

VOLUSIA COUNTY BEACH POLICY ADVISORY BOARD
Meeting minutes for April 14, 2009
VCBP HQ

CALL TO ORDER:

The meeting of April 14, 2009 was called to order by Chairman Lamotte at 5:33 p.m.

BOARD MEMBERS PRESENT

Chairman David Lamotte
Vice-Chairman Glenn Storch
Mr. Worley Pruett
Dr. P.T. Bud Fleuchaus
Mr. Nick Conte
Mr. Jason McGuirk
Mr. Steven Strawn
Mr. David Rigsby

BOARD MEMBERS ABSENT

Ms. Judith Craig

STAFF PRESENT

Kevin Sweat, Beach Safety Director
Judith Hallock, Administrative Support
Jamie Seaman, Deputy County Attorney

APPROVAL OF MINUTES: Mr. Storch moved to approve the minutes of March 10, 2009 with changes. Mr. Strawn seconded the motion. Motion approved unanimously.

PUBLIC PARTICIPATION – ITEMS NOT ON THE AGENDA (3 MINUTE TIME LIMIT PER SPEAKER):

Pat Behnke- Ormond Beach- agrees with keeping tolls on beach. She stated if the tolls were removed revenue would have to be made up by raising taxes.

Mr. Storch requests Public Participation- Items on the Agenda- be held until after the presentation is made. Chairman Lamotte agrees.

Paul DeMange- wants committee to think in terms of a comprehensive approach to managing and funding the beach, not just look at the tolls.

Mr. Storch explained the Board was addressing tolls at this meeting as Council has directed them to.

OLD BUSINESS:

Mr. Pruett asked about the requested staff report regarding the artificial reef presentation made at the March meeting.

Director Sweat- indicated staff liaison, Tony Sopotnick had a draft report, but will hold it until the next regular meeting since this meeting was regarding tolls.

Mr. Nick Conte- wanted clarification that the board would see it before it is presented to Council. Mr. Sweat assured him they would.

NEW BUSINESS:

Presentation on Beach Tolls and the Habitat Conservation Plan / Incidental Take Plan (HCP/ITP) was made by Deputy County Attorney Jamie Seaman. Current HCP expires in 2030 and is subject to review every five (5) years by Fish and Wildlife Commission (FWC). Further discussion ensued on Volusia County's HCP and possibility of making amendments to it. Ms. Seaman will contact FWC to discuss the impact on the HCP of removing tolls and toll booths, find out if it requires additional review and determine whether the proposed changes would be considered minor or major changes.

PUBLIC PARTICIPATION – ITEMS ON THE AGENDA (3 MINUTE TIME LIMIT PER SPEAKER):

Nick Treantafella, Jr. - Ormond Beach- spoke against collecting tolls on the beach. He suggested looking at other funding sources to make up the shortfall (Port Authority dollars) and thinks the issue should be put on the ballot.

Roy Westberry- DeLand- wants driving safety and congestion issues discussed. He also wants to know why approaches are closed as well as the beaches in front of certain condominiums.

Paul Zimmerman- Daytona Beach- handed out a history of HCP / ITP Amendments and Administrative Changes to board members, provided by Ecological Associates. He is in favor of toll removal, and is concerned about the economic impact to the area from tolls being collected on beach.

Robert Carolin- Leisure Services, City of Ormond Beach- told the board it was the City Council's desire to remove tolls from the beach. At a recent meeting they set aside

\$75,000 annually in funds to help offset the revenue lost by toll removal. They would also like to see the county pursue additional off-beach parking options.

Greg Gimbert- Daytona Beach- Is in favor of toll removal. He expressed the sentiments of former Mayor Paul Carponella who is in favor of reducing the number of Beach Rangers by 50% by utilizing back up from coastal police forces who are currently used for this purpose and current Mayor Glenn Ritchey who is in favor of toll removal. Mr. Gimbert wants to see budgets tightened across the county to make up for \$800,000 in lost revenue. Mr. Gimbert handed out pages from the Comprehensive Annual Financial Report from County of Volusia for 2006 and 2008.

Lenny Legary- Daytona Beach- stated putting tolls up was the worst change he has seen. He would like to see tolls taken off beaches.

Evelyn Caputo- Ormond by the Sea- she lives north of Granada in an area where there are no cars on the beach. She is for taking tolls off of the beach. It is not fair to the residents who cannot go to the beach if they cannot afford to pay. All residents should have access.

Terry Mercer- Ormond Beach- she spoke to keep tolls in effect to help offset cost of maintenance, it is a user fee, not access fee. She stated the problem is the lack of drivable sand.

Marianne DiFiore- Ormond Beach- Also believes tolls should remain in effect. Does not believe the fee is keeping people from the beach. She feels very safe at beach with beach patrol.

Steve Rumnock- Port Orange- He believes tolls are down because people would rather park off beach for free than pay the toll. He related an event where a turtle nest was moved that was located at the bottom of a walkover and he asked staff about relocating turtle nests. Ms. Seaman explained that USFW authorizes people to touch and move nests that are in imminent danger. They make the determination if a nest is in eminent danger.

