. Staff was unable to access the property. However, it has been determined that it is very wet, and potentially does not have any areas of uplands. County staff has not identified a potential funding partner even though the Lake Woodruff National Wildlife Refuge's local staff is interested in the acquisition of this property. Should the County acquire this property, the property would most likely be added to the Lake Woodruff National Wildlife Refuge and managed by the Refuge's staff.

Douglas Weaver added that this property had previously been submitted to Volusia Forever for potential acquisition. It had been determined as eligible and was placed on the Group "B" List of eligible properties. After remaining on the Group "B" List for more than four (4) ranking cycles, it was recommended for removal from the Group "A/B" List. Per Resolution 2004-80, the Committee has the authority to recommend to the County Council the removal of any property from the Group "B" List upon the expiration of four (4) ranking cycles.

Chair Anne Hallum added that this property provides connectivity to the Lake Woodruff National Wildlife Refuge.

Member Thomas Fleishel asked how many of the site ranking criteria were met by this property.

County staff responded that this property meets seven (7) of the 22 total Site Ranking Criteria.

Member Phil Maroney asked if it was likely that a funding partnership could be established.

Douglas Weaver explained that the tentative funding of Florida Forever Program has been significantly reduced by the Legislature (\$300 Million to \$50 Million) for FY 2010. Any reduction of funds for this program would affect the County's potential funding partners. The amount of available funds for the Volusia Forever Program is also being affected by the reduction of ad valorem tax revenue. With these changes, County staff has deemed it important to manage the Group "A/B" List and be more selective.

Member Neil Harrington asked if there was alternate access to this property other than by boat.

Ed Isenhour responded that it was uncertain whether there would be public access to this property from the Refuge. He confirmed that the only public access would be by boat.

Member Barbara Coomber asked if the habitat type of the adjoining property to the north was also floodplain swamp.

Randall Sleister confirmed that the adjoining property is floodplain swamp.

Douglas Weaver explained that the Volusia Forever Program is not a wetlands buying program. There are issues associated with the property (i.e., no public access, and lack of a funding partnership).

Discussion ensued regarding the SJRWMD's funding partnership interests.

Discussion ensued regarding public access after Chair Anne Hallum clarified that the Refuge has other access points farther north.

Member Alan Long noted that the zoning classification assigned to this property is Resource Corridor, and asked if this classification would provide protection of the property from potential development.

Ed Isenhour explained that the potential for this property to be developed is unlikely as the land development regulations (i.e., access) maybe difficult to fulfill.

Randall Sleister added that there potentially are sovereign lands on the property.

Ed Isenhour stated that the property owner's representative, Sam Roth, was unable to attend the meeting, but wanted the Committee to know that the property owners are very interested in moving forward with the acquisition process.

Discussion ensued regarding the potential mitigation value of the property for potential mitigation funds.

Member Phil Maroney commented that this property has no public access other than by boat, there is no funding partner and it only meets seven (7) of the 22 total Site Ranking Criteria.

Member Alan Long also commented that this property could provide additional acreage to the habitat corridor.

Member Alan Long made a motion to **add** the **RBD Limited Property** to the Group “A” List of eligible properties. Member Wanda Van Dam **seconded** the motion that **failed** by a roll call vote of two (2) to seven (7).

Member Thomas Fleishel made a motion to **add** the **RBD Limited Property** to the Group “B” List of eligible properties. Member Phil Maroney **seconded** the motion that **carried** by a roll call vote of seven (7) to two (2) with Chair Anne Hallum and Member Kevin O’Dwyer opposed.

2. **Taylor Shae/ Ormond Ranch Property** – This undeveloped property is approximately 738 acres in size located on the north side of SR 40, west of Rima Ridge in the Ormond Beach area. It extends north to the Volusia-Flagler County line. The property owners would retain an area on SR 40, which has a cellular tower. The property owners also wish to retain additional acreage along SR 40 that would become clearly defined should this property move forward into the acquisition process. It is adjacent to the Volusia Conservation Corridor and the Anderson Property, a Volusia Forever Group “B” Project. As a timber company was the previous owners, the major habitat of the property consists of pine plantation (wet and mesic flatwoods) with some floodplain swamp, dome swamp, and upland mixed forest. No significant occurrences of exotic or invasive plant species were observed, or identified on the property. A network of woods roads traverses the property. County staff has not identified a potential funding partner.

