

VOLUSIA COUNTY BEACH POLICY ADVISORY BOARD
Special Meeting minutes for August 11, 2009
VCBP HQ

CALL TO ORDER:

The meeting of August 11, 2009 was called to order by Chairman Lamotte at 5:31 p.m.

BOARD MEMBERS PRESENT

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

STAFF PRESENT

Tony Sopotnick, Staff Liaison
Judith Hallock, Administrative Support

APPROVAL OF MINUTES: Judith Craig moved to approve the minutes of July 14, 2009. Nick Conte seconded the motion. Motion approved unanimously.

PUBLIC PARTICIPATION:

Jennie Celona, President of Oceans II condominium association and Vice-Mayor of Daytona Beach Shores requested that dogs not be allowed on public beaches. She feels dogs on the beach would be a potential safety hazard to the beachgoers. Mr. Storch asked her if it would be acceptable if the County designated a small area of the beach for animals and Mrs. Celona stated no.

Terry Mercer, Ormond Beach resident distributed pictures of shade structures and chairs left overnight on the beach. She would like to see more public awareness and education of this hazardous situation. Several members of the board agreed that it is a growing problem. Tony Sopotnick stated that there is currently no prohibition against leaving them on the beach; if they are obviously broken the beach contractor will pick up them up and dispose of them. He included that this issue is currently on the radar of all levels of county staff and solutions are being discussed.

Ginger Adair, Natural Resources Director stated that county staff has set up a test area on the beach from Granada north and Beach Patrol staff is tagging tents and chairs left on the beach each night trying to educate the public. Environmental staff is also working on educational material for distribution. Several members are concerned about the safety aspect and liability issue if problem not addressed. Mr. Rigsby makes a motion

to support the county's effort to remove structures and beach furniture from beach at night. Mr. Storch seconded the motion. Motion carries.

Another issue brought up by Ms. Mercer concerned holes being dug by beachgoers creating a hazard to other beachgoers and turtles. The board would like to see a policy created that requests visitors fill the holes they dig as a matter of beach etiquette. Ginger Adair told the board that when the Beach Patrol sees people digging holes or with tents in the test area they will stop and speak with beachgoer about removal of structures and covering of holes.

Mr. Storch made a motion to have staff include additional advisory language, provided by Judith Craig: "if you dig it, please fill it", to beach rules passed out to visitors. Mr. Rigsby seconded the motion.

Bob Ernest, Ecological Associates said the problem of structures on beach is not unique to this county and can be addressed through policies and regulations. He explained that the digging of holes is more problematic and is a human safety and environmental issue. He feels it should be addressed through an informational campaign. Mr. Ernest also said that holes dug on the beach are not currently addressed in the Habitat Conservation Plan. Mr. Storch motioned to have staff look at developing a public awareness campaign, "if you dig it please fill it". Mr. Fleuchaus seconded the motion. Motion carried.

OLD BUSINESS:

Multi-Purpose Artificial Reef:

Ginger Adair stated there was not a presentation from environmental ready yet. A draft was sent to the County Manager's office and they have asked for additional research. She also told the board that there had been a public records request for the draft report which was provided.

John Hearin stated he saw the draft report and was concerned that ASR America had not been consulted in the preparation of the report. He clarified what he felt were several discrepancies in the report. Mr. Storch suggested John Hearin get with Ginger Adair from Environmental for a meeting and exchange of information before the report is completed.

Jim Marino, Coastal Tech, clarified his firm provided input on the Brevard County project and added that every application must be studied on its own merits and that Coastal Tech's recommendations may change based on that application.

Mr. Conte would like to find out if this project is still even the will of Council at this point. Mr. Storch would like to obtain all the information available and then have the board make a recommendation to Council.

HCP Update:

Dave Lamotte introduced Bob Ernest of Ecological Associates and explained that he was asked to return and revisit some points of the Habitat Conservation Plan (HCP).

Bob Ernest explained that the HCP was a complex set of programs that was integral to having driving on the beach. Removal of the beach tolls would mean finding an alternative way to replace the functions of controlling vehicle access, distributing public awareness materials, closing the beach for high tide events and collecting revenue to fund the HCP implementation. In his opinion the risk of violating the County's incidental take permit would increase considerably in the absence of manned booths.

