

**From:** Heather Blanck  
**To:** Williams, Deirdre O  
**Date:** 9/9/2011 11:30 AM  
**Subject:** Re: Bus Stop Benches - Advertising

Good morning Deidre,

The cities you identified, Debary and Orange City, do not allow bus benches with advertising. There may be some other locations you can enquire about with the firm that provides these benches:

Jim Brown  
General Manager  
Waverly Media, LLC  
p.(386)322-3600  
f. (386)322-3900  
[JimB@WaverlyMedia.com](mailto:JimB@WaverlyMedia.com)

Have a great weekend too, Heather

Heather Blanck  
Assistant General Manager of Planning,  
Marketing, and Customer Service  
Votran  
950 Big Tree Road, South Daytona, FL 32119-8815  
386-756-7496 ext. 4112  
fax 386-756-7487  
<http://www.votran.org>

>>> Deirdre O Williams <[deirdreowilliams@gmail.com](mailto:deirdreowilliams@gmail.com)> 9/9/2011 11:24 AM >>>  
Good Morning Ms Heather Blanck

I am a Realtor and would like to get information about Advertising on a Bus Stop bench in Volusia county preferably De Bary and Orange City.

Will you please point me in the right direction as to whom I should contact.

Thank you for your time and assistance in the matter.

Have a wonderful and safe weekend.

--  
Think Positive Think REALTOR®  
Deirdre O. Williams

**Heather Blanck - Benches in Unincorporated Volusia/Orange City**

---

**From:** Jim Brown <jimb@waverlymedia.com>  
**To:** <rdavenport@co.volusia.fl.us>  
**Date:** 9/26/2011 11:40 AM  
**Subject:** Benches in Unincorporated Volusia/Orange City

---

Hello Bob,

We hope this note finds you well. I need your advice on a particular situation. On that stretch of 17-92 between the DeLand and Orange City, City Limits there are six stops. Orange City claims to have annexed the right-of-way into their DPA. Not their City Limit, but their DPA. They do not want the benches with ads there, but County maps show this as unincorporated Volusia County.

Complicating matters further is that three of these stops originally had benches placed based on calls you received from residents in that area; particularly from the Candlelight Mobile Home Park. I guess what I'm asking is, who has jurisdiction there? Would appreciate any advice you might give.

Thank you,

Jim Brown  
Waverly Media, LLC  
(386)322-3600

**From:** Heather Blanck  
**To:** [ssinclair@wenstrom.net](mailto:ssinclair@wenstrom.net)  
**Date:** 10/5/2011 1:38 PM  
**Subject:** Re: Bus Benches

Hi Shauna, The bus benches with advertising are provided in different parts of the county by Waverly Media:

Jim Brown  
General Manager  
Waverly Media, LLC  
p.(386)322-3600  
f. (386)322-3900  
[JimB@WaverlyMedia.com](mailto:JimB@WaverlyMedia.com)

Heather Blanck  
Assistant General Manager of Planning,  
Marketing, and Customer Service  
Votran  
950 Big Tree Road, South Daytona, FL 32119-8815  
386-756-7496 ext. 4112  
fax 386-756-7487  
<http://www.votran.org>

>>> "Shauna Sinclair" <[ssinclair@wenstrom.net](mailto:ssinclair@wenstrom.net)> 10/5/2011 11:01 AM >>>  
Heather,

I was able to get the number for Clear Channel from your website, stating they handle the bus advertising. But I was wondering if you all had a company / contact for who does Bus Benches advertising.

If you have that information on that or can put me in touch with someone who may, that would be great.

Thank you for your time,

Shauna Sinclair

Media Assistant


Wenstrom Communications, Inc.

2431 Estancia Blvd, Bldg. C

Clearwater, FL 33761

<<mailto:ssinclair@wenstrom.net>> [ssinclair@wenstrom.net](mailto:ssinclair@wenstrom.net)

(727) 791-1188 Ext. 22 phone



(727) 791-4976 fax

**From:** Heather Blanck  
**To:** Cotton, John  
**Date:** 10/7/2011 2:10 PM  
**Subject:** Fwd: Re: Bus Benches

>>> Heather Blanck 10/5/2011 1:38 PM >>>

Hi Shauna, The bus benches with advertising are provided in different parts of the county by Waverly Media:

Jim Brown  
General Manager  
Waverly Media, LLC  
p.(386)322-3600  
f. (386)322-3900  
[JimB@WaverlyMedia.com](mailto:JimB@WaverlyMedia.com)

Heather Blanck  
Assistant General Manager of Planning,  
Marketing, and Customer Service  
Votran  
950 Big Tree Road, South Daytona, FL 32119-8815  
386-756-7496 ext. 4112  
fax 386-756-7487  
<http://www.votran.org>

**From:** Heather Blanck  
**To:** Letter, Eugene  
**Date:** 11/17/2011 1:31 PM  
**Subject:** Re: Votran advertising

Good afternoon, In Volusia county, the benches with advertising located at bus stops are owned by Waverly Media. The contact person is:

Jim Brown  
General Manager  
Waverly Media, LLC  
(386)322-3600 off.  
(386)322-3900 fax  
[JimB@WaverlyMedia.com](mailto:JimB@WaverlyMedia.com)

Heather Blanck  
Assistant General Manager of Planning,  
Marketing, and Customer Service  
Votran  
950 Big Tree Road, South Daytona, FL 32119-8815  
386-756-7496 ext. 4112  
fax 386-756-7487  
<http://www.votran.org>

>>> Eugene Letter <[ttmmr@bellsouth.net](mailto:ttmmr@bellsouth.net)> 11/17/2011 12:10 PM >>>

Would you be able to provide us with information about advertising on the various Votran benches through out the greater Daytona Beach area?

**From:** Heather Blanck  
**To:** Harvison, Elizabeth  
**CC:** jimb@waverlymedia.com  
**Date:** 12/9/2011 4:25 PM  
**Subject:** Re: Stop safety issues

Good afternoon Ms. Harvison,

The benches with advertising outside the city limits of Ormond Beach belong to Waverly Media. I will make sure to let them know about your concerns. Thank you for letting us know about that problem.  
Heather

Heather Blanck  
Assistant General Manager of Planning,  
Marketing, and Customer Service  
Votran  
950 Big Tree Road, South Daytona, FL 32119-8815  
386-756-7496 ext. 4112  
fax 386-756-7487  
<http://www.votran.org>

>>> Elizabeth Harvison <[e.harvison@yahoo.com](mailto:e.harvison@yahoo.com)> 12/8/2011 10:53 PM >>>

Dear Ms. Blanck,

I am a daily commuter on the 1A from nearly it's most northern point all the way into the Transfer Plaza. The stop that I board at is at A1A and Seabridge Drive, the first southbound stop after Bass Ave and A1A. The bench at that stop is in a North-South orientation. Both of the bolts that connect the front-most slat on the bench seat to the cement legs have popped up. Also, some of the cement on the northern leg around the bolt has broken off.

Thank you for your time,  
Elizabeth Harvison

**Heather Blanck - Re: Stop safety issues**

---

**From:** Jim Brown <jimb@waverlymedia.com>  
**To:** Heather Blanck <hblanck@co.volusia.fl.us>  
**Date:** 12/12/2011 2:40 PM  
**Subject:** Re: Stop safety issues

---

Will be taken care of this week.

--- On Fri, 12/9/11, Heather Blanck <hblanck@co.volusia.fl.us> wrote:

From: Heather Blanck <hblanck@co.volusia.fl.us>  
Subject: Re: Stop safety issues  
To: "Elizabeth Harvison" <e.harvison@yahoo.com>  
Cc: jimb@waverlymedia.com  
Date: Friday, December 9, 2011, 4:25 PM

Good afternoon Ms. Harvison,

The benches with advertising outside the city limits of Ormond Beach belong to Waverly Media. I will make sure to let them know about your concerns. Thank you for letting us know about that problem. Heather

Heather Blanck  
Assistant General Manager of Planning,  
Marketing, and Customer Service  
Votran  
950 Big Tree Road, South Daytona, FL 32119-8815  
386-756-7496 ext. 4112  
fax 386-756-7487  
<http://www.votran.org>

>>> Elizabeth Harvison <e.harvison@yahoo.com> 12/8/2011 10:53 PM >>>

Dear Ms. Blanck,

I am a daily commuter on the 1A from nearly it's most northern point all the way into the Transfer Plaza. The stop that I board at is at A1A and Seabridge Drive, the first southbound stop after Bass Ave and A1A. The bench at that stop is in a North-South orientation. Both of the bolts that connect the front-most slat on the bench seat to the cement legs have popped up. Also, some of the cement on the northern leg around the bolt has broken off.

Thank you for your time,  
Elizabeth Harvison



(1)

**From:** Lonnie Groot <lgroot@stenstrom.com>  
**To:** "ESuchsland@co.volusia.fl.us" <ESuchsland@co.volusia.fl.us>  
**Date:** 12/15/2011 8:04 AM  
**Subject:** ADA Policies

THIS TRANSMISSION MAY BE ATTORNEY CLIENT PRIVILEGED

Elizabeth:

I hope that all is well with you.

I would appreciate your e-mailing to me a copy of the VOTRAN ADA policies and ADA compliance plan(s).

Thank you for your attention to this matter.

Please call me ANYTIME at the office \* (407-322-2171) or at my cell phone \* (386-748-3685). I answer my cell phone 24 hours a day. If long distance, the office's toll free number is \*800-247-5225. My e-mail address is "lgroot@stenstrom.com<mailto:lgroot@stenstrom.com>

I look forward to seeing you.

[cid:image005.png@01CCBB00.214B5140]Lonnie Groot, Board Certified City, County & Local Government Law (Bio<<http://www.stenstrom.com/Bio/LonnieGroot.asp>>)

STENSTROM, MCINTOSH, COLBERT, WHIGHAM & PARTLOW, P.A.  
1001 Heathrow Park Lane  
Suite 4001  
Lake Mary, Florida 32746  
Website: [www.stenstrom.com](http://www.stenstrom.com)<<http://www.stenstrom.com/>>

"The highest compliment we can receive is the referral of your friends, family and business associates. Thank you for your trust."

Abraham Lincoln once said "a lawyer's time and advice are his stock and trade." We appreciate your business.

**Electronic Signature Disclaimer.** The information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is indicated in this message.

If you have an urgent communication or if you have not heard from me in response to your e-mail, please telephone me. PLEASE DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED. If I have not responded to your e-mail in a relatively short period, that would not be characteristic of my practice. Public officials should ensure that they copy other public officials with e-mails ONLY WHEN APPROPRIATE.

**CONFIDENTIALITY NOTICE:**

Confidential Attorney Client Communication/Attorney Work Product. This e-mail together with any attachments is confidential, intended for only the recipient(s) named above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this e-mail in error, or are not the named recipient(s), you are hereby notified that any use, dissemination, distribution or copying of this e-mail or any attachments is strictly prohibited. Please immediately notify the sender at lgroot@stenstrom.com<mailto:lgroot@stenstrom.com> and delete this e-mail and any attachments from your computer. You should not retain, copy or use this e-mail or any attachments for any purpose, or disclose all or any part of the contents to any person.

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image003.jpg@01CCBB00.2135CD70]  
[cid:image003.jpg@01CCBB00.2135CD70] [cid:image004.jpg@01CCBB00.2135CD70]

1

1 page (2)

<[http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=\\_\\_X62zyP3h3kzfjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ](http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=__X62zyP3h3kzfjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ)>

P THERE IS NO PLANET B. PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS MESSAGE. ü

P Go Green!

TAX NOTICE: No tax advice was intended to be given in this communication and any and all taxpayers should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

2 - page 1

**From:** Lonnie Groot <lgroot@stenstrom.com>  
**To:** "ESuchsland@co.volusia.fl.us" <'ESuchsland@co.volusia.fl.us'>  
**Date:** 12/15/2011 12:29 PM  
**Subject:** FW: ADA Policies

Beth:

Thanks for the call this morning.

I look forward to reviewing the document(s).

Thanks again.

Lonnie Groot

**From:** Lonnie Groot  
**Sent:** Thursday, December 15, 2011 8:04 AM  
**To:** 'ESuchsland@co.volusia.fl.us'  
**Subject:** ADA Policies

THIS TRANSMISSION MAY BE ATTORNEY CLIENT PRIVILEGED

Elizabeth:

I hope that all is well with you.

I would appreciate your e-mailing to me a copy of the VOTRAN ADA policies and ADA compliance plan(s).

Thank you for your attention to this matter.

Please call me ANYTIME at the office \* (407-322-2171) or at my cell phone \* (386-748-3685). I answer my cell phone 24 hours a day. If long distance, the office's toll free number is \*800-247-5225. My e-mail address is \*lgroot@stenstrom.com<mailto:lgroot@stenstrom.com>

I look forward to seeing you.