Member Alan Long asked if County staff had determined whether the owners of the property located between the Anderson and Taylor Shae properties were interested in participating in the Volusia Forever Program as a willing seller.

Ed Isenhour replied that County staff had not approached these property owners to determine their interest in participating in the Volusia Forever Program as a willing seller.

Discussion ensued regarding the ranking of the Anderson Property as a Group “B” Property.

Member Phil Maroney recalled that public access to this property from SR 40 was a concern. However, it was determined that it would not be eliminated by the property owners’ retention of acreage along SR 40.

Member Wanda Van Dam asked about the ownership of the adjoining parcels to the west of this property.

Randall Sleister and Ed Isenhour stated that Plum Creek owns the parcels adjoining this property to the west, and added that there potentially is an approved Planned Unit Development (PUD) on these parcels.

Discussion ensued regarding Plum Creek’s interest in the conservation of the areas natural resources and past conservation efforts with local agencies.

Member Barbara Coomber asked if County staff had any management issues or concerns regarding this property.

Randall Sleister replied that the main management issue or concern would involve smoke over SR 40 from prescribe fire.

Discussion ensued regarding the potential timber revenue that could be generated by the thinning of trees in an effort to restore the property to a more natural, flatwoods condition.

Owen Hughes, representative for the property owners, was present to answer any questions and provide additional information. He confirmed that the map reflects the cellular tower area that is not included as part of the Volusia Forever Application and another area along SR 40 that may not be included. He explained that the property owners wished to retain approximately 100 acres of this property, but were willing to negotiate. He confirmed that the retention of additional acreage along SR 40 would not eliminate public access to the remaining portion of this property.

Ryan Rusnak, Land Planner for the property owners, was present to answer any questions and provide additional information. He explained that the property owners purchased this property with the intent of developing the property by obtaining a Rural PUD.

Member Wanda Van Dam asked a procedural question relating to the movement of properties between the Group "A" and "B" Lists, and how the potential RPUD could determine when this property needs to be moved from one list to the other.

Ed Isenhour explained that the Committee conducts ranking meetings twice a year. At that time, the Committee could recommend the movement of a property from Group "A" to Group "B," from Group "B" to Group "A," or from the Group "A/B" List.

Discussions continued relating to the RPUD, connectivity of this property, the Volusia Conservation Corridor, and funding partnerships.

Member Neil Harrington made a motion to **add the Taylor Shae/ Ormond Ranch Property** to the Group "A" List of eligible properties. Member Wanda Van Dam **seconded** the motion that **failed** by a roll call vote of one (1) to eight (8).

Member Phil Maroney made a motion to **add the Taylor Shae/ Ormond Ranch Property** to the Group "B" List of eligible properties. Member Barbara Coomber **seconded** the motion that **carried** by unanimous voice vote.

3. **Sugar Bay Farm Property** – This undeveloped property is approximately 71 acres in size located west of Old Bubbly Road, a privately maintained roadway, and north of Shell Harbor Road in the Pierson area. It provides frontage on Lake George and includes segments of an adjacent watercourse. It is adjacent to the Lake George State Forest. The dominant natural community is floodplain forest. Several pines were observed within the floodplain swamp. Minimal occurrences of exotic or invasive plant species were also observed on the property. County staff has not identified a potential funding partner.

Douglas Weaver added that County staff contacted staff of the Division of Forestry (DOF) to determine if they are interested in a potential funding partnership. At this time, DOF does not have funds available for every potential acquisition.

Member Thomas Fleishel asked if there was an estimated value of each property.

Douglas Weaver explained that confidential, independent appraisals would determine the value of each property.

Member Barbara Coomber asked who maintained Old Bubbly Road.

Ed Isenhour responded that the maintenance of Old Bubbly Road is provided by the property owners.

Discussion ensued regarding this property's archaeological sensitivity after Member Alan Long noted that the "Project Ranking Report" indicates "that this property is located within a designated archaeologically sensitive area."

