

**MINUTES**  
**MEETING WITH RESIDENTS OF THE WEST HIGHLANDS SUDIVISION**  
**LOCATED IN ORANGE CITY, FL**  
**WEDNESDAY, OCTOBER 4, 2006**  
**6:30 PM**  
**THOMAS C. KELLY ADMINISTRATION BUILDING**  
**TRAINING ROOMS**  
**123 W. INDIANA AVE**  
**DELAND, FL**

➤ **Public Works Director George Recktenwald introduced Volusia County Staff present at meeting to residents:**

Public Works Administration

- John Angiulli – Operations Manager
- John Gamble – Special Projects Coordinator
- Arden Fontaine – Special Projects Coordinator

Road & Bridge

- Ginger Nogueira - Interim Director
- Dave Millard - Services Supervisor
- Billy Bishop - Maintenance Supervisor
- Marvin Jones – Materials and Equipment Supervisor
- Amanda Vandermaelen – Staff Assistant

Traffic Engineering

- Jon Cheney - Traffic Engineer
- Mike Olson – Supervisor

Construction Engineering

- Marcia Naber – Right of Way Specialist
- Christine Fox – Engineering Specialist
- David Kraft – Registered Land Survey Manager

➤ **Discuss Purpose of Meeting**

Current Conditions in the West Highlands Subdivision have created safety issues. Council has taken notice and has requested actions be taken in the area. Council has instituted a 365 day building moratorium. This meeting is to present options and help residents make decisions regarding conditions in the subdivision.

➤ **Givens**

- Roads and right of ways are in very bad condition and not passable in some areas.
- Emergency services are hampered.
- School buses cannot travel down existing roads and parents must drive children or they must walk to existing bus stop
- Several roads are paper streets (platted, not open) and are not accessible.
- Poor signage and traffic control are contributing to the problem.
- Survey/structure locations issues are putting property at risk.
- Council expects some type of improvement to the area.

➤ **Solutions**

Bring the roads up to County standards (County Land Development Code) which would include additional Right of way, surveying costs, property/structure discrepancies, land clearing, debris disposal, paving all roads, installing drainage, retention ponds, change traffic controls, signage, and possible vacation of alleys. This completed package would then be presented to County Council to accept the area for maintenance. The cost would be approximately \$50 million which would work out to be about \$50,000.00 a lot.

**Solutions continued**

If that isn't something that the citizens of the subdivision are interested in we can work on just repairing the road enough to bring them to an acceptable level with routine maintenance. However, if this route is chosen, the citizens would have to discuss how to maintain and pay for upkeep.

➤ **Repair Discussion**

**See Cost Summary Spreadsheet**

Discussed scenarios on spreadsheet with citizens

Using crushed concrete on the road for repair does cause some problems such as dust and flat tires. George suggested that a shell/clay mix be put on top of the crushed concrete to prevent those problems. In regards to drainage, creating grassy swales would be the most cost efficient. The brush from the land clearing that would need to be done could be burned on a lot within the subdivision using air curtains to reduce smoke. Survey work also needs to be done to determine how to address the problems and make sure roads are located in the correct spaces.

Question: I live in Daytona Park Estates and they are in the process of having their roads paved. Who is paying for that?\*\*\*

Before 1972-1976 laws were passed that regulated the maintenance of roads in the County. At the time the laws were passed Daytona Park Estates was further along in their construction so they were accepted for maintenance. The reason the roads in West Highlands were not accepted for maintenance is because they were not being maintained at the time the County Commissioners drew their line in the sand as to not add any more dirt roads to the "Maintenance List". Since most of the West Highlands roads were not maintained at that date, they remained unmaintained. Building permits were issued in the area because in the 1970's a normal passenger sedan could travel down the roads because they were passable.

Question: Are you going to have the developers or contractors chip into the cost? Are there any other subdivisions being assessed now?\*\*\*

We can look into putting some of the funds into permit fees which would be incurred by builders. However, there is a difference between a developer and a builder. The County of Volusia is open for suggestions for funding.

Currently there are approximately 13 other areas under the Special Assessment Districts. To my knowledge the County has never had just a maintenance district.

Question: I was told that the Builders Association came before County Council and asked to not be held responsible for the condition of the roads in West Highlands.