[cid:image005.png@01CCBB00.214B5140]Lonnie Groot, Board Certified City, County & Local Government Law (Bio<<http://www.stenstrom.com/Bio/LonnieGroot.asp>>)

STENSTROM, MCINTOSH, COLBERT, WHIGHAM & PARTLOW, P.A.  
1001 Heathrow Park Lane  
Suite 4001  
Lake Mary, Florida 32746  
Website: [www.stenstrom.com](http://www.stenstrom.com)<<http://www.stenstrom.com/>>

"The highest compliment we can receive is the referral of your friends, family and business associates. Thank you for your trust."

Abraham Lincoln once said "a lawyer's time and advice are his stock and trade." We appreciate your business.

Electronic Signature Disclaimer. The information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is indicated in this message.

If you have an urgent communication or if you have not heard from me in response to your e-mail, please

telephone me. PLEASE DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED. If I have not responded to your e-mail in a relatively short period, that would not be characteristic of my practice. Public officials should ensure that they copy other public officials with e-mails ONLY WHEN APPROPRIATE.

**CONFIDENTIALITY NOTICE:**

Confidential Attorney Client Communication/Attorney Work Product. This e-mail together with any attachments is confidential, intended for only the recipient(s) named above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this e-mail in error, or are not the named recipient(s), you are hereby notified that any use, dissemination, distribution or copying of this e-mail or any attachments is strictly prohibited. Please immediately notify the sender at lgroot@stenstrom.com<mailto:lgroot@stenstrom.com> and delete this e-mail and any attachments from your computer. You should not retain, copy or use this e-mail or any attachments for any purpose, or disclose all or any part of the contents to any person.

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image003.jpg@01CCBB00.2135CD70]

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image004.jpg@01CCBB00.2135CD70]

<[http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=\\_\\_X62zyP3h3kzjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ](http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=__X62zyP3h3kzjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ)>

P THERE IS NO PLANET B. PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS MESSAGE. ü

P Go Green!

**TAX NOTICE:** No tax advice was intended to be given in this communication and any and all taxpayers should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

**From:** Lonnie Groot <lgroot@stenstrom.com>  
**To:** "ESuchsland@co.volusia.fl.us" <'ESuchsland@co.volusia.fl.us'>  
**Date:** 12/16/2011 4:25 PM  
**Subject:** ADA Policies; Public Records Request

THIS TRANSMISSION MAY BE ATTORNEY CLIENT PRIVILEGED

Dear Beth:

The following public records are requested for the purpose of reviewing and obtaining copies as may be desired:

- (1). VOTRAN's Americans With Disabilities Act self audit or professional audit as to compliance with the Americans With Disabilities Act.
- (2). VOTRAN's Americans With Disabilities Act compliance plan.
- (3). VOTRAN's Americans with Disabilities Act, Title II, required Self-Evaluation and Transition Plan.
- (4). VOTRAN's Americans with Disabilities Act relative to bus benches.

This request is made pursuant to Chapter 119, Florida Statutes, the Public Records Law of the State of Florida, and the provisions of the Constitution of the State of Florida as set forth in Article I, Section 24 of the Declaration of Rights.

I respectfully request that you provide the above-referenced public records<sup>1</sup> (please read the footnote and matters addressed below to understand the comprehensive and plenary nature of this public records request).

This request relates to any and all forms of communications which you may use as it is believed that all such communications are discoverable public records). To that end, any effort to delete, withhold, decline, or otherwise obstruct, public inspection is viewed as a matter that should be reviewed by the State Attorney.

This request relates to all constituent elements of your entity to include, but not limited to, any related or affiliated entities or political subdivisions and shall include, but not be limited to, all agents, contractors, consultants, employees, members, officers, directors, committees, divisions, assigns, elected officials and legal representatives thereof. As the person holding the position that you do with your entity, it is reasonable for us to believe that you will be able to assemble any and all documents of all of your entity's consultants, departments, offices, etc., (as stated above) relative to this matter.

This request includes, but is not limited to, any and all communications between your entity and any individual (and between individuals within your entity), corporation, partnership, association, joint venture, proprietorship, firm, governmental body, governmental subdivision or other legal entity along with its respective parents, subsidiaries affiliates, divisions, members, representatives, committees, partners, officers, directors, agents, employees, servants, consultants, advisors, independent contractors, and any and all other person or entity related to them or acting on their behalf.

I hereby demand that the below-described records be made available for our inspection and duplication.

We also believe that reasonable time for all of the documents to be provided is by Noon on Monday December 26, 2011, as all records should be readily available for inspection.. Accordingly, please arrange for all of the subject documents to be available within that time period in order that we may accomplish our inspection that day. This request includes the name and telephone number of the person making this request on behalf of the requestor. Please contact that person (me) as needed. I remind you that State law provides numerous legal remedies, including, but not limited to, the award of attorney fees, should your entity not comport its actions with the requirements of State law and provides the opportunity to mediate disputes before the Florida Department of Legal Affairs. Also, other penalties are available under controlling Florida law.

If you or any other employee of your entity or officer contend that you or your entity has custody of a public record which is exempt from inspection and examination, please state which exemption(s) (by standard citation) you or the other individual contend are applicable to such public records and the reasons for the conclusion and your concurrence in the conclusion that such public record is exempt. A request for access to a public record must be granted unless the record is specifically exempted by statute. An agency that claims the benefit of an exemption bears the burden of proving its right to the exemption. If you contend that the records covered by this request or any part of these records is exempt from inspection and examination, you are required by Section 119.07(2)(a), Florida Statutes, to "state the basis the exemption which [you] contend is applicable to the record, including the statutory citation to an exemption created or afforded by statute." If you decline to grant this request in whole or in part on reliance on a statutory exemption, I hereby request that you "state in writing and with particularity the reasons for the conclusion that the record is exempt" as required by Section 119.07(2)(a), Florida Statutes. Any such statement must be sufficient to carry your burden of justifying the claim of exemption.

This is a continuing request and we believe that this is reasonable and prudent based upon the rationale and timing of and for our request as set forth below. Your prompt attention is appreciated.

The Florida Supreme Court has stated that the only delay in producing records permitted under the public records law "is the limited reasonable time allowed the custodian to retrieve the record and delete those portions of the record the custodian asserts are exempt." *Tribune Company v. Cannella*, 458 So. 2d 1075, 1078 (Fla. 1984), appeal dismissed sub nom, *DePerte v. Tribune Company*, 105 S. Ct. 2315 (1985).

Also, I call your attention to the following provisions of Section 119.07(1), Florida Statutes:

(h) Even if an assertion is made by the custodian of public records that a requested record is not a public record subject to public inspection or copying under this subsection, the requested record shall, nevertheless, not be disposed of for a period of 30 days after the date on which a written request to inspect or copy the record was served on or otherwise made to the custodian of public records by the person seeking access to the record. If a civil action is instituted within the 30-day period to enforce the provisions of this section with respect to the requested record, the custodian of public records may not dispose of the record except by order of a court of competent jurisdiction after notice to all affected parties.

(i) The absence of a civil action instituted for the purpose stated in paragraph (g) does not relieve the custodian of public records of the duty to maintain the record as a public record if the record is in fact a public record subject to public inspection and copying under this subsection and does not otherwise excuse or exonerate the custodian of public records from any unauthorized or unlawful disposition of such record.

Thank you very much for your courtesies, cooperation and attention to this matter.

I hope that all is well with you.

FOOTNOTE FOLLOWS:

1 "Document or "Record" shall include, but not limited to, the original, all copies of whatever type, all non-identical copies and all drafts (such as "mark ups" or annotated drafts) of any contracts, agreements, writings, letters, papers, memoranda, notes, correspondence, reports or records of conferences or other meetings, staff reports, legal opinions or recommendations, analyses, listings, reports or recordings of telephone or other conversations, journals, desk calendars, appointment books, diaries, lists, reports, studies, surveys, communications, computer files, e-mails, accounting records, facsimiles, photographs, movie files, audio and video tapes, agreements, budgets, contracts, subcontracts, bids, quotes, proposals, estimates, change orders, material and labor records, payroll records, evaluations, estimates, opinions, analyses, summaries, opinions, instructions, schedules, work papers, invoices, books, pamphlets, brochures, advertisements, telegrams, telexes, cables, financial records, statistical records, tabulations, computer printouts, data sheets, data processing codes, forms, charts, drawings, slides, films, microfilm, microfiche and all other things including verbal, numerical, or pictorial records, whether printed, typed, handwritten, drawn, recorded on film or tape or within any data processing system, or recorded or retained by any other means on paper or electronic, as well as any other thing in which information is recorded in writing, sound, picture or other means irrespective of form.

"Document" or "Record" also includes, but is not limited to, the file within which any item constituting a "document," as defined above, is found and also the folder, jacket or other contained in which the file was kept or stored.

The terms "Document" or "Record" are used herein in their broadest and most liberal sense and means all written, typed, printed, recorded or graphic materials, however produced, including all electronic files and/or documents, of any and every kind or description and whether an original, master, duplicate or copy, however different in any way from the original whether by interlineations, receipt stamp, notation, indication of copy center received or otherwise, communications, computer files, e-mails, accounting records, facsimiles, photographs, movie files, audio and video tapes, agreements, budgets, contracts, subcontracts, bids, quotes, proposals, estimates, change orders, material and labor records, payroll records, evaluations, estimates, opinions, studies, analyses, summaries.

Public records also means, but is not limited to, all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other materials, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business. This request is intended to require production of all documents and, if originals are not available, copies are to be provided. Also, all copies or originals and copies of copies are requested for review.

"Relating to," "relate to," or "related to" means, but is not limited to, containing, containing references to, describing, explaining, including, but not limited to, modifying, supplementing, clarifying,

evidencing, appertaining, affecting, embodying, substantiating, contradicting and/or referring to.

"Person" shall include, but not be limited to, natural persons, proprietorships, corporations, agencies, partnerships, groups, associations or organizations or any other form or entity.

"You" or "your" shall mean, but not be limited to, the entity and its employees, representatives and, unless privileged, its attorney.

I hope that all is well with you.

Thank you for your attention to this matter.

Please call me ANYTIME at the office • (407-322-2171) or at my cell phone • (386-748-3685). I answer my cell phone 24 hours a day. If long distance, the office's toll free number is •800-247-5225. My e-mail address is •lgroot@stenstrom.com<mailto:lgroot@stenstrom.com>

I look forward to seeing you.

[cid:image006.png@01CCBC0F.58A08D30]Lonnie Groot, Board Certified City, County & Local Government Law (Bio<<http://www.stenstrom.com/Bio/LonnieGroot.asp>>)

STENSTROM, MCINTOSH, COLBERT, WHIGHAM & PARTLOW, P.A.  
1001 Heathrow Park Lane  
Suite 4001  
Lake Mary, Florida 32746  
Website: [www.stenstrom.com](http://www.stenstrom.com)<<http://www.stenstrom.com/>>

"The highest compliment we can receive is the referral of your friends, family and business associates. Thank you for your trust."

Abraham Lincoln once said "a lawyer's time and advice are his stock and trade." We appreciate your business.

Electronic Signature Disclaimer. The information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is indicated in this message.

If you have an urgent communication or if you have not heard from me in response to your e-mail, please telephone me. PLEASE DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED. If I have not responded to your e-mail in a relatively short period, that would not be characteristic of my practice. Public officials should ensure that they copy other public officials with e-mails ONLY WHEN APPROPRIATE.

**CONFIDENTIALITY NOTICE:**

Confidential Attorney Client Communication/Attorney Work Product. This e-mail together with any attachments is confidential, intended for only the recipient(s) named above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this e-mail in error, or are not the named recipient(s), you are hereby notified that any use, dissemination, distribution or copying of this e-mail or any attachments is strictly prohibited. Please immediately notify the sender at [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com)<<mailto:lgroot@stenstrom.com>> and delete this e-mail and any attachments from your computer. You should not retain, copy or use this e-mail or any attachments for any purpose, or disclose all or any part of the contents to any person.

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image003.jpg@01CCBB00.2135CD70]  
[cid:image003.jpg@01CCBB00.2135CD70] [cid:image004.jpg@01CCBB00.2135CD70]



3 page 5

<[http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Biogo%26tm%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=\\_\\_X62zyP3h3kzfjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ](http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Biogo%26tm%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=__X62zyP3h3kzfjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ)>

P THERE IS NO PLANET B. PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS MESSAGE. ü

P Go Green!

TAX NOTICE: No tax advice was intended to be given in this communication and any and all taxpayers should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

From: Lonnie Groot  
Sent: Thursday, December 15, 2011 12:29 PM  
To: 'ESuchsland@co.volusia.fl.us'  
Subject: FW: ADA Policies

Beth:

Thanks for the call this morning.