Glenn Grimes, representative for the property owners, was present to answer any questions and provide additional information.

Discussion ensued regarding the properties lying north of the Sugar Bay Farm Property and south of the Lake George Forest and Wildlife Management Area.

Randall Sleister explained that the properties lying between the Sugar Bay Farm Property and the Lake George Forest and Wildlife Management Area were divided into lots with multiple owners. Generally, these properties would contain some uplands, but would primarily consist of wetlands. This habitat type could restrict any potential development of these properties to the upland areas, which would be closer to Old Bubbly Road.

Chair Anne Hallum asked if there was public access to the property and/or Lake George.

Randall Sleister responded that Old Bubbly Road would provide public access to the property, and an unimproved woods road/trail would provide foot access to Lake George.

Discussion continued regarding public access to this property from various points, including the adjoining property owned by DOF.

After a procedural discussion regarding motions and failed motions for placement of properties on the Group "A" or "B" List, Member Alan Long made a motion to **add the Sugar Bay Farm Property** to the Group "B" List of eligible properties. Member Phil Maroney **seconded** the motion that **carried** by a roll call vote of six (6) to three (3) with Chair Anne Hallum, and Members Neil Harrington and Kevin O'Dwyer opposed.

4. **McDonald Property** – This undeveloped property consisting of three (3) parcels is approximately 420 acres in size. It is located on the west side of CR 415 (Tomoka Farms Road), south of Taylor Road and north of Pioneer Trail west of Port Orange. The western boundary is adjacent to the portion of Longleaf Pine Preserve (Vargal Property) jointly owned by the County and City of Port Orange. A long, narrow section of privately owned land separates the southern border of this property from another portion of Longleaf Pine Preserve (Krol Property) owned by the County and St. Johns River Water Management District (SJRWMD). An electrical transmission corridor traverses the western portion of the property. The western portion of the property primarily consists of natural areas, including mesic flatwoods, wet flatwoods and dome swamp, with the eastern portion being improved pasture. The improved pasture portion of the property contains an extensive swale system. Minimal occurrences of exotic or invasive plant species were observed on the property. The SJRWMD has been identified as a potential funding partner.

Ed Isenhour added that a small portion of this property is apparently a matter of pending litigation with an adjoining private property owner relating to access. This issue would be addressed should this property move forward in the acquisition process.

Member Chris Schlageter noted the existence of wiregrass on the property. He asked if the cattle lease would continue should the property be acquired by the County and/or SJRWMD.

Randall Sleister responded that there is a potential for the cattle lease to continue for a period of time after it has been acquired by the County and/or SJRWMD.

Member Chris Schlageter commented that the pasture area could provide a buffer from development for the natural habitat.

Member Wanda Van Dam asked who owns the long, narrow section of privately owned land separating the southern border of this property from Longleaf Pine Preserve (Krol Property).

Ed Isenhour explained that there were two (2) different owners of this section. After discussions with SJRWMD staff, County staff intends on contacting these owners to determine if they would be interested in participating in the Volusia Forever Program.

Member Phil Maroney asked if there were any structures on the property.

Ed Isenhour responded that there were no substantial structures on the property.

Discussion ensued regarding the potential acquisition of all or a portion of the overall 420 acres being submitted to Volusia Forever.

Thomas Murray McDonald, property owner, was present to answer any questions and provide additional information. He added that deer and turkey have been observed on the property.

Member Phil Maroney commented that this property has a potential funding partner, provides connectivity to other public lands, and meets eleven (11) of the 22 total Site Ranking Criteria.

Member Phil Maroney made a motion to **add** the **McDonald Property** to the Group "A" List of eligible properties. Member Thomas Fleishel **seconded** the motion that **carried** by unanimous voice vote.

5. **Doan Property** - This property is approximately 4 acres in size located on the west side of US Hwy. 1 at Murray Creek in the New Smyrna Beach area. It is an abandoned homestead. However, all prior structures have been demolished and removed from the property. A couple of billboards appear to be on the property. It is surrounded by conservation lands (i.e., Doris Leeper Spruce Creek Preserve). A high occurrence of exotic and ornamental plant species, such as Brazilian pepper, were observed on the property. Isolated occurrences of indigo plants have also been observed on the property. There is a high potential for occurrences of archaeological and cultural resources. The SJRWMD has been identified as a potential funding partner.