Terry Barney- Altamonte Springs- Has been a visitor to beach since 1960 and is a condo owner. He does not believe the tolls are what keep visitors from the beach. He stated we cannot lose the revenue for the beach. He feels you are able to keep control with the tollbooths and that without them you are opening up the beach to additional problems.

Fred Sparks- toll booth attendant- Part of his job is to be a goodwill ambassador for the beach and he sees a large number of out of state vehicles coming to visit the beach. He believes tolls should be kept.

Jack Hayman- Edgewater- Volusia County Councilman- appreciates remarks and participation from public. He stated that there are a lot of players in this arena that go far beyond the State of Florida. We have to accept the role that the environmental issues

play in the management of the beach. He stated that this issue has come before various boards and the council many times. Tolls are on the beach to help maintain the level and quality of service on it. Opening additional ramps creates operational costs that will have to be collected from somewhere and that is the trade-off he and his colleagues will have to decide.

Art Giles- South Daytona -Former Councilman- Mr. Giles made a statement that the beach has too much government in it and is not a friendly place. He would like to open all 41 approaches, only 17 are currently open. He is not sure what the answer is but thinks council should be given multiple options such as removing tolls 6 months out of the year. He says there is not enough support on the Council to remove tolls completely.

Coraggio Maglio- Stated that this is a philosophical issue about whether the beach should be free. Asked the board to please consider this and make a recommendation to Council.

Ray Tabak- Port Orange- works part time at Boardwalk. He stated that from Main Street south to Dunlawton, businesses are boarded up and for sale. He believes it is because of the tolls. He speaks with numerous visitors in his line of work who are not happy there are tolls on the beach

Chris Rice – Told the board there are other options to opening the beach and asked them to please keep their minds open.

Josh Wagner- Volusia County Councilman- He stated we need to rethink the beach and that Council was open to suggestions on tolls and said they are looking for creative options from the board. He stated his personal view is that we have a sterile and hostile beach. He restated it was possible to amend the ITP through our legal staff. He acknowledges revenue is another major issue. He brought up looking at areas closed by contracts (traffic-free zone) not the HCP, as well.

Thomas McGurn- Daytona Beach- He remembers what it was like on the beach without tolls. He believes in conservation. He would also like to know the solution to raccoons ravaging the turtle eggs. He is happy to see people with open minds regarding tolls.

Chairman Lamotte- Agreed with Mr. Storch that this needs to be looked at in two parts- amending the permit and if that is possible then examine the revenue/service aspect.

Dr. Fleuchas – He wants to do anything to improve beauty, quality and safety of the beach. This board has talked about this issue several times. This is a user fee and the quality of service received for it is worth it. Do not want to jeopardize the service we get. The tolls have not caused our economy to go bad. Access is killing the beach.

Nick Conte- The overregulation was inherited. He stated the current board needs to come up with new ideas and present them to council. Otherwise if the just makes a blanket suggestion it will fail.

Jason McGuirk- Thanked everyone who spoke. We all want the beach to grow and prosper, but at the same time we are talking about reducing revenue/resources. We are going to discuss some new and interesting ideas for the beach and thinks it is a mistake to reduce the funds to manage these ideas on the beach. He feels the toll fee is minimal and may possibly even need to be increased. He does not in anyway want to jeopardize beach driving, which could happen if tolls are eliminated and ITP has to be modified. He thinks it is irresponsible to get rid of revenue without an alternative.

Mr. Pruett- he believes if it was put to a vote the public would vote to remove tolls. He thinks the community has told us for years to take tolls off the beach.

Mr. Storch- stated he felt this was a very informative meeting. He does not think the \$5 toll is the issue, he believes the issue is to increase public access. He re-iterated the two part process brought up during discussions. The first step would be to explore the process to change the HCP Permit and find out which is considered minor or major amendments and the possibility of the following:

- Eliminating all tolls & attendants / allow all gates to be opened
- Extend season of “no tolls” to 5 or 6 months as an alternative
- Allow someone else to assist with policing
- Automated gate
- What are the costs of major amendments
- What are the expenses of opening gates – maintenance, staff, etc.
- Will these changes cause an increase or decrease of services
- Ensure the Quality of Beaches – Maintain Service

After this is determined then we can move onto the next stage which is the money. He stated he appreciates the offer of other municipalities to assist with the revenue. It is his belief Council is trusting that the Advisory Board will look at this issue thoroughly.

Chairman Lamotte – Has changed his opinion about the tolls on the beach over the years. He said in his opinion that if the permit is lost and cars come off the beach we will see more businesses along A1A boarded up. He said he does not feel the \$5 is keeping people off the beach. He would like to see “No Toll” months extended as well as the hours extended at Ponce Inlet for the surfers.

Jamie Seaman suggested that any committee set up participate in conversations with USFW. She suggested having them travel here to meet with group and have a public discussion.

Motion made by Mr. Storch to ask Jamie Seaman to contact USFW and determine if the various items outlined above would be a minor or major amendment and cost associated with amendments. Motion seconded by Nick Conte.

ADJOURNMENT: Motion to adjourn was made by Chairman Lamotte, seconded by Dr. Fleuchaus. Motion approved unanimously. Meeting adjourned at 8:10 p.m.

MINUTES RECORDED BY:

Judith Hallock, Beach Safety

MINUTES EDITED BY:

Nanci Nolin, Beach Safety