I look forward to reviewing the document(s).

Thanks again.

Lonnie Groot

From: Lonnie Groot  
Sent: Thursday, December 15, 2011 8:04 AM  
To: 'ESuchsland@co.volusia.fl.us'  
Subject: ADA Policies

THIS TRANSMISSION MAY BE ATTORNEY CLIENT PRIVILEGED

Elizabeth:

I hope that all is well with you.

I would appreciate your e-mailing to me a copy of the VOTRAN ADA policies and ADA compliance plan(s).

Thank you for your attention to this matter.

Please call me ANYTIME at the office • (407-322-2171) or at my cell phone • (386-748-3685). I answer my cell phone 24 hours a day. If long distance, the office's toll free number is •800-247-5225. My e-mail address is •lgroot@stenstrom.com<mailto:lgroot@stenstrom.com>

I look forward to seeing you.

[cid:image005.png@01CCBB00.214B5140]Lonnie Groot, Board Certified City, County & Local Government Law (Bio<<http://www.stenstrom.com/Bio/LonnieGroot.asp>>)

STENSTROM, MCINTOSH, COLBERT, WHIGHAM & PARTLOW, P.A.  
1001 Heathrow Park Lane  
Suite 4001  
Lake Mary, Florida 32746  
Website: [www.stenstrom.com](http://www.stenstrom.com)<<http://www.stenstrom.com/>>

3 page 6

"The highest compliment we can receive is the referral of your friends, family and business associates. Thank you for your trust."

Abraham Lincoln once said "a lawyer's time and advice are his stock and trade." We appreciate your business.

**Electronic Signature Disclaimer.** The information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is indicated in this message.

If you have an urgent communication or if you have not heard from me in response to your e-mail, please telephone me. **PLEASE DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED.** If I have not responded to your e-mail in a relatively short period, that would not be characteristic of my practice.

Public officials should ensure that they copy other public officials with e-mails **ONLY WHEN APPROPRIATE.**

**CONFIDENTIALITY NOTICE:**

**Confidential Attorney Client Communication/Attorney Work Product.** This e-mail together with any attachments is confidential, intended for only the recipient(s) named above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this e-mail in error, or are not the named recipient(s), you are hereby notified that any use, dissemination, distribution or copying of this e-mail or any attachments is strictly prohibited. Please immediately notify the sender at [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com) <<mailto:lgroot@stenstrom.com>> and delete this e-mail and any attachments from your computer. You should not retain, copy or use this e-mail or any attachments for any purpose, or disclose all or any part of the contents to any person.

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image003.jpg@01CCBB00.2135CD70]

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image004.jpg@01CCBB00.2135CD70]

<[http://www.google.com/imgres?imguri=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefuri=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=\\_\\_X62zyP3h3kzfjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ](http://www.google.com/imgres?imguri=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefuri=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=__X62zyP3h3kzfjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ)>

**P THERE IS NO PLANET B. PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS MESSAGE.** ü

**P Go Green!**

**TAX NOTICE:** No tax advice was intended to be given in this communication and any and all taxpayers should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

4 page 1

**From:** Lonnie Groot <lgroot@stenstrom.com>  
**To:** "ESuchsland@co.volusia.fl.us" <'ESuchsland@co.volusia.fl.us'>  
**Date:** 12/20/2011 7:23 AM  
**Subject:** FW: ADA Policies; Public Records Request

**From:** Lonnie Groot  
**Sent:** Friday, December 16, 2011 4:26 PM  
**To:** 'ESuchsland@co.volusia.fl.us'  
**Subject:** ADA Policies; Public Records Request

THIS TRANSMISSION MAY BE ATTORNEY CLIENT PRIVILEGED

Dear Beth:

The following public records are requested for the purpose of reviewing and obtaining copies as may be desired:

- (1). VOTRAN's Americans With Disabilities Act self audit or professional audit as to compliance with the Americans With Disabilities Act.
- (2). VOTRAN's Americans With Disabilities Act compliance plan.
- (3). VOTRAN's Americans with Disabilities Act, Title II, required Self-Evaluation and Transition Plan.
- (4). VOTRAN's Americans with Disabilities Act relative to bus benches.

This request is made pursuant to Chapter 119, Florida Statutes, the Public Records Law of the State of Florida, and the provisions of the Constitution of the State of Florida as set forth in Article I, Section 24 of the Declaration of Rights.

I respectfully request that you provide the above-referenced public records<sup>1</sup> (please read the footnote and matters addressed below to understand the comprehensive and plenary nature of this public records request).

This request relates to any and all forms of communications which you may use as it is believed that all such communications are discoverable public records). To that end, any effort to delete, withhold, decline, or otherwise obstruct, public inspection is viewed as a matter that should be reviewed by the State Attorney.

This request relates to all constituent elements of your entity to include, but not limited to, any related or affiliated entities or political subdivisions and shall include, but not be limited to, all agents, contractors, consultants, employees, members, officers, directors, committees, divisions, assigns, elected officials and legal representatives thereof. As the person holding the position that you do with your entity, it is reasonable for us to believe that you will be able to assemble any and all documents of all of your entity's consultants, departments, offices, etc., (as stated above) relative to this matter.

This request includes, but is not limited to, any and all communications between your entity and any individual (and between individuals within your entity), corporation, partnership, association, joint venture, proprietorship, firm, governmental body, governmental subdivision or other legal entity along with its

respective parents, subsidiaries affiliates, divisions, members, representatives, committees, partners, officers, directors, agents, employees, servants, consultants, advisors, independent contractors, and any and all other person or entity related to them or acting on their behalf.

I hereby demand that the below-described records be made available for our inspection and duplication. We also believe that reasonable time for all of the documents to be provided is by Noon on Monday December 26, 2011, as all records should be readily available for inspection.. Accordingly, please arrange for all of the subject documents to be available within that time period in order that we may accomplish our inspection that day. This request includes the name and telephone number of the person making this request on behalf of the requestor. Please contact that person (me) as needed. I remind you that State law provides numerous legal remedies, including, but not limited to, the award of attorney fees, should your entity not comport its actions with the requirements of State law and provides the opportunity to mediate disputes before the Florida Department of Legal Affairs. Also, other penalties are available under controlling Florida law.

If you or any other employee of your entity or officer contend that you or your entity has custody of a public record which is exempt from inspection and examination, please state which exemption(s) (by standard citation) you or the other individual contend are applicable to such public records and the reasons for the conclusion and your concurrence in the conclusion that such public record is exempt. A request for access to a public record must be granted unless the record is specifically exempted by statute. An agency that claims the benefit of an exemption bears the burden of proving its right to the exemption. If you contend that the records covered by this request or any part of these records is exempt from inspection and examination, you are required by Section 119.07(2)(a), Florida Statutes, to "state the basis the exemption which [you] contend is applicable to the record, including the statutory citation to an exemption created or afforded by statute." If you decline to grant this request in whole or in part on reliance on a statutory exemption, I hereby request that you "state in writing and with particularity the reasons for the conclusion that the record is exempt" as required by Section 119.07(2)(a), Florida Statutes. Any such statement must be sufficient to carry your burden of justifying the claim of exemption.

This is a continuing request and we believe that this is reasonable and prudent based upon the rationale and timing of and for our request as set forth below. Your prompt attention is appreciated.

The Florida Supreme Court has stated that the only delay in producing records permitted under the public records law "is the limited reasonable time allowed the custodian to retrieve the record and delete those portions of the record the custodian asserts are exempt." *Tribune Company v. Cannella*, 458 So. 2d 1075, 1078 (Fla. 1984), appeal dismissed sub nom, *DePerte v. Tribune Company*, 105 S. Ct. 2315 (1985).

Also, I call your attention to the following provisions of Section 119.07(1), Florida Statutes:

(h) Even if an assertion is made by the custodian of public records that a requested record is not a public record subject to public inspection or copying under this subsection, the requested record shall, nevertheless, not be disposed of for a period of 30 days after the date on which a written request to inspect or copy the record was served on or otherwise made to the custodian of public records by the person seeking access to the record. If a civil action is instituted within the 30-day period to enforce the provisions of this section with respect to the requested record, the custodian of public records may not dispose of the record except by order of a court of competent jurisdiction after notice to all affected

parties.

(i) The absence of a civil action instituted for the purpose stated in paragraph (g) does not relieve the custodian of public records of the duty to maintain the record as a public record if the record is in fact a public record subject to public inspection and copying under this subsection and does not otherwise excuse or exonerate the custodian of public records from any unauthorized or unlawful disposition of such record.

Thank you very much for your courtesies, cooperation and attention to this matter.

I hope that all is well with you.

FOOTNOTE FOLLOWS:

1 "Document" or "Record" shall include, but not limited to, the original, all copies of whatever type, all non-identical copies and all drafts (such as "mark ups" or annotated drafts) of any contracts, agreements, writings, letters, papers, memoranda, notes, correspondence, reports or records of conferences or other meetings, staff reports, legal opinions or recommendations, analyses, listings, reports or recordings of telephone or other conversations, journals, desk calendars, appointment books, diaries, lists, reports, studies, surveys, communications, computer files, e-mails, accounting records, facsimiles, photographs, movie files, audio and video tapes, agreements, budgets, contracts, subcontracts, bids, quotes, proposals, estimates, change orders, material and labor records, payroll records, evaluations, estimates, opinions, analyses, summaries, opinions, instructions, schedules, work papers, invoices, books, pamphlets, brochures, advertisements, telegrams, telexes, cables, financial records, statistical records, tabulations, computer printouts, data sheets, data processing codes, forms, charts, drawings, slides, films, microfilm, microfiche and all other things including verbal, numerical, or pictorial records, whether printed, typed, handwritten, drawn, recorded on film or tape or within any data processing system, or recorded or retained by any other means on paper or electronic, as well as any other thing in which information is recorded in writing, sound, picture or other means irrespective of form.

"Document" or "Record" also includes, but is not limited to, the file within which any item constituting a "document," as defined above, is found and also the folder, jacket or other contained in which the file was kept or stored.

The terms "Document" or "Record" are used herein in their broadest and most liberal sense and means all written, typed, printed, recorded or graphic materials, however produced, including all electronic files and/or documents, of any and every kind or description and whether an original, master, duplicate or copy, however different in any way from the original whether by interlineations, receipt stamp, notation, indication of copy center received or otherwise, communications, computer files, e-mails, accounting records, facsimiles, photographs, movie files, audio and video tapes, agreements, budgets, contracts, subcontracts, bids, quotes, proposals, estimates, change orders, material and labor records, payroll records, evaluations, estimates, opinions, studies, analyses, summaries.

Public records also means, but is not limited to, all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other materials, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business.

~~5~~ p  
4 page 4

This request is intended to require production of all documents and, if originals are not available, copies are to be provided. Also, all copies or originals and copies of copies are requested for review.

"Relating to," "relate to," or "related to" means, but is not limited to, containing, containing references to, describing, explaining, including, but not limited to, modifying, supplementing, clarifying, evidencing, appertaining, affecting, embodying, substantiating, contradicting and/or referring to.

"Person" shall include, but not be limited to, natural persons, proprietorships, corporations, agencies, partnerships, groups, associations or organizations or any other form or entity.

"You" or "your" shall mean, but not be limited to, the entity and its employees, representatives and, unless privileged, its attorney.

I hope that all is well with you.

Thank you for your attention to this matter.

Please call me ANYTIME at the office • (407-322-2171) or at my cell phone • (386-748-3685). I answer my cell phone 24 hours a day. If long distance, the office's toll free number is •800-247-5225. My e-mail address is •lgroot@stenstrom.com<mailto:lgroot@stenstrom.com>

I look forward to seeing you.

[cid:image005.png@01CCBB00.214B5140]Lonnie Groot, Board Certified City, County & Local Government Law (Bio<<http://www.stenstrom.com/Bio/LonnieGroot.asp>>)

STENSTROM, MCINTOSH, COLBERT, WHIGHAM & PARTLOW, P.A.  
1001 Heathrow Park Lane  
Suite 4001  
Lake Mary, Florida 32746  
Website: [www.stenstrom.com](http://www.stenstrom.com)<<http://www.stenstrom.com/>>

"The highest compliment we can receive is the referral of your friends, family and business associates. Thank you for your trust."

Abraham Lincoln once said "a lawyer's time and advice are his stock and trade." We appreciate your business.

Electronic Signature Disclaimer. The information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is indicated in this message.

If you have an urgent communication or if you have not heard from me in response to your e-mail, please telephone me. PLEASE DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED. If I have not responded to your e-mail in a relatively short period, that would not be characteristic of my practice. Public officials should ensure that they copy other public officials with e-mails ONLY WHEN APPROPRIATE.