Discussion ensued regarding the billboard leases and their terms along with other potential uses of the property.

Member Neil Harrington commented that this property has a potential funding partner, provides public access, and potentially provides opportunities for passive recreational opportunities. The potential acquisition costs could be low.

Member Barbara Coomber added that Jim Strahan, representative for the property owners, previously stated that the billboard lease was year-to-year and could be terminated at the option of the landowner.

Member Neil Harrington made a motion to **add** the **Doan Property** to the Group "A" List of eligible properties. Member Chris Schlageter **seconded** the motion that **carried** by roll call vote of eight (8) to one (1) with Member Alan Long opposed.

6. **Pacetta Preserve Property** - This property is approximately 8 acres in size located on the west side of Sailfish Drive, south of Beach Street, in the Town of Ponce Inlet. It fronts upon the Halifax River/ Intracoastal Waterway. It is partially developed; a single family residence located at the southwest corner of Sailfish Drive and Raines Drive, a couple of boat docks, and a seawall that extends the length of the property's shoreline. It is surrounded by development. Historically, the habitat types of this site likely consisted of maritime hammock and tidal marsh/swamp. Exotic or invasive plant species, such as Australian pine

and snake plant, were observed on the property. This property contains significant archaeological and cultural resources. This property is not contiguous to any upland conservation lands. However, the expansive wetland area across the Intracoastal Waterway is in public ownership. The County's Marine Science Center and the Ponce DeLeon Inlet Lighthouse are in close proximity. Daytona State College has been identified as a potential funding partner.

Discussion ensued regarding the potential funding partner's (Daytona State College) interest in this property and their level of funding toward the potential acquisition of this property.

Member Phil Maroney asked if the Town of Ponce Inlet was interested in a potential funding partnership.

Douglas Weaver replied that the Town of Ponce Inlet had not been contacted to determine their interest in a potential funding partnership. However, County staff has provided written notification to them regarding the ranking of this property.

Ed Isenhour played a DVD that was provided by the applicants. The DVD provided an overview of the archaeological and cultural resources (i.e., shell midden), and the potential development of an educational facility on a portion of the property. It also provided a brief description of the surrounding area, and the potential economic, educational and ecological benefits of preserving this property.

Member Phil Maroney asked if any information relating to the footprint of the proposed building and improvements had been provided by Daytona State College.

Ed Isenhour replied that County staff did not have the details relating to the proposed building and improvements.

Discussion ensued regarding the potential use of Volusia Forever and Volusia ECHO funds for the potential acquisition and development of a portion of this property.

Member Neil Harrington asked how the potential acquisition of land that may be developed with an educational facility for Daytona State College fulfills Volusia Forever's conservation/preservation goals.

Douglas Weaver explained that this type of proposal has not happened in the past. Volusia Forever could purchase a portion of the property for conservation/preservation with passive recreational opportunities. However, this proposal is simply a concept, at this time. Additional details would need to be worked out between the various entities.

Member Chris Schlageter expressed a concern that the overall goals of the Volusia Forever Program, which includes connectivity to other public lands, and large scale habitat conservation, were not being met by this proposal. However, it is worthy of the Committee's consideration.

Discussion ensued regarding Volusia Forever's goals of conservation/preservation, and how this proposal fits those goals after several Members expressed their concerns.

Stacey Manning, Assistant County Attorney, stated that the Committee determined that this property meets the overall goals of the Volusia Forever Program when it was determined as eligible for further consideration.

Member Wanda Van Dam asked how the single family residence would be used.

Sue Ellen Johnson, representative for the property owners, was present to answer any

questions or provide additional information. She explained that the single family residence was currently being used as an office. She added that the middens date back to approximately 1500 A.D. A Phase I and II Archaeological Survey have been conducted for this property.

Chair Anne Hallum asked if the property owners had investigated the potential funding of this proposal by Volusia ECHO.

Sue Ellen Johnson replied that Volusia Forever has been the only potential funding source investigated by the property owners, other than the interest by Daytona State College.