Many groups have come before council but I am not aware of that. We can still look at adding some cost to the permitting fees though.

Question: I live on the maintained portion of 20<sup>th</sup> St. and I don't feel I should have to pay to have the non-maintained roads fixed.

The funding options are not currently finalized so we are not sure how this will be paid for. I can say that it is up to everyone in the subdivision to have this taken care of. Also, property owners that must use these roads to get to their property although not in the West Highlands Subdivision need to contribute to the repair and upkeep of these roads. You do have to travel down the non-maintained road to get to the maintained ones.

Question: My taxes have tripled over the past year where is that going? Why aren't those paying for the roads?

The taxes you pay are to be used for very specific things. None of your Ad-Valorem taxes go for roads in the County. MSD taxes only go for certain departments such as emergency services. The gas taxes are what go towards the construction of roads in the county but that can only be used for certain things such as road development and maintenance for area growth. The law states that Impact fees can only be used for thoroughfare roads. The average single family home pays approximately \$2200.00 for taxes and it takes approximately \$6.8 Million to construct 1 mile of roadway.

Question: What about the Storm water fees we pay?

They go for your larger units around the county such as canals, or large retention ponds. We are looking at using some of those dollars for retention ponds but we cannot use them for roadside ditches or swales. It would also go to relieve flooding in the County. Your Storm water fees are \$72.00 so that would come out to be about \$57,600.00 for the entire subdivision. We would have to look for possible locations for retention ponds. (See Aerial Elevation Map)

Question: I live in one of the lower spots on the map, would you be putting retention ponds where I live?

No, I would rather put them higher up to relieve the lower lying areas of any possible flooding.

Question: When the Council accepted the plat they accepted the roads and they issued the building permits. Where is their responsibility for payment?

Prior to the 1972 laws that were passed, there were hundreds of miles of road where houses could not be built. The laws remedied that situation by making specific rules about where houses can be built and council has followed them. That is something that you should take to Council and ask. Council can extend the building moratorium up to 4 years.

Question: Have all of the owners been notified of the intent of the County?

Not as of yet. We want to have some more information to give them before doing a direct mail. However, I do think that as a community you should sit down and discuss forming a homeowner's association. As a group you can have more control over the money that is spent in subdivision. The County is required to grade roads twice a month but you may want to do it less often which would make the costs less and that is something you could control.

➤ **Cost Discussion**

There are 5251 lots in West Highlands and you need 3 lots to build on. That would be 1750 buildable lots. The average cost for a full repair would be \$2.5 Million. That would be \$1428.00 per buildable lot which can be financed for 10 years with interest. That would be approximately \$142 a year. You would also have to think about maintenance costs which would be about \$124 to keep it up. We still have plenty of funding options to explore but this is a good number to look at. The County has already invested a lot of money into this and we are still hoping to help.

Question: What about the realtors that own property in the subdivision?

They would be held liable for their share. It would go for every owner, not just the owners that physically live on the property.

Question: Homeowners Associations and Lawyers can represent you but they can't really do anything for you, it is still up to the Council.

I understand where you're coming from but there is strength in numbers and a Homeowners Association would be a big help. You have to understand that there are 500 miles of non-maintained roads in the County. If we were to take on your 17 miles then we would have to take everyone else as well.

Question: Shouldn't the builders still take care of the roads that they tear up?

Most of the builders have put material down and have tried to help fix up the roads. It's in their best interest to have the roads in good shape.

Question: Are there any developers buying large amounts of land in the subdivision?

Not to my knowledge. Developers aren't going to be as interested in the area because it already has a lot of the lots purchased and occupied.

➤ **Meeting Close**

I would like to set up another meeting on October 18<sup>th</sup> at the same time 6:30 PM. Think about organization and the options that were discussed. Looking at doing a mail out in November. Mail out will include the information discussed tonight along with some sort of survey to ask the rest of the homeowners opinions. If you are having any survey issues please set an appointment with Mr. Kraft to discuss that.

Question: When do we need to have a decision?

I will be presenting an update to Council at every meeting.

Question: The children have to walk over a mile to get to the bus stop now because the bus will not come out into the non-maintained areas.

Please contact the school board for that.

**Contact Information**

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\*\* All Questions were answered by George Recktenwald unless otherwise noted.