**CONFIDENTIALITY NOTICE:**

Confidential Attorney Client Communication/Attorney Work Product. This e-mail together with any attachments is confidential, intended for only the recipient(s) named above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have

4 page 5

received this e-mail in error, or are not the named recipient(s), you are hereby notified that any use, dissemination, distribution or copying of this e-mail or any attachments is strictly prohibited. Please immediately notify the sender at [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com) and delete this e-mail and any attachments from your computer. You should not retain, copy or use this e-mail or any attachments for any purpose, or disclose all or any part of the contents to any person.

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image003.jpg@01CCBB00.2135CD70]

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image004.jpg@01CCBB00.2135CD70]

<[http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DsIkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=\\_\\_X62zyP3h3kzfjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ](http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DsIkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=__X62zyP3h3kzfjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ)>

P THERE IS NO PLANET B. PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS MESSAGE. 0

P Go Green!

TAX NOTICE: No tax advice was intended to be given in this communication and any and all taxpayers should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

From: Lonnie Groot

Sent: Thursday, December 15, 2011 12:29 PM

To: 'ESuchsland@co.volusia.fl.us'

Subject: FW: ADA Policies

Beth:

Thanks for the call this morning.

I look forward to reviewing the document(s).

Thanks again.

Lonnie Groot

From: Lonnie Groot

Sent: Thursday, December 15, 2011 8:04 AM

To: 'ESuchsland@co.volusia.fl.us'

Subject: ADA Policies

THIS TRANSMISSION MAY BE ATTORNEY CLIENT PRIVILEGED

Elizabeth:

I hope that all is well with you.

I would appreciate your e-mailing to me a copy of the VOTRAN ADA policies and ADA compliance plan(s).

Thank you for your attention to this matter.

Please call me ANYTIME at the office • (407-322-2171) or at my cell phone • (386-748-3685). I answer my cell phone 24 hours a day. If long distance, the office's toll free number is •800-247-5225. My e-mail address is [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com) and [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com)

I look forward to seeing you.

[cid:image005.png@01CCBB00.214B5140]Lonnie Groot, Board Certified City, County & Local

15

4 page 6

Government Law (Bio<<http://www.stenstrom.com/Bio/LonnieGroot.asp>>)

STENSTROM, MCINTOSH, COLBERT, WHIGHAM & PARTLOW, P.A.

1001 Heathrow Park Lane

Suite 4001

Lake Mary, Florida 32746

Website: [www.stenstrom.com](http://www.stenstrom.com)<<http://www.stenstrom.com/>>

"The highest compliment we can receive is the referral of your friends, family and business associates. Thank you for your trust."

Abraham Lincoln once said "a lawyer's time and advice are his stock and trade." We appreciate your business.

Electronic Signature Disclaimer. The information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is indicated in this message.

If you have an urgent communication or if you have not heard from me in response to your e-mail, please telephone me. PLEASE DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED. If I have not responded to your e-mail in a relatively short period, that would not be characteristic of my practice. Public officials should ensure that they copy other public officials with e-mails ONLY WHEN APPROPRIATE.

**CONFIDENTIALITY NOTICE:**

Confidential Attorney Client Communication/Attorney Work Product. This e-mail together with any attachments is confidential, intended for only the recipient(s) named above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this e-mail in error, or are not the named recipient(s), you are hereby notified that any use, dissemination, distribution or copying of this e-mail or any attachments is strictly prohibited. Please immediately notify the sender at [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com)<<mailto:lgroot@stenstrom.com>> and delete this e-mail and any attachments from your computer. You should not retain, copy or use this e-mail or any attachments for any purpose, or disclose all or any part of the contents to any person.

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image003.jpg@01CCBB00.2135CD70]

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image004.jpg@01CCBB00.2135CD70]

<[http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=\\_\\_X62zyP3h3kzfjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ](http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=__X62zyP3h3kzfjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ)>

P THERE IS NO PLANET B. PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS MESSAGE. ü

P Go Green!

TAX NOTICE: No tax advice was intended to be given in this communication and any and all taxpayers should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.



5 page 1

**From:** Lonnie Groot <lgroot@stenstrom.com>  
**To:** "ESuchsland@co.volusia.fl.us" <'ESuchsland@co.volusia.fl.us'>  
**Date:** 12/23/2011 8:44 AM  
**Subject:** FW: ADA Policies; Public Records Request

Beth:

When might I anticipate a reply?

Thanks.

Lonnie Groot

**From:** Lonnie Groot  
**Sent:** Wednesday, December 21, 2011 7:15 AM  
**To:** 'ESuchsland@co.volusia.fl.us'  
**Subject:** ADA Policies; Public Records Request

**From:** Lonnie Groot  
**Sent:** Tuesday, December 20, 2011 7:23 AM  
**To:** 'ESuchsland@co.volusia.fl.us'  
**Subject:** FW: ADA Policies; Public Records Request

**From:** Lonnie Groot  
**Sent:** Friday, December 16, 2011 4:26 PM  
**To:** 'ESuchsland@co.volusia.fl.us'  
**Subject:** ADA Policies; Public Records Request

**THIS TRANSMISSION MAY BE ATTORNEY CLIENT PRIVILEGED**

Dear Beth:

The following public records are requested for the purpose of reviewing and obtaining copies as may be desired:

- (1). VOTRAN's Americans With Disabilities Act self audit or professional audit as to compliance with the Americans With Disabilities Act.
- (2). VOTRAN's Americans With Disabilities Act compliance plan.
- (3). VOTRAN's Americans with Disabilities Act, Title II, required Self-Evaluation and Transition Plan.
- (4). VOTRAN's Americans with Disabilities Act relative to bus benches.

This request is made pursuant to Chapter 119, Florida Statutes, the Public Records Law of the State of Florida, and the provisions of the Constitution of the State of Florida as set forth in Article I, Section 24 of the Declaration of Rights.

I respectfully request that you provide the above-referenced public records<sup>1</sup> (please read the footnote and matters addressed below to understand the comprehensive and plenary nature of this public records request).

This request relates to any and all forms of communications which you may use as it is believed that all such communications are discoverable public records). To that end, any effort to delete, withhold, decline, or otherwise obstruct, public inspection is viewed as a matter that should be reviewed by the State Attorney.

This request relates to all constituent elements of your entity to include, but not limited to, any related or affiliated entities or political subdivisions and shall include, but not be limited to, all agents, contractors, consultants, employees, members, officers, directors, committees, divisions, assigns, elected officials and legal representatives thereof. As the person holding the position that you do with your entity, it is reasonable for us to believe that you will be able to assemble any and all documents of all of your entity's consultants, departments, offices, etc., (as stated above) relative to this matter.

This request includes, but is not limited to, any and all communications between your entity and any individual (and between individuals within your entity), corporation, partnership, association, joint venture, proprietorship, firm, governmental body, governmental subdivision or other legal entity along with its respective parents, subsidiaries affiliates, divisions, members, representatives, committees, partners, officers, directors, agents, employees, servants, consultants, advisors, independent contractors, and any and all other person or entity related to them or acting on their behalf.

I hereby demand that the below-described records be made available for our inspection and duplication. We also believe that reasonable time for all of the documents to be provided is by Noon on Monday December 26, 2011, as all records should be readily available for inspection.. Accordingly, please arrange for all of the subject documents to be available within that time period in order that we may accomplish our inspection that day. This request includes the name and telephone number of the person making this request on behalf of the requestor. Please contact that person (me) as needed. I remind you that State law provides numerous legal remedies, including, but not limited to, the award of attorney fees, should your entity not comport its actions with the requirements of State law and provides the opportunity to mediate disputes before the Florida Department of Legal Affairs. Also, other penalties are available under controlling Florida law.

If you or any other employee of your entity or officer contend that you or your entity has custody of a public record which is exempt from inspection and examination, please state which exemption(s) (by standard citation) you or the other individual contend are applicable to such public records and the reasons for the conclusion and your concurrence in the conclusion that such public record is exempt. A request for access to a public record must be granted unless the record is specifically exempted by statute. An agency that claims the benefit of an exemption bears the burden of proving its right to the exemption. If you contend that the records covered by this request or any part of these records is exempt from inspection and examination, you are required by Section 119.07(2)(a), Florida Statutes, to "state the basis the exemption which [you] contend is applicable to the record, including the statutory citation to an exemption created or afforded by statute." If you decline to grant this request in whole or in part on reliance on a statutory exemption, I hereby request that you "state in writing and with particularity the reasons for the conclusion that the record is exempt" as required by Section 119.07(2)(a), Florida Statutes. Any such statement must be sufficient to carry your burden of justifying the claim of exemption.

This is a continuing request and we believe that this is reasonable and prudent based upon the rationale

and timing of and for our request as set forth below. Your prompt attention is appreciated.

The Florida Supreme Court has stated that the only delay in producing records permitted under the public records law "is the limited reasonable time allowed the custodian to retrieve the record and delete those portions of the record the custodian asserts are exempt." *Tribune Company v. Cannella*, 458 So. 2d 1075, 1078 (Fla. 1984), appeal dismissed sub nom, *DePerte v. Tribune Company*, 105 S. Ct. 2315 (1985).

Also, I call your attention to the following provisions of Section 119.07(1), Florida Statutes:

(h) Even if an assertion is made by the custodian of public records that a requested record is not a public record subject to public inspection or copying under this subsection, the requested record shall, nevertheless, not be disposed of for a period of 30 days after the date on which a written request to inspect or copy the record was served on or otherwise made to the custodian of public records by the person seeking access to the record. If a civil action is instituted within the 30-day period to enforce the provisions of this section with respect to the requested record, the custodian of public records may not dispose of the record except by order of a court of competent jurisdiction after notice to all affected parties.

(i) The absence of a civil action instituted for the purpose stated in paragraph (g) does not relieve the custodian of public records of the duty to maintain the record as a public record if the record is in fact a public record subject to public inspection and copying under this subsection and does not otherwise excuse or exonerate the custodian of public records from any unauthorized or unlawful disposition of such record.

Thank you very much for your courtesies, cooperation and attention to this matter.

I hope that all is well with you.

FOOTNOTE FOLLOWS:

1 "Document or "Record" shall include, but not limited to, the original, all copies of whatever type, all non-identical copies and all drafts (such as "mark ups" or annotated drafts) of any contracts, agreements, writings, letters, papers, memoranda, notes, correspondence, reports or records of conferences or other meetings, staff reports, legal opinions or recommendations, analyses, listings, reports or recordings of telephone or other conversations, journals, desk calendars, appointment books, diaries, lists, reports, studies, surveys, communications, computer files, e-mails, accounting records, facsimiles, photographs, movie files, audio and video tapes, agreements, budgets, contracts, subcontracts, bids, quotes, proposals, estimates, change orders, material and labor records, payroll records, evaluations, estimates, opinions, analyses, summaries, opinions, instructions, schedules, work papers, invoices, books, pamphlets, brochures, advertisements, telegrams, telexes, cables, financial records, statistical records, tabulations, computer printouts, data sheets, data processing codes, forms, charts, drawings, slides, films, microfilm, microfiche and all other things including verbal, numerical, or pictorial records, whether printed, typed, handwritten, drawn, recorded on film or tape or within any data processing system, or recorded or retained by any other means on paper or electronic, as well as any other thing in which information is recorded in writing, sound, picture or other means irrespective of form.

"Document" or "Record" also includes, but is not limited to, the file within which any item constituting a "document," as defined above, is found and also the folder, jacket or other contained in which the file was kept or stored.

The terms "Document" or "Record" are used herein in their broadest and most liberal sense and means all written, typed, printed, recorded or graphic materials, however produced, including all electronic files and/or documents, of any and every kind or description and whether an original, master, duplicate or copy, however different in any way from the original whether by interlineations, receipt stamp, notation, indication of copy center received or otherwise, communications, computer files, e-mails, accounting records, facsimiles, photographs, movie files, audio and video tapes, agreements, budgets, contracts, subcontracts, bids, quotes, proposals, estimates, change orders, material and labor records, payroll records, evaluations, estimates, opinions, studies, analyses, summaries.

Public records also means, but is not limited to, all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other materials, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business. This request is intended to require production of all documents and, if originals are not available, copies are to be provided. Also, all copies or originals and copies of copies are requested for review.

"Relating to," "relate to," or "related to" means, but is not limited to, containing, containing references to, describing, explaining, including, but not limited to, modifying, supplementing, clarifying, evidencing, appertaining, affecting, embodying, substantiating, contradicting and/or referring to.

"Person" shall include, but not be limited to, natural persons, proprietorships, corporations, agencies, partnerships, groups, associations or organizations or any other form or entity.

"You" or "your" shall mean, but not be limited to, the entity and its employees, representatives and, unless privileged, its attorney.

I hope that all is well with you.

Thank you for your attention to this matter.