Member Alan Long suggested other funding sources, such as the Park Service.

Discussions continued regarding the potential funding of this proposal by Volusia Forever and Volusia ECHO.

Member Neil Harrington expressed concerns relating to public access, if Daytona State College develops a facility on a portion of the property, and that the conservation/preservation goals of Volusia Forever may be lost with this proposal.

Several Members deemed it important to investigate the funding partnership with Daytona State College, but more importantly, not lose site of the overall goals and objectives of the Volusia Forever Program.

Chair Anne Hallum commented that this property might fit the criteria of Volusia ECHO rather than Volusia Forever because of the potential development of an educational facility by Daytona State College.

Discussion continued regarding the potential funding of this proposal by Volusia ECHO and Volusia Forever, as Volusia ECHO typically does not purchase land.

Member Alan Long made a motion to **add the Pacetta Preserve Property** to the Group "B" List of eligible properties. Member Phil Maroney **seconded** the motion that **carried** by a roll call vote of seven (7) to two (2), with Members Barbara Coomber and Kevin O'Dwyer opposed.

Recommended Changes to Current "A" and "B" Lists

Group A List

1. **Double B Ranch** – Ed Isenhour stated that this 3,700 acre tract of undeveloped land is located on the north side of CR305 in Seville and abuts the Volusia/Flagler County line. An application for this property was received during the 1st cycle of 2004. County staff has been negotiating with the property owners for fee simple and conservation easement proposals without success. The potential funding partner has withdrawn their interest in this property. Therefore, County staff is recommending that this property be moved from the Group "A" to the Group "B" List of eligible properties.

Kevin O'Dwyer recalled that there is a timber lease on this property.

Douglas Weaver added that the timber lease is an unresolved issue, and negotiations have come to a stand still. Additionally, the potential funding partner (SJRWMD) has withdrawn their interest in a funding partnership. Should circumstances change, the Committee has the option to move the property back to the Group "A" List.

Member Neil Harrington made a motion to **move the Double B Ranch Property** from the Group "A" to the Group "B" List of eligible properties. Member Wanda Van Dam **seconded** the motion that **carried** by a unanimous voice vote.

2. **Hamlin-Dann Property** – Ed Isenhour stated that this 1,200 acre tract of undeveloped land is located north of SR 46 adjacent to the Lake Harney Woods Subdivision. An application for this property was received during the 2nd cycle of 2002. County staff has been negotiating with the property owners for a conservation easement proposal without success. Therefore, County staff is recommending that this property be moved from the Group “A” to the Group “B” List of eligible properties.

Douglas Weaver added the property owners expectations were greater than the County’s offers, which are based on independent appraisals.

Member Thomas Fleishel made a motion to **move** the **Hamlin-Dann Property** from the Group “A” to the Group “B” List of eligible properties. Member Phil Maroney **seconded** the motion that **carried** by a unanimous voice vote.

3. **Ford/Mikol Properties (Lake Moore Project)** – Ed Isenhour stated that this 121 acre tract of undeveloped land is located on the east side of Dr. Martin L. King, Jr. Beltway in DeLand. It consists of two (2) adjoining property ownerships, the Ford Family (110 acres) and the Mikols (11 acres). Applications for this project were received during the 2nd cycle of 2006. The City of DeLand is a potential funding partner, and has been notified of the progress with the negotiations. County staff has been primarily been negotiating with the Ford Family for a fee simple proposal without success. County staff is recommending that this project be moved from the Group “A” to the Group “B” List of eligible properties.

Douglas Weaver added the property owners expectations were greater than the County’s offers, which are based on independent appraisals. He stated that the County has successfully acquired lands in the Doris Leeper Spruce Creek Preserve from the Ford Family. However, this project is not making any progress in the acquisition process.

Ed Isenhour added that the Committee has the option to move the project back to the Group “A” List, if there are changes in the circumstances.

Member Alan Long made a motion to **move** the **Ford/Mikol Properties (Lake Moore Project)** from the Group “A” to the Group “B” List of eligible properties. Member Phil Maroney **seconded** the motion that **carried** by a unanimous voice vote.