Mr. Storch asked for the statistics on wash back hatchlings during the toll and no toll periods. He would like to extend the "no toll" period to include the month of November. Bob Ernest responded that November is within the wash back season and that the HCP was written to allow for two months of no tolls and no literature handed out. In his opinion to expand the "no toll" season would be a modification of the HCP as they consider the potential take risk associated with the additional month.

Steve Strawn asked Mr. Ernest what the potential impact of allowing certain animals on the beach would have on the HCP. Mr. Ernest explained that while leash laws are required by the Incidental Take Permit as part of regulating and enforcing existing laws on the books, it does not address the presence of animals on the beach.

Rockefeller Approach:

Otis Pruett asked for an update on Rockefeller Approach. Tony responded that he was informed that the project was initially to start in June. However, there were re-submittals to the consultant. It has been bid out to Halifax Paving and once started, there is a 60 day build out to complete the project. He was also told that it is currently still in the permitting process.

Beach Patrol Police Officers:

Otis Pruett again requests information on 67 police officers in budget for \$8.2 million. Tony responded that it was provided previously and Dave Lamotte concurred that it was in the information sent out with the packets. Tony said he would provide the information to Mr. Pruett again.

NEW BUSINESS:

Presentation for Ramp Improvements, City of Daytona Beach:

Jim Sloane, City of Daytona Beach Engineering presented an update for plans on five Daytona Beach approaches which the city hopes to improve. The ramps, which will all be handicap accessible, will include Boylston, Lenox, Silver Beach, Williams and Hartford. Funding for the ramps is a major issue. While the County has committed to

contributing as much as \$40,000 for the total project, the rough estimate cost per ramp is \$150,000. Mr. Storch made a motion to encourage the county to participate fully in assisting with these ramp beautification projects. Mr. Conte seconded the motion. Motion approved.

Animals on the Beach:

Joanne Wesley, Daytona Beach resident is both for and against dogs on the beach. She and her dog were attacked by two unleashed pit bulls at the dog park in Ponce Inlet. She would like dogs on the beach if the dogs had appropriate paperwork and if there was someone on-site to enforce and regulate the activity. She also suggested a licensing process for use.

Susan Spencer, Ormond Beach for 40+ years. With over 23 miles of beach she feels there must be an area where dogs could be allowed. Mr. Storch asks if increased fines would be acceptable for dog owners who do not abide by rules.

Rich Lohman remembers when dogs and horses were allowed on the beach. He would love to walk his dog on the beach but unfortunately there are irresponsible dog owners that do not pick up after themselves. The Board is here to enhance our beaches and allowing dogs on the beaches would not enhance them.

Peggy Rice, Daytona Beach property owner. She asked the board to not allow dogs on the beach. People do not pick up after or control their animals. Small children play and people walk the beach. The beach is not appropriate for dogs.

Bill Jervey, Ocean III Condo, Daytona Beach Shores. Many residents walk the beach at night and cannot see where they are walking. There will be animal waste if there are animals on the beach. There are many violations at night which the beach patrol has difficulty citing because they can be seen from such a great distance.

Bud Fleuchaus commends the audience for their orderly presentations. The board members were divided on the issue with several completely against allowing dogs on the beach. Several suggestions on ways to allow dogs on the beach were discussed such as early / late hours of access, designated zones with very large fines for regulation offenders; leash laws would need to be enforced; liability issues need to be addressed; the area would need to be well supervised with the cost deferred to dog owners.

Mr. Storch asked that staff provide additional information to the board, including how the dog parks in Flagler and St. Augustine operate, what would be the size requirement of park, what are the costs involved that would need to be recouped, what would the increased penalty fees be for violation of leash laws and what are the environmental and HCP impacts.

ADJOURNMENT:

Motion to adjourn was made by Mr. Fleuchaus, seconded by Mr. Pruett. Motion approved unanimously. Meeting adjourned at 7:50 p.m.

MINUTES RECORDED BY: Judith Hallock, Beach Safety

MINUTES EDITED BY: Nanci Nolin, Beach Safety