Please call me ANYTIME at the office • (407-322-2171) or at my cell phone • (386-748-3685). I answer my cell phone 24 hours a day. If long distance, the office's toll free number is •800-247-5225. My e-mail address is •lgroot@stenstrom.com<mailto:lgroot@stenstrom.com>

I look forward to seeing you.

[cid:image005.png@01CCBB00.214B5140]Lonnie Groot, Board Certified City, County & Local Government Law (Bio<<http://www.stenstrom.com/Bio/LonnieGroot.asp>>)

STENSTROM, MCINTOSH, COLBERT, WHIGHAM & PARTLOW, P.A.  
1001 Heathrow Park Lane  
Suite 4001  
Lake Mary, Florida 32746

Website: [www.stenstrom.com](http://www.stenstrom.com)<<http://www.stenstrom.com>>

"The highest compliment we can receive is the referral of your friends, family and business associates. Thank you for your trust."

Abraham Lincoln once said "a lawyer's time and advice are his stock and trade." We appreciate your business.

Electronic Signature Disclaimer. The information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is indicated in this message.

If you have an urgent communication or if you have not heard from me in response to your e-mail, please telephone me. PLEASE DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED. If I have not responded to your e-mail in a relatively short period, that would not be characteristic of my practice. Public officials should ensure that they copy other public officials with e-mails ONLY WHEN APPROPRIATE.

**CONFIDENTIALITY NOTICE:**

Confidential Attorney Client Communication/Attorney Work Product. This e-mail together with any attachments is confidential, intended for only the recipient(s) named above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this e-mail in error, or are not the named recipient(s), you are hereby notified that any use, dissemination, distribution or copying of this e-mail or any attachments is strictly prohibited. Please immediately notify the sender at [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com)<<mailto:lgroot@stenstrom.com>> and delete this e-mail and any attachments from your computer. You should not retain, copy or use this e-mail or any attachments for any purpose, or disclose all or any part of the contents to any person.

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image003.jpg@01CCBB00.2135CD70]

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image004.jpg@01CCBB00.2135CD70]

<[http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=\\_\\_X62zyP3h3kzfJR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ](http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=__X62zyP3h3kzfJR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ)>

P THERE IS NO PLANET B. PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS MESSAGE. ü

P Go Green!

TAX NOTICE: No tax advice was intended to be given in this communication and any and all taxpayers should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

From: Lonnie Groot  
Sent: Thursday, December 15, 2011 12:29 PM  
To: 'ESuchsland@co.volusia.fl.us'  
Subject: FW: ADA Policies

Beth:

Thanks for the call this morning.

I look forward to reviewing the document(s).

Thanks again.

Lonnie Groot

From: Lonnie Groot  
Sent: Thursday, December 15, 2011 8:04 AM  
To: 'ESuchsland@co.volusia.fl.us'

~~to pa~~  
Page 6

Subject: ADA Policies

THIS TRANSMISSION MAY BE ATTORNEY CLIENT PRIVILEGED

Elizabeth:

I hope that all is well with you.

I would appreciate your e-mailing to me a copy of the VOTRAN ADA policies and ADA compliance plan(s).

Thank you for your attention to this matter.

Please call me ANYTIME at the office • (407-322-2171) or at my cell phone • (386-748-3685). I answer my cell phone 24 hours a day. If long distance, the office's toll free number is •800-247-5225. My e-mail address is [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com)<<mailto:lgroot@stenstrom.com>>

I look forward to seeing you.

[cid:image005.png@01CCBB00.214B5140]Lonnie Groot, Board Certified City, County & Local Government Law (Bio<<http://www.stenstrom.com/Bio/LonnieGroot.asp>>)

STENSTROM, MCINTOSH, COLBERT, WHIGHAM & PARTLOW, P.A.  
1001 Heathrow Park Lane  
Suite 4001  
Lake Mary, Florida 32746  
Website: [www.stenstrom.com](http://www.stenstrom.com)<<http://www.stenstrom.com/>>

"The highest compliment we can receive is the referral of your friends, family and business associates. Thank you for your trust."

Abraham Lincoln once said "a lawyer's time and advice are his stock and trade." We appreciate your business.

Electronic Signature Disclaimer. The information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is indicated in this message.

If you have an urgent communication or if you have not heard from me in response to your e-mail, please telephone me. PLEASE DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED. If I have not responded to your e-mail in a relatively short period, that would not be characteristic of my practice.

Public officials should ensure that they copy other public officials with e-mails ONLY WHEN APPROPRIATE.

**CONFIDENTIALITY NOTICE:**

Confidential Attorney Client Communication/Attorney Work Product. This e-mail together with any attachments is confidential, intended for only the recipient(s) named above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this e-mail in error, or are not the named recipient(s), you are hereby notified that any use, dissemination, distribution or copying of this e-mail or any attachments is strictly prohibited. Please immediately notify the sender at [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com)<<mailto:lgroot@stenstrom.com>> and delete this e-mail and any attachments from your computer. You should not retain, copy or use this e-mail or any attachments for any purpose, or disclose all or any part of the contents to any person.

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image003.jpg@01CCBB00.2135CD70]

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image004.jpg@01CCBB00.2135CD70]

<<http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DskUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbnid%3Disch%26tbo%3Du&zoo>>

m=1&q=seminole+logo&usg=\_\_X62zyP3h3kzfjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ>

P THERE IS NO PLANET B. PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS MESSAGE. ü

P Go Green!

TAX NOTICE: No tax advice was intended to be given in this communication and any and all taxpayers should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

6 page 1

**From:** Lonnie Groot <lgroot@stenstrom.com>  
**To:** "ESuchsland@co.volusia.fl.us" <ESuchsland@co.volusia.fl.us>  
**Date:** 12/23/2011 9:33 AM  
**Subject:** ADA  
**Attachments:** BusStopGuidelines\_10-04-06.pdf

w/o attachment



7 page 1

**From:** Elizabeth Suchsland  
**To:** 'ESuchsland@co.volusia.fl.us'; Groot, Lonnie  
**Date:** 12/23/2011 1:44 PM  
**Subject:** Re: FW: ADA Policies; Public Records Request

Merry Christmas Mr. Groot,

We are working on a response and should have it to you by next Friday, December 30, 2011.

Wishing you and your loved ones a very Merry Christmas, and a very Happy New Year.

Elizabeth

Elizabeth Suchsland  
Assistant General Manager of Operations and Maintenance  
VOTRAN  
950 Big Tree Road  
South Daytona, FL 32119  
Telephone: 386-763-3727  
Fax: 386-756-7487  
Cell - 386-216-6983

**CONFIDENTIALITY NOTICE:** This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to which they are addressed. This communication may also contain material protected and governed by the Health Insurance and Portability and Accountability Act (HIPAA). If you are not the intended recipient of this e-mail and the information it contains or if you are not the employee or agent responsible for delivering this e-mail and the information it contains to the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please contact the sender of this message.

>>> Lonnie Groot <[lgroot@stenstrom.com](mailto:lgroot@stenstrom.com)> 12/23/2011 8:44 AM >>>  
Beth:

When might I anticipate a reply?

Thanks.

Lonnie Groot

**From:** Lonnie Groot  
**Sent:** Wednesday, December 21, 2011 7:15 AM  
**To:** 'ESuchsland@co.volusia.fl.us'  
**Subject:** ADA Policies; Public Records Request

**From:** Lonnie Groot  
**Sent:** Tuesday, December 20, 2011 7:23 AM  
**To:** 'ESuchsland@co.volusia.fl.us'  
**Subject:** FW: ADA Policies; Public Records Request

25

From: Lonnie Groot  
Sent: Friday, December 16, 2011 4:26 PM  
To: 'ESuchsland@co.volusia.fl.us'  
Subject: ADA Policies; Public Records Request

THIS TRANSMISSION MAY BE ATTORNEY CLIENT PRIVILEGED

Dear Beth:

The following public records are requested for the purpose of reviewing and obtaining copies as may be desired:

- (1). VOTRAN's Americans With Disabilities Act self audit or professional audit as to compliance with the Americans With Disabilities Act.
- (2). VOTRAN's Americans With Disabilities Act compliance plan.
- (3). VOTRAN's Americans with Disabilities Act, Title II, required Self-Evaluation and Transition Plan.
- (4). VOTRAN's Americans with Disabilities Act relative to bus benches.

This request is made pursuant to Chapter 119, Florida Statutes, the Public Records Law of the State of Florida, and the provisions of the Constitution of the State of Florida as set forth in Article I, Section 24 of the Declaration of Rights.

I respectfully request that you provide the above-referenced public records<sup>1</sup> (please read the footnote and matters addressed below to understand the comprehensive and plenary nature of this public records request).

This request relates to any and all forms of communications which you may use as it is believed that all such communications are discoverable public records). To that end, any effort to delete, withhold, decline, or otherwise obstruct, public inspection is viewed as a matter that should be reviewed by the State Attorney.

This request relates to all constituent elements of your entity to include, but not limited to, any related or affiliated entities or political subdivisions and shall include, but not be limited to, all agents, contractors, consultants, employees, members, officers, directors, committees, divisions, assigns, elected officials and legal representatives thereof. As the person holding the position that you do with your entity, it is reasonable for us to believe that you will be able to assemble any and all documents of all of your entity's consultants, departments, offices, etc., (as stated above) relative to this matter.

This request includes, but is not limited to, any and all communications between your entity and any individual (and between individuals within your entity), corporation, partnership, association, joint venture, proprietorship, firm, governmental body, governmental subdivision or other legal entity along with its respective parents, subsidiaries affiliates, divisions, members, representatives, committees, partners, officers, directors, agents, employees, servants, consultants, advisors, independent contractors, and any and all other person or entity related to them or acting on their behalf.

I hereby demand that the below-described records be made available for our inspection and duplication. We also believe that reasonable time for all of the documents to be provided is by Noon on Monday December 26, 2011, as all records should be readily available for inspection.. Accordingly, please arrange for all of the subject documents to be available within that time period in order that we may accomplish our inspection that day. This request includes the name and telephone number of the person making this request on behalf of the requestor. Please contact that person (me) as needed. I remind you that State law provides numerous legal remedies, including, but not limited to, the award of attorney fees, should your entity not comport its actions with the requirements of State law and provides the opportunity to mediate disputes before the Florida Department of Legal Affairs. Also, other penalties are available under controlling Florida law.

If you or any other employee of your entity or officer contend that you or your entity has custody of a public record which is exempt from inspection and examination, please state which exemption(s) (by standard citation) you or the other individual contend are applicable to such public records and the reasons for the conclusion and your concurrence in the conclusion that such public record is exempt. A request for access to a public record must be granted unless the record is specifically exempted by statute. An agency that claims the benefit of an exemption bears the burden of proving its right to the exemption. If you contend that the records covered by this request or any part of these records is exempt from inspection and examination, you are required by Section 119.07(2)(a), Florida Statutes, to "state the basis the exemption which [you] contend is applicable to the record, including the statutory citation to an exemption created or afforded by statute." If you decline to grant this request in whole or in part on reliance on a statutory exemption, I hereby request that you "state in writing and with particularity the reasons for the conclusion that the record is exempt" as required by Section 119.07(2)(a), Florida Statutes. Any such statement must be sufficient to carry your burden of justifying the claim of exemption.

This is a continuing request and we believe that this is reasonable and prudent based upon the rationale and timing of and for our request as set forth below. Your prompt attention is appreciated.

The Florida Supreme Court has stated that the only delay in producing records permitted under the public records law "is the limited reasonable time allowed the custodian to retrieve the record and delete those portions of the record the custodian asserts are exempt." *Tribune Company v. Cannella*, 458 So. 2d 1075, 1078 (Fla. 1984), appeal dismissed sub nom, *DePerte v. Tribune Company*, 105 S. Ct. 2315 (1985).

Also, I call your attention to the following provisions of Section 119.07(1), Florida Statutes:

- (h) Even if an assertion is made by the custodian of public records that a requested record is not a public record subject to public inspection or copying under this subsection, the requested record shall, nevertheless, not be disposed of for a period of 30 days after the date on which a written request to inspect or copy the record was served on or otherwise made to the custodian of public records by the person seeking access to the record. If a civil action is instituted within the 30-day period to enforce the provisions of this section with respect to the requested record, the custodian of public records may not dispose of the record except by order of a court of competent jurisdiction after notice to all affected parties.
- (i) The absence of a civil action instituted for the purpose stated in paragraph (g) does not relieve the custodian of public records of the duty to maintain the record as a public record if the record is in fact a public record subject to public inspection and copying under this subsection and does not otherwise excuse or exonerate the custodian of public records from any unauthorized or unlawful disposition of such

record.

Thank you very much for your courtesies, cooperation and attention to this matter.

I hope that all is well with you.