4. **Smith and Butts Properties** - Ed Isenhour stated that these properties are contiguous to one another and are adjacent to the County’s Longleaf Pine Preserve. The Smith Property consists of approximately 60 acres, and the Butts Property consists of approximately 110 acres. They are undeveloped tracts of land located on the north side of SR 44 and east of Old Sawmill Road. Applications for these properties were received during the 1st cycle of 2008. The SJRWMD has been the lead agency and are currently negotiating with the property owners. The SJRWMD has indicated that they are willing to fund 100% of the acquisition costs for these properties. Therefore, County staff is recommending that these properties be moved from the Group “A” to the Group “B” List of eligible properties.

Bill Riggle, representative for the property owners, was present to answer any questions or provide additional information. He explained that the property owners have been negotiating with the SJRWMD. Recently, the Smith Property became a conservation easement proposal instead of fee simple. The SJRWMD may not be interested in the conservation easement proposal on the Smith Property. The property owners are still willing sellers and would like guidance from the County regarding negotiations.

Douglas Weaver explained that the SJRWMD is the lead agency and in middle of negotiations with the property owners. Until the SJRWMD provides confirmation that they are no longer the lead agency, the County would not interfere. If the owners of the Smith

Property have changed their proposal from fee simple to conservation easement, the property will need to be reappraised to reflect this proposal change. County staff is requesting guidance from the Committee for the movement of the Smith and Butts Properties to the Group “B” List.

Discussion ensued regarding the packaging/linking of these properties together as a project, but considering them as two (2) separate applications.

Stacey Manning added that the Committee has the option to move these properties back to the Group “A” List, if circumstances change.

Member Alan Long made a motion to **move** the **Smith and Butts Properties** from the Group “A” to the Group “B” List of eligible properties. Member Phil Maroney **seconded** the motion.

After further discussion, Members Alan Long and Phil Maroney withdrew their motion and second to move the Smith and Butts Properties from the Group “A” to the Group “B” List of eligible properties. As the Committee took no further action, these properties would remain on the Group “A” List.

Bill Riggle added that the Smith Property now consists of approximately 140 acres of undeveloped land.

Group B List

1. **Raulerson Road Property** – Ed Isenhour stated that this 62 acre tract of undeveloped land is located on Raulerson Road, east of U.S. Hwy. 17 in Seville and abuts the Double B Ranch Property. An application for this property was received during the 2nd cycle of 2004. It was placed on the Group “B” List in 2005. As there has been no change in the status of this property and the negotiations for the Double B Ranch Property have been unsuccessful, County staff is recommending that this property be removed from the Group “A/B” List of eligible properties.

Member Wanda Van Dam requested clarification on the procedure after the Raulerson Road Property has been removed from the Group “A/B” List and the Double B Ranch has been elevated back to the Group “A” List.

Ed Isenhour confirmed that the owners of the Raulerson Road Property would need to submit another application and go back through the process, once the property has been removed from the Group “A/B” List.

Member Chris Schlageter made a motion to **remove** the **Raulerson Road Property** from the Group “A/B” List of eligible properties. Member Phil Maroney **seconded** the motion that **carried** by a unanimous voice vote.

2. **Taylor Trust Property** – Ed Isenhour stated that this 20 acre tract of undeveloped land is located south of Taylor Road, west of I-95 in Port Orange. An application for this property was received during the 2nd cycle of 2006. It was placed on the Group “B” List in 2007. As there has been no change in the status of this property, County staff is recommending that this property be removed from the Group “A/B” List of eligible properties.

Douglas Weaver stated that there haven’t been any negotiations with the property owners and potentially none in the future. County staff is requesting guidance from the Committee regarding the potential removal of this property from the Group “A/B” List of eligible properties.

Member Neil Harrington made a motion to **remove** the **Taylor Trust Property** from the

Group "A/B" List of eligible properties. Member Barbara Coomber **seconded** the motion that **carried** by a roll call vote of seven (7) to two (2) with Members Chris Schlageter and Wanda Van Dam opposed.