**FOOTNOTE FOLLOWS:**

1 "Document or "Record" shall include, but not limited to, the original, all copies of whatever type, all non-identical copies and all drafts (such as "mark ups" or annotated drafts) of any contracts, agreements, writings, letters, papers, memoranda, notes, correspondence, reports or records of conferences or other meetings, staff reports, legal opinions or recommendations, analyses, listings, reports or recordings of telephone or other conversations, journals, desk calendars, appointment books, diaries, lists, reports, studies, surveys, communications, computer files, e-mails, accounting records, facsimiles, photographs, movie files, audio and video tapes, agreements, budgets, contracts, subcontracts, bids, quotes, proposals, estimates, change orders, material and labor records, payroll records, evaluations, estimates, opinions, analyses, summaries, opinions, instructions, schedules, work papers, invoices, books, pamphlets, brochures, advertisements, telegrams, telexes, cables, financial records, statistical records, tabulations, computer printouts, data sheets, data processing codes, forms, charts, drawings, slides, films, microfilm, microfiche and all other things including verbal, numerical, or pictorial records, whether printed, typed, handwritten, drawn, recorded on film or tape or within any data processing system, or recorded or retained by any other means on paper or electronic, as well as any other thing in which information is recorded in writing, sound, picture or other means irrespective of form.

"Document" or "Record" also includes, but is not limited to, the file within which any item constituting a "document," as defined above, is found and also the folder, jacket or other contained in which the file was kept or stored.

The terms "Document" or "Record" are used herein in their broadest and most liberal sense and means all written, typed, printed, recorded or graphic materials, however produced, including all electronic files and/or documents, of any and every kind or description and whether an original, master, duplicate or copy, however different in any way from the original whether by interlineations, receipt stamp, notation, indication of copy center received or otherwise, communications, computer files, e-mails, accounting records, facsimiles, photographs, movie files, audio and video tapes, agreements, budgets, contracts, subcontracts, bids, quotes, proposals, estimates, change orders, material and labor records, payroll records, evaluations, estimates, opinions, studies, analyses, summaries.

Public records also means, but is not limited to, all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other materials, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business. This request is intended to require production of all documents and, if originals are not available, copies are to be provided. Also, all copies or originals and copies of copies are requested for review.

7 page 5

"Relating to," "relate to," or "related to" means, but is not limited to, containing, containing references to, describing, explaining, including, but not limited to, modifying, supplementing, clarifying, evidencing, appertaining, affecting, embodying, substantiating, contradicting and/or referring to.

"Person" shall include, but not be limited to, natural persons, proprietorships, corporations, agencies, partnerships, groups, associations or organizations or any other form or entity.

"You" or "your" shall mean, but not be limited to, the entity and its employees, representatives and, unless privileged, its attorney.

I hope that all is well with you.

Thank you for your attention to this matter.

Please call me ANYTIME at the office \* (407-322-2171) or at my cell phone \* (386-748-3685). I answer my cell phone 24 hours a day. If long distance, the office's toll free number is \*800-247-5225. My e-mail address is [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com) <<mailto:lgroot@stenstrom.com>>

I look forward to seeing you.

[cid:image005.png@01CCBB00.214B5140]Lonnie Groot, Board Certified City, County & Local Government Law (Bio<<http://www.stenstrom.com/Bio/LonnieGroot.asp>>)

STENSTROM, MCINTOSH, COLBERT, WHIGHAM & PARTLOW, P.A.  
1001 Heathrow Park Lane  
Suite 4001  
Lake Mary, Florida 32746  
Website: [www.stenstrom.com](http://www.stenstrom.com) <<http://www.stenstrom.com/>>

"The highest compliment we can receive is the referral of your friends, family and business associates. Thank you for your trust."

Abraham Lincoln once said "a lawyer's time and advice are his stock and trade." We appreciate your business.

Electronic Signature Disclaimer. The information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is indicated in this message.

If you have an urgent communication or if you have not heard from me in response to your e-mail, please telephone me. PLEASE DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED. If I have not responded to your e-mail in a relatively short period, that would not be characteristic of my practice. Public officials should ensure that they copy other public officials with e-mails ONLY WHEN APPROPRIATE.

**CONFIDENTIALITY NOTICE:**

Confidential Attorney Client Communication/Attorney Work Product. This e-mail together with any attachments is confidential, intended for only the recipient(s) named above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this e-mail in error, or are not the named recipient(s), you are hereby notified that any use, dissemination, distribution or copying of this e-mail or any attachments is strictly prohibited. Please immediately notify the sender at [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com) <<mailto:lgroot@stenstrom.com>> and delete this e-mail and any attachments from your computer. You should not retain, copy or use this e-mail or any attachments for any purpose, or disclose all or any part of the contents to any person.

7 page 6

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image003.jpg@01CCBB00.2135CD70]  
[cid:image003.jpg@01CCBB00.2135CD70] [cid:image004.jpg@01CCBB00.2135CD70]  
<<http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DsikUPuHx8qX3M-&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usq=X62zyP3h3kzfjR2CDiCgodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ>>

P THERE IS NO PLANET B. PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS MESSAGE. ü

P Go Green!

TAX NOTICE: No tax advice was intended to be given in this communication and any and all taxpayers should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

From: Lonnie Groot  
Sent: Thursday, December 15, 2011 12:29 PM  
To: 'ESuchsland@co.volusia.fl.us'  
Subject: FW: ADA Policies

Beih:

Thanks for the call this morning.

I look forward to reviewing the document(s).

Thanks again.

Lonnie Groot

From: Lonnie Groot  
Sent: Thursday, December 15, 2011 8:04 AM  
To: 'ESuchsland@co.volusia.fl.us'  
Subject: ADA Policies

THIS TRANSMISSION MAY BE ATTORNEY CLIENT PRIVILEGED

Elizabeth:

I hope that all is well with you.

I would appreciate your e-mailing to me a copy of the VOTRAN ADA policies and ADA compliance plan(s).

Thank you for your attention to this matter.

Please call me ANYTIME at the office \* (407-322-2171) or at my cell phone \* (386-748-3685). I answer my cell phone 24 hours a day. If long distance, the office's toll free number is \*800-247-5225. My e-mail address is [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com) <<mailto:lgroot@stenstrom.com>>

I look forward to seeing you.

[cid:image005.png@01CCBB00.214B5140]Lonnie Groot, Board Certified City, County & Local Government Law (Bio<<http://www.stenstrom.com/Bio/LonnieGroot.asp>>)

STENSTROM, MCINTOSH, COLBERT, WHIGHAM & PARTLOW, P.A.  
1001 Heathrow Park Lane  
Suite 4001

page 7

Lake Mary, Florida 32746

Website: [www.stenstrom.com](http://www.stenstrom.com)<<http://www.stenstrom.com/>>

"The highest compliment we can receive is the referral of your friends, family and business associates. Thank you for your trust."

Abraham Lincoln once said "a lawyer's time and advice are his stock and trade." We appreciate your business.

Electronic Signature Disclaimer. The information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is indicated in this message.

If you have an urgent communication or if you have not heard from me in response to your e-mail, please telephone me. PLEASE DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED. If I have not responded to your e-mail in a relatively short period, that would not be characteristic of my practice.

Public officials should ensure that they copy other public officials with e-mails ONLY WHEN APPROPRIATE.

**CONFIDENTIALITY NOTICE:**

Confidential Attorney Client Communication/Attorney Work Product. This e-mail together with any attachments is confidential, intended for only the recipient(s) named above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this e-mail in error, or are not the named recipient(s), you are hereby notified that any use, dissemination, distribution or copying of this e-mail or any attachments is strictly prohibited. Please immediately notify the sender at [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com)<<mailto:lgroot@stenstrom.com>> and delete this e-mail and any attachments from your computer. You should not retain, copy or use this e-mail or any attachments for any purpose, or disclose all or any part of the contents to any person.

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image003.jpg@01CCBB00.2135CD70]

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image004.jpg@01CCBB00.2135CD70]

<<http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DsIkUPuHx8qX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usq=X62zyP3h3kzfiR2CDiCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tqeV1cSHCG&ved=0CBQQ9QEwAQ>>

P THERE IS NO PLANET B. PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS MESSAGE. ü

P Go Green!

TAX NOTICE: No tax advice was intended to be given in this communication and any and all taxpayers should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

8 page 1

**From:** Lonnie Groot <lgroot@stenstrom.com>  
**To:** Elizabeth Suchsland <esuchsland@co.volusia.fl.us>  
**Date:** 12/23/2011 2:18 PM  
**Subject:** RE: FW: ADA Policies; Public Records Request

Beth:

Thanks. I understand that the holidays make responding a bit harder.

You have the merriest of Christmases.

God bless,

Lonnie

-----Original Message-----

**From:** Elizabeth Suchsland [mailto:esuchsland@co.volusia.fl.us]  
**Sent:** Friday, December 23, 2011 1:44 PM  
**To:** 'ESuchsland@co.volusia.fl.us'; Lonnie Groot  
**Subject:** Re: FW: ADA Policies; Public Records Request

Merry Christmas Mr. Groot,

We are working on a response and should have it to you by next Friday, December 30, 2011.

Wishing you and your loved ones a very Merry Christmas, and a very Happy New Year.

Elizabeth

Elizabeth Suchsland  
Assistant General Manager of Operations and Maintenance  
VOTRAN  
950 Big Tree Road  
South Daytona, FL 32119  
Telephone: 386-763-3727  
Fax: 386-756-7487  
Cell - 386-216-6983

**CONFIDENTIALITY NOTICE:** This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to which they are addressed. This communication may also contain material protected and governed by the Health Insurance and Portability and Accountability Act (HIPAA). If you are not the intended recipient of this e-mail and the information it contains or if you are not the employee or agent responsible for delivering this e-mail and the information it contains to the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please contact the sender of this message.

>>> Lonnie Groot <lgroot@stenstrom.com> 12/23/2011 8:44 AM >>>

Beth:

When might I anticipate a reply?



Thanks.

Lonnie Groot

From: Lonnie Groot  
Sent: Wednesday, December 21, 2011 7:15 AM  
To: 'ESuchsland@co.volusia.fl.us'  
Subject: ADA Policies; Public Records Request

From: Lonnie Groot  
Sent: Tuesday, December 20, 2011 7:23 AM  
To: 'ESuchsland@co.volusia.fl.us'  
Subject: FW: ADA Policies; Public Records Request

From: Lonnie Groot  
Sent: Friday, December 16, 2011 4:26 PM  
To: 'ESuchsland@co.volusia.fl.us'  
Subject: ADA Policies; Public Records Request

THIS TRANSMISSION MAY BE ATTORNEY CLIENT PRIVILEGED

Dear Beth:

The following public records are requested for the purpose of reviewing and obtaining copies as may be desired:

- (1). VOTRAN's Americans With Disabilities Act self audit or professional audit as to compliance with the Americans With Disabilities Act.
- (2). VOTRAN's Americans With Disabilities Act compliance plan.
- (3). VOTRAN's Americans with Disabilities Act, Title II, required Self-Evaluation and Transition Plan.
- (4). VOTRAN's Americans with Disabilities Act relative to bus benches.

This request is made pursuant to Chapter 119, Florida Statutes, the Public Records Law of the State of Florida, and the provisions of the Constitution of the State of Florida as set forth in Article I, Section 24 of the Declaration of Rights.

I respectfully request that you provide the above-referenced public records<sup>1</sup> (please read the footnote and matters addressed below to understand the comprehensive and plenary nature of this public records request).

This request relates to any and all forms of communications which you may use as it is believed that all such communications are discoverable public records). To that end, any effort to delete, withhold, decline, or otherwise obstruct, public inspection is viewed as a matter that should be reviewed by the State Attorney.

This request relates to all constituent elements of your entity to include, but not limited to, any related or

affiliated entities or political subdivisions and shall include, but not be limited to, all agents, contractors, consultants, employees, members, officers, directors, committees, divisions, assigns, elected officials and legal representatives thereof. As the person holding the position that you do with your entity, it is reasonable for us to believe that you will be able to assemble any and all documents of all of your entity's consultants, departments, offices, etc., (as stated above) relative to this matter.

This request includes, but is not limited to, any and all communications between your entity and any individual (and between individuals within your entity), corporation, partnership, association, joint venture, proprietorship, firm, governmental body, governmental subdivision or other legal entity along with its respective parents, subsidiaries affiliates, divisions, members, representatives, committees, partners, officers, directors, agents, employees, servants, consultants, advisors, independent contractors, and any and all other person or entity related to them or acting on their behalf.

I hereby demand that the below-described records be made available for our inspection and duplication. We also believe that reasonable time for all of the documents to be provided is by Noon on Monday December 26, 2011, as all records should be readily available for inspection.. Accordingly, please arrange for all of the subject documents to be available within that time period in order that we may accomplish our inspection that day. This request includes the name and telephone number of the person making this request on behalf of the requestor. Please contact that person (me) as needed. I remind you that State law provides numerous legal remedies, including, but not limited to, the award of attorney fees, should your entity not comport its actions with the requirements of State law and provides the opportunity to mediate disputes before the Florida Department of Legal Affairs. Also, other penalties are available under controlling Florida law.

If you or any other employee of your entity or officer contend that you or your entity has custody of a public record which is exempt from inspection and examination, please state which exemption(s) (by standard citation) you or the other individual contend are applicable to such public records and the reasons for the conclusion and your concurrence in the conclusion that such public record is exempt. A request for access to a public record must be granted unless the record is specifically exempted by statute. An agency that claims the benefit of an exemption bears the burden of proving its right to the exemption. If you contend that the records covered by this request or any part of these records is exempt from inspection and examination, you are required by Section 119.07(2)(a), Florida Statutes, to "state the basis the exemption which [you] contend is applicable to the record, including the statutory citation to an exemption created or afforded by statute." If you decline to grant this request in whole or in part on reliance on a statutory exemption, I hereby request that you "state in writing and with particularity the reasons for the conclusion that the record is exempt" as required by Section 119.07(2)(a), Florida Statutes. Any such statement must be sufficient to carry your burden of justifying the claim of exemption.

This is a continuing request and we believe that this is reasonable and prudent based upon the rationale and timing of and for our request as set forth below. Your prompt attention is appreciated.

The Florida Supreme Court has stated that the only delay in producing records permitted under the public records law "is the limited reasonable time allowed the custodian to retrieve the record and delete those portions of the record the custodian asserts are exempt." *Tribune Company v. Cannella*, 458 So. 2d 1075, 1078 (Fla. 1984), appeal dismissed sub nom, *DePerte v. Tribune Company*, 105 S. Ct. 2315 (1985).

Also, I call your attention to the following provisions of Section 119.07(1), Florida Statutes:

(h) Even if an assertion is made by the custodian of public records that a requested record is not a public record subject to public inspection or copying under this subsection, the requested record shall, nevertheless, not be disposed of for a period of 30 days after the date on which a written request to inspect or copy the record was served on or otherwise made to the custodian of public records by the person seeking access to the record. If a civil action is instituted within the 30-day period to enforce the provisions of this section with respect to the requested record, the custodian of public records may not dispose of the record except by order of a court of competent jurisdiction after notice to all affected parties.

(i) The absence of a civil action instituted for the purpose stated in paragraph (g) does not relieve the custodian of public records of the duty to maintain the record as a public record if the record is in fact a public record subject to public inspection and copying under this subsection and does not otherwise excuse or exonerate the custodian of public records from any unauthorized or unlawful disposition of such record.

Thank you very much for your courtesies, cooperation and attention to this matter.

I hope that all is well with you.

FOOTNOTE FOLLOWS:

1 "Document or "Record" shall include, but not limited to, the original, all copies of whatever type, all non-identical copies and all drafts (such as "mark ups" or annotated drafts) of any contracts, agreements, writings, letters, papers, memoranda, notes, correspondence, reports or records of conferences or other meetings, staff reports, legal opinions or recommendations, analyses, listings, reports or recordings of telephone or other conversations, journals, desk calendars, appointment books, diaries, lists, reports, studies, surveys, communications, computer files, e-mails, accounting records, facsimiles, photographs, movie files, audio and video tapes, agreements, budgets, contracts, subcontracts, bids, quotes, proposals, estimates, change orders, material and labor records, payroll records, evaluations, estimates, opinions, analyses, summaries, opinions, instructions, schedules, work papers, invoices, books, pamphlets, brochures, advertisements, telegrams, telexes, cables, financial records, statistical records, tabulations, computer printouts, data sheets, data processing codes, forms, charts, drawings, slides, films, microfilm, microfiche and all other things including verbal, numerical, or pictorial records, whether printed, typed, handwritten, drawn, recorded on film or tape or within any data processing system, or recorded or retained by any other means on paper or electronic, as well as any other thing in which information is recorded in writing, sound, picture or other means irrespective of form.

"Document" or "Record" also includes, but is not limited to, the file within which any item constituting a "document," as defined above, is found and also the folder, jacket or other contained in which the file was kept or stored.

The terms "Document" or "Record" are used herein in their broadest and most liberal sense and means all written, typed, printed, recorded or graphic materials, however produced, including all electronic files and/or documents, of any and every kind or description and whether an original, master, duplicate or

8 pages

copy, however different in any way from the original whether by interlineations, receipt stamp, notation, indication of copy center received or otherwise, communications, computer files, e-mails, accounting records, facsimiles, photographs, movie files, audio and video tapes, agreements, budgets, contracts, subcontracts, bids, quotes, proposals, estimates, change orders, material and labor records, payroll records, evaluations, estimates, opinions, studies, analyses, summaries.

Public records also means, but is not limited to, all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other materials, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business. This request is intended to require production of all documents and, if originals are not available, copies are to be provided. Also, all copies or originals and copies of copies are requested for review.

"Relating to," "relate to," or "related to" means, but is not limited to, containing, containing references to, describing, explaining, including, but not limited to, modifying, supplementing, clarifying, evidencing, appertaining, affecting, embodying, substantiating, contradicting and/or referring to.

"Person" shall include, but not be limited to, natural persons, proprietorships, corporations, agencies, partnerships, groups, associations or organizations or any other form or entity.

"You" or "your" shall mean, but not be limited to, the entity and its employees, representatives and, unless privileged, its attorney.

I hope that all is well with you.

Thank you for your attention to this matter.

Please call me ANYTIME at the office • (407-322-2171) or at my cell phone • (386-748-3685). I answer my cell phone 24 hours a day. If long distance, the office's toll free number is •800-247-5225. My e-mail address is •lgroot@stenstrom.com<mailto:lgroot@stenstrom.com>

I look forward to seeing you.

[cid:image005.png@01CCBB00.214B5140]Lonnie Groot, Board Certified City, County & Local Government Law (Bio<<http://www.stenstrom.com/Bio/LonnieGroot.asp>>)

STENSTROM, MCINTOSH, COLBERT, WHIGHAM & PARTLOW, P.A.  
1001 Heathrow Park Lane  
Suite 4001  
Lake Mary, Florida 32746  
Website: [www.stenstrom.com](http://www.stenstrom.com)<<http://www.stenstrom.com/>>

"The highest compliment we can receive is the referral of your friends, family and business associates. Thank you for your trust."

Abraham Lincoln once said "a lawyer's time and advice are his stock and trade." We appreciate your business.

Electronic Signature Disclaimer. The information block, the typed name of the sender, nor anything else

in this message is intended to constitute an electronic signature unless a specific statement to the contrary is indicated in this message.

If you have an urgent communication or if you have not heard from me in response to your e-mail, please telephone me. PLEASE DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED. If I have not responded to your e-mail in a relatively short period, that would not be characteristic of my practice. Public officials should ensure that they copy other public officials with e-mails ONLY WHEN APPROPRIATE.

**CONFIDENTIALITY NOTICE:**

Confidential Attorney Client Communication/Attorney Work Product. This e-mail together with any attachments is confidential, intended for only the recipient(s) named above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this e-mail in error, or are not the named recipient(s), you are hereby notified that any use, dissemination, distribution or copying of this e-mail or any attachments is strictly prohibited. Please immediately notify the sender at lgroot@stenstrom.com<mailto:lgroot@stenstrom.com> and delete this e-mail and any attachments from your computer. You should not retain, copy or use this e-mail or any attachments for any purpose, or disclose all or any part of the contents to any person.

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image003.jpg@01CCBB00.2135CD70]

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image004.jpg@01CCBB00.2135CD70]

<[http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usq=\\_\\_X62zyP3h3kzfJR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ](http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usq=__X62zyP3h3kzfJR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ)>

P THERE IS NO PLANET B. PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS MESSAGE. ü

P Go Green!

**TAX NOTICE:** No tax advice was intended to be given in this communication and any and all taxpayers should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

From: Lonnie Groot  
Sent: Thursday, December 15, 2011 12:29 PM  
To: 'ESuchsland@co.volusia.fl.us'  
Subject: FW: ADA Policies

Beth:

Thanks for the call this morning.

I look forward to reviewing the document(s).

Thanks again.

Lonnie Groot

From: Lonnie Groot  
Sent: Thursday, December 15, 2011 8:04 AM  
To: 'ESuchsland@co.volusia.fl.us'  
Subject: ADA Policies

THIS TRANSMISSION MAY BE ATTORNEY CLIENT PRIVILEGED

Elizabeth:

I hope that all is well with you.

I would appreciate your e-mailing to me a copy of the VOTRAN ADA policies and ADA compliance

8 page 7

plan(s).

Thank you for your attention to this matter.

Please call me ANYTIME at the office • (407-322-2171) or at my cell phone • (386-748-3685). I answer my cell phone 24 hours a day. If long distance, the office's toll free number is •800-247-5225. My e-mail address is •lgroot@stenstrom.com<mailto:lgroot@stenstrom.com>

I look forward to seeing you.

[cid:image005.png@01CCBB00.214B5140]Lonnie Groot, Board Certified City, County & Local Government Law (Bio<<http://www.stenstrom.com/Bio/LonnieGroot.asp>>)

STENSTROM, MCINTOSH, COLBERT, WHIGHAM & PARTLOW, P.A.  
1001 Heathrow Park Lane  
Suite 4001  
Lake Mary, Florida 32746  
Website: [www.stenstrom.com](http://www.stenstrom.com)<<http://www.stenstrom.com/>>

"The highest compliment we can receive is the referral of your friends, family and business associates. Thank you for your trust."

Abraham Lincoln once said "a lawyer's time and advice are his stock and trade." We appreciate your business.

Electronic Signature Disclaimer. The information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is indicated in this message.

If you have an urgent communication or if you have not heard from me in response to your e-mail, please telephone me. PLEASE DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED. If I have not responded to your e-mail in a relatively short period, that would not be characteristic of my practice. Public officials should ensure that they copy other public officials with e-mails ONLY WHEN APPROPRIATE.

**CONFIDENTIALITY NOTICE:**

Confidential Attorney Client Communication/Attorney Work Product. This e-mail together with any attachments is confidential, intended for only the recipient(s) named above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this e-mail in error, or are not the named recipient(s), you are hereby notified that any use, dissemination, distribution or copying of this e-mail or any attachments is strictly prohibited. Please immediately notify the sender at [lgroot@stenstrom.com](mailto:lgroot@stenstrom.com)<<mailto:lgroot@stenstrom.com>> and delete this e-mail and any attachments from your computer. You should not retain, copy or use this e-mail or any attachments for any purpose, or disclose all or any part of the contents to any person.

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image003.jpg@01CCBB00.2135CD70]

[cid:image003.jpg@01CCBB00.2135CD70] [cid:image004.jpg@01CCBB00.2135CD70]

<[http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=\\_\\_X62zyP3h3kzfjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ](http://www.google.com/imgres?imgurl=http://www.sportslogos.net/images/logos/31/679/full/2481.gif&imgrefurl=http://www.sportslogos.net/logo.php%3Fid%3D2481&h=495&w=534&sz=17&tbnid=DslkUPuHx8gX3M:&tbnh=122&tbnw=132&prev=/search%3Fq%3Dseminole%2Blogo%26tbn%3Disch%26tbo%3Du&zoo m=1&q=seminole+logo&usg=__X62zyP3h3kzfjR2CDjCqodP7d6s=&sa=X&ei=AKFmTr20B8-1tgeV1cSHCg&ved=0CBQQ9QEwAQ)>

P THERE IS NO PLANET B. PLEASE CONSIDER THE ENVIRONMENT BEFORE YOU PRINT THIS MESSAGE. ü

P Go Green!

TAX NOTICE: No tax advice was intended to be given in this communication and any and all taxpayers should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

**From:** Elizabeth Suchsland  
**To:** Fischer, Ken  
**CC:** Prasse, Nancy  
**Date:** 12/27/2011 12:37 PM  
**Subject:** draft response to Attorney Groot 12272011  
**Attachments:** draft response to Attorney Groot 12272011.docx

For your review and comments.

Elizabeth Suchsland  
Assistant General Manager of Operations and Maintenance  
VOTRAN  
950 Big Tree Road  
South Daytona, FL 32119  
Telephone: 386-763-3727  
Fax: 386-756-7487  
Cell - 386-216-6983

**CONFIDENTIALITY NOTICE:** This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to which they are addressed. This communication may also contain material protected and governed by the Health Insurance and Portability and Accountability Act (HIPAA). If you are not the intended recipient of this e-mail and the information it contains or if you are not the employee or agent responsible for delivering this e-mail and the information it contains to the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please contact the sender of this message.