Volusia Conservation Corridor Property

1. **Otter Slough Ranch Property** – Ed Isenhour stated that this 270 +/- acre tract of undeveloped land is located on the south side of Osteen Maytown Road in the Osteen area. The East Central Florida Rail Trail traverses the northerly portion of the property. An application was received during the 2nd cycle of 2008. County staff provided this information to the Committee on January 28, 2009, and explained that an eligibility determination was not necessary as the property is within the Volusia Conservation Corridor, a Group "A" List project. As this property is within the Volusia Conservation Corridor, it would automatically become part of the Group "A" List.

Chair Anne Hallum clarified that the Committee would not need to take action for the property to be added to the Group "A" List.

Douglas Weaver added that County staff has had substantial discussions with the St. Johns River Water Management District regarding the acquisition of the abutting 1,200 acre Summerlin Ranch Property. The primary interest is in acquiring the Summerlin Ranch Property. Although the Otter Slough Ranch Property is important, it is less attractive without the Summerlin Ranch Property.

Other Group "A/B" Projects

1. **Zimmer-Heideman Property** – Ed Isenhour stated that County staff received a letter dated February 11, 2009, from the Hontoon Area Civic Association regarding the 215 +/- acre Zimmer-Heideman Property. This undeveloped tract of land is located on Old New York Avenue in the DeLand area near the St. Johns River. The Civic Association's letter expresses an urgency and desire for the County to acquire this property. County staff subsequently contacted the SJRWMD to determine their interest in a potential funding partnership. The SJRWMD has indicated that they are not interested in a potential funding partnership regarding this property at this time. County staff has provided a copy of the Civic Associations' letter to the Committee for informational purposes only. County staff is not requesting or recommending any action from the Committee.

Discussion ensued regarding the acquisition process for the Group "A" List properties when there is no funding partner even though they are strategically located.

Proposed Amendment of Resolution 2004-80 - Property Evaluation Criteria – Ed Isenhour reminded the Committee that County staff previously provided a "draft" of the potential revisions to the evaluation criteria, as established in Resolution 2004-80. These revisions are being considered for purposes of clarification and providing for greater long-term selectivity of properties that may be acquired through the program. There are concerns that the State Legislature could suspend or decrease the funding of the Florida Forever Program. This suspension or decrease in funding would significantly affect our principal funding partners (i.e., St. Johns River Water Management District), which could increase the County's financial burden. Another concern is the potential decrease in the County's over-all assessment/tax base. As the levels of available funds diminish, County staff believes it has become necessary to appropriately revise the program's criteria. County staff received comments and/or suggestions from the Committee to assist with resolving these concerns while keeping the program flexible and open to any potential applicants. He reminded the Committee that some of the criteria have been stricken from one section and added to another. County staff anticipates presenting a formal resolution as recommended by the Committee to County Council on June 18, 2009. Once the County Council approves the resolution, the new criteria could be applied to the 2nd cycle of 2009 applications (July 1 thru December 31, 2009).

Member Phil Maroney asked if the proposed changes would affect projects already on the Group

“A/B” List.

Douglas Weaver responded that the proposed changes would not affect projects already on the Group “A/B” List as these changes weren’t in effect at the time the applications were processed.

Member Alan Long asked if County staff used the proposed criteria as a comparison test on some of the projects already on the Group “A/B” List.

Ed Isenhour replied that County staff tested the proposed criteria on some of the current Group “A/B” listed projects and determined that the proposed changes would not significantly affect the previous evaluation of these projects. He added that two (2) major changes to the criteria involve funding partnerships and property management. Previously, management was partly listed under “Enhancement” Criteria, and now it is all listed under “Primary” Criteria. This was done to consider the potential financial impact of managing the property. Conservation easements and fee simple acquisitions would not be required to meet the same number of “Primary” Criteria as the financial impacts would be less to nonexistent on a conservation easement. Also, the criteria relating to funding partnerships and/or matching funds have now become a “Primary” Criteria rather than “Enhancement.” These modest changes were done to maintain the program’s flexibility while addressing potential financial concerns. In addition, the word “should” continues to be used allowing the Committee to exercise their discretion for eligibility determinations.

Member Phil Maroney expressed concerns that the proposed changes would set the minimum requirement too high, conservation easements would become more inviting, and providing public access would become an issue.

Ed Isenhour explained that County staff tested the proposed minimum requirement on several eligible projects to address concerns that the threshold may be set too high. After conducting this test, County staff determined that the results did not change. He added that County staff felt that modest changes were appropriate and would allow flexibility. Future changes may become necessary to keep the program flexible during these financially challenging times. Additionally, a State Constitutional Amendment, allowing properties with conservation easements to have a reduction in property tax may be more of a driving force for conservation easements than the proposed criteria changes.

Douglas Weaver added that currently conservation easements have not presented a public access issue. Additionally, conservation easements provide a benefit with regards to management and costs associated with management. Conservation easements can also be seen as a stepping stone that eventually achieves fee simple acquisition.

Chair Anne Hallum expressed a concern regarding the proposed change to the minimum requirement of Primary Site Ranking Criteria to be met for an eligible determination.

Douglas Weaver reminded the Committee that the word “should” continues to be used allowing the Committee to exercise their discretion for eligibility determinations.

Discussion ensued after Member Thomas Fleishel suggested using a points system for evaluating properties with County staff indicating that the current system works.

Member Thomas Fleishel made a motion to **approve** the proposed changes to Resolution 2004-80, as written. Member Phil Maroney **seconded** the motion that **carried** by unanimous voice vote.

The Committee directed County staff to revisit the changes to Resolution 2004-80 in six (6) months.

Staff Updates - Douglas Weaver provided the following updates:

1. **Stanaki Property** – this property is within the Doris Leeper Spruce Creek Preserve (DLSCP). The City of Port Orange (City) acquired approximately 225+/- acres of the overall

450+/- acres. A citizen has filed a lawsuit against the City regarding this acquisition. However, the County has submitted a letter to the City indicating that the County still wishes to be a funding partner, but will not enter into an agreement/contract until the lawsuit is resolved.

2. **Hughes/Huntington Trust (Colony Park) Property**– this 42+/- acre tract owned by Huntington Trust is located off SR 44 in the New Smyrna Beach area. An offer has been presented to the property owners. County staff anticipates presenting a signed contract for final approval by the County Council on June 18, 2009.
3. **Thornby Property** – 38+/- acre tract located in the City of Deltona has been jointly purchased by the City of Deltona and the County. It is now in public ownership.
4. **Glenwood Park Property** – this 219+/- acre tract located southwest of the intersection of Grand Avenue and Plymouth Avenue, west of Deland has been appraised and is under review.
5. **Fatio Road Property** – an offer to purchase this 72+/- acre tract located at the intersection of Fatio and McGregor Roads in the southwest area of DeLand has been presented to the property owners. It is contiguous to Blue Springs State Park, the County’s Lake Beresford Park, and the Hicks Joint Trust Property.
6. **Kagel/Butts (DLSCP) Property** – this 4+/- acre tract of undeveloped land is located on the southern shore of Spruce Creek within the Doris Leeper Spruce Creek Preserve is in the beginning stages of the acquisition process.
7. **Financial Status** – it is anticipated that the Volusia Forever Program could receive between \$1 million and \$3 million in ad valorem tax revenue this year. As properties are acquired, the remaining monies from the \$40 million bond will be used before tapping into the monies received from ad valorem tax revenues.

Ed Isenhour added that there is a debt service on the bond monies that is paid every year. Once the debt service is paid, any remaining ad valorem tax revenue could be used for land acquisitions. It is anticipated that approximately \$1 million to \$1.5 million would be available for land acquisitions next year. Until the taxable values are determined, the potential revenues are only estimates.

Discussions continued regarding available funds with Douglas Weaver explaining that County staff was attempting to provide the Committee with a snapshot of the funding situation based on pending projects.

Adjournment

Member Alan Long made a motion to **adjourn** the meeting at **7:00p.m.** Member Phil Maroney **seconded** the motion that **carried** by unanimous voice vote.

Minutes Approved _____

Minutes Approved With Amendments 7/22/09 _____

Amendments As Follows:

Page 2, Paragraph 3 changed for clarification purposes from: “After Member Phil Maroney respectfully declined the nomination, Member Wanda Van Dam withdrew her nomination of Member Phil Maroney for Vice-Chair.”

Chair

Date

Program Coordinator

Date