DRAFT

December 29, 2011

Lonnie Groot, PA  
Stenstrom, McIntosh, Colbert, Whigham & Partlow, P.A.  
1001 Heathrow Park Lane  
Suite 4001  
Lake Mary, Florida 32746

Dear Mr. Groot,

Thank you for your recent inquiry about Votran's Americans with Disabilities Act (ADA) plan.

In response to your inquiries related to the Americans with Disabilities Act self audit, professional audit, and compliance plan, the following is provided for your information.

Votran operates under the U. S. Department of Transportation's Federal Transit Administration (FTA) ADA regulations. FTA conducts triennial reviews to examine agency performance and to document adherence to FTA regulations. Triennial reviews are conducted every three years.

Please find enclosed the following for your information.

- A copy of the 2012 Triennial Review Workbook. Section 15 applies to ADA.
- FTA Triennial Review Findings for 2009
- FTA Triennial Review Findings for 2006
- FTA Triennial Review Findings for 2003
- FTA Triennial Review Findings for 2000
- FTA Triennial Review Findings for 1997
- FTA Triennial Review Findings for 1994

The following information is provided related to your question on an ADA Self-Evaluation and Transition Plan.

In the early nineties, Votran developed a transition plan to ensure compliance with ADA regulations. This included the transition to having 100% of Votran's ADA accessible with ramps and / or lifts, and for the provision of complimentary paratransit bus service. The Federal Transit Administration approved Votran's plan on July 28, 1993.



Your final inquiry was related to ADA and bus benches. Votran does not provide bus benches in municipalities. A contract was previously issued for bus benches with advertising in the unincorporated areas as of Volusia County. Votran is working on a Request for Proposal (RFP) for bus benches with advertising in the unincorporated areas of Volusia County. This draft RFP includes language on compliance with Florida Administrative Code 14.20, and for ADA.

Please find enclosed the following.

- Copy of the contract with Waverly Media to provide bus benches with advertising in the unincorporated areas of Volusia County.
- Copy of the contract termination letter to Waverly Media.
- Draft RFP for bus benches with advertising for the unincorporated areas of Volusia County.

If you have any further questions, please feel free to contact me.

Sincerely,

**From:** Ken Fischer  
**To:** Suchsland, Elizabeth  
**Date:** 12/27/2011 2:08 PM  
**Subject:** Re: draft response to Attorney Groot 12272011  
**Attachments:** draft response to Attorney Groot 12272011.docx

I have attached the letter with edits.

Ken Fischer  
General Manager  
Votran  
950 Big Tree Road  
South Daytona, FL 32119  
(386) 756-7496, ext. 4126  
kfischer@co.volusia.fl.us

>>> Elizabeth Suchsland 12/27/2011 12:37 PM >>>  
For your review and comments,

Elizabeth Suchsland  
Assistant General Manager of Operations and Maintenance  
VOTRAN  
950 Big Tree Road  
South Daytona, FL 32119  
Telephone: 386-763-3727  
Fax: 386-756-7487  
Cell - 386-216-6983

**CONFIDENTIALITY NOTICE:** This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to which they are addressed. This communication may also contain material protected and governed by the Health Insurance and Portability and Accountability Act (HIPAA). If you are not the intended recipient of this e-mail and the information it contains or if you are not the employee or agent responsible for delivering this e-mail and the information it contains to the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please contact the sender of this message.

DRAFT

December 29, 2011

Lonnie Groot, PA  
Stenstrom, McIntosh, Colbert, Whigham & Partlow, P.A.  
1001 Heathrow Park Lane  
Suite 4001  
Lake Mary, Florida 32746

Dear Mr. Groot,

~~Thank you for your recent inquiry about Votran's Americans with Disabilities Act (ADA) plan.~~

Comment [K1]: Remove

In response to your inquiries related to the Americans with Disabilities Act self audit, professional audit, and compliance plan, the following is provided for your information.

Votran operates under the U. S. Department of Transportation's Federal Transit Administration (FTA) ADA regulations. FTA conducts triennial reviews to examine agency performance and to document adherence to FTA regulations. Triennial reviews are conducted every three years.

Please find enclosed the following for your information.

Comment [K2]: Remove

- A copy of the 2012 Triennial Review Workbook. Section 15 applies to ADA.
- FTA Triennial Review Findings for 2009
- FTA Triennial Review Findings for 2006
- FTA Triennial Review Findings for 2003
- FTA Triennial Review Findings for 2000
- FTA Triennial Review Findings for 1997
- FTA Triennial Review Findings for 1994

The following information is provided related to your question on an ADA Self-Evaluation and Transition Plan.

In the early nineties, Votran developed a transition plan to ensure compliance with ADA regulations. This included the transition to having 100% of Votran's buses ADA accessible with ramps and / or lifts, and for the provision of complimentary paratransit bus service. The Federal Transit Administration approved Votran's plan on July 28, 1993.

Comment [K3]: Added

Your final inquiry was related to ADA and bus benches. Votran does not provide bus benches in municipalities. A contract was previously issued for bus benches with advertising in the unincorporated areas as of Volusia County. Votran is working on a Request for Proposal (RFP) for bus benches with advertising in the unincorporated areas of Volusia County. This draft RFP includes language on compliance with Florida Administrative Code 14.20, and for ADA.

Please find enclosed the following.

- Copy of the contract with Waverly Media to provide bus benches with advertising in the unincorporated areas of Volusia County.
- Copy of the contract termination letter to Waverly Media.
- Draft RFP for bus benches with advertising for the unincorporated areas of Volusia County.

If you have any further questions, please feel free to contact me.

Sincerely,

**From:** Ken Fischer  
**To:** Chumley, John  
**Date:** 12/27/2011 5:07 PM  
**Subject:** Fwd: Draft Response - Lonnie Groot  
**Attachments:** Draft Response - Lonnie Groot

John,

Tura asked me to forward the attached information in response to a public records request from Mr. Lonnie Groot, a local attorney. I believe he is looking for a documented bus stop improvement plan. I do not believe we, as the public transit provider, are required to have such a plan. I will forward under separate email the OminTrans plan that Mr. Groot sent to us. In addition, I will forward under a separate email guidelines the Florida Department of Transportation has been developing for bus stop improvements.

Attached you will find;

Emails to and from Lonnie Groot

Written draft response to Mr. Groot's public records request

Public records

1994, 1998, 2000, 2003, 2006, 2009, Federal Transit Administration Triennial Review Findings

2012 Triennial Review Workbook

Contract with Waverly Media for benches in unincorporated Volusia County

Notice of termination of Waverly's contract

Draft RFP for benches with advertising in unincorporated Volusia County

Let me know if you have any questions.

Thanks,  
Ken

Ken Fischer  
General Manager  
Votran  
950 Big Tree Road  
South Daytona, FL 32119  
(386) 756-7496, ext. 4126  
kfischer@co.volusia.fl.us

DRAFT

December 29, 2011

Lonnie Groot, PA  
Stenstrom, McIntosh, Colbert, Whigham & Partlow, P.A.  
1001 Heathrow Park Lane  
Suite 4001  
Lake Mary, Florida 32746

Dear Mr. Groot,

In response to your inquiries related to the Americans with Disabilities Act self audit, professional audit, and compliance plan, the following is provided for your information.

Votran operates under the U. S. Department of Transportation's Federal Transit Administration (FTA) ADA regulations. FTA conducts triennial reviews to examine agency performance and to document adherence to FTA regulations. Triennial reviews are conducted every three years.

Please find enclosed the following information.

- A copy of the 2012 Triennial Review Workbook. Section 15 applies to ADA.
- FTA Triennial Review Findings for 2009
- FTA Triennial Review Findings for 2006
- FTA Triennial Review Findings for 2003
- FTA Triennial Review Findings for 2000
- FTA Triennial Review Findings for 1997
- FTA Triennial Review Findings for 1994

The following information is provided related to your question on an ADA Self-Evaluation and Transition Plan.

In the early nineties, Votran developed a transition plan to ensure compliance with ADA regulations. This included the transition to having 100% of Votran's buses ADA accessible with ramps and / or lifts, and for the provision of complimentary paratransit bus service. The Federal Transit Administration approved Votran's plan on July 28, 1993.

Your final inquiry was related to ADA and bus benches. Votran does not provide bus benches in municipalities. A contract was previously issued for bus benches with advertising in the

unincorporated areas as of Volusia County. Votran is working on a Request for Proposal (RFP) for bus benches with advertising in the unincorporated areas of Volusia County. This draft RFP includes language on compliance with Florida Administrative Code 14.20, and for ADA.

Please find enclosed the following.

- Copy of the contract with Waverly Media to provide bus benches with advertising in the unincorporated areas of Volusia County.
- Copy of the contract termination letter to Waverly Media.
- Draft RFP for bus benches with advertising for the unincorporated areas of Volusia County.

If you have any further questions, please feel free to contact me.

Sincerely,

**From:** Michael Dyer  
**To:** jkerr@ourorangecity.com  
**CC:** TMurphy@co.volusia.fl.us  
**Date:** 1/20/2012 9:02 AM  
**Subject:** Re: Bus bench sign contract (Out of office )

I am out of the office but will return on Monday, January 23, 2012. If you are in need of immediate assistance, please contact my legal assistant, Tangee Murphy at (386) 736-5950. Thank you.

>>> "Jim Kerr" <jkerr@ourorangecity.com> 01/20/12 09:02 >>>

1-20-12

Mike

Happy new year.

We talked on 7-11-11, and then I emailed you the City's bus bench sign violations in our LDC.

1. Has the RFP gone out as yet, or
2. Has the County Council approved a contract with a bus bench sign vendor...?

Either way, could you send me a copy of the result of either #1 or #2.

Thank you

Jim Kerr  
City Planner  
205 East Graves Avenue  
Orange City, Florida 32763-5213  
Phone 386 775-5414  
Fax 386 775-5420  
E-mail: jkerr@ourorangecity.com

Orange City, Florida

Small Town Ambiance... World Class Opportunity

Please note that Florida has a very broad public records law. Most written communications to or from state officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.



Visit our website at: [www.ourorangecity.com](http://www.ourorangecity.com)

Visit us online at <http://www.ourorangecity.com>

**CONFIDENTIALITY NOTICE:** Please note that Florida has a very broad public records law. Most written communications to or from State officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. This e-mail message including any attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review use disclosure or distribution is prohibited. If you are not the intended recipient contact the sender by reply e-mail and destroy all copies of the original message.

**PUBLIC RECORDS NOTICE:** The City of Orange City is governed by the State of Florida public records law. This means that the information we receive online including your e-mail address might be disclosed to any person making a public records request. If you have any question about the Florida public records law refer to Chapter 119 Florida Statutes. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

**From:** "Jim Kerr" <jkerr@ourorangecity.com>  
**To:** <tmurphy@co.volusia.fl.us>  
**CC:** "Michael Dyer" <mdyer@co.volusia.fl.us>  
**Date:** 1/20/2012 10:46 AM  
**Subject:** bus benches

Tangee

Thank you for the call back

I will wait until the new attorney discusses the issue with Mike.

I look forward to someone bringing me up to date.

Have a nice weekend

Jim Kerr  
City Planner  
205 East Graves Avenue  
Orange City, Florida 32763-5213  
Phone 386 775-5414  
Fax 386 775-5420  
E-mail: jkerr@ourorangecity.com

Orange City, Florida

Small Town Ambiance... World Class Opportunity

Please note that Florida has a very broad public records law. Most written communications to or from state officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

Visit our website at: [www.ourorangecity.com](http://www.ourorangecity.com)

Visit us online at <http://www.ourorangecity.com>

**CONFIDENTIALITY NOTICE:** Please note that Florida has a very broad public records law. Most written communications to or from State officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. This e-mail message including any attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review use disclosure or distribution is prohibited. If you are not the intended recipient contact the sender by reply e-mail and destroy all copies of the original message.

**PUBLIC RECORDS NOTICE:** The City of Orange City is governed by the State of Florida public records law. This means that the information we receive online including your e-mail address *might* be disclosed to any person making a public records request. If you have any question about the Florida public records law refer to Chapter 119 Florida Statutes. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

**From:** Michael Dyer  
**To:** Kerr, Jim  
**CC:** Chumley, John; Fischer, Ken; Wilsky, Pam  
**Date:** 1/23/2012 11:10 AM  
**Subject:** Re: Bus bench sign contract

Jim,

The RFP has not been finalized. However, in speaking with VOTRAN general manager, Ken Fischer, about the topic after our conversation, I am told that the RFP would not include benches within incorporated areas. Another attorney in our office is spearheading this RFP but I will follow-up with you regarding the RFP once we have a revised draft and know more.

Thanks.

Mike Dyer

Michael G. Dyer  
Assistant County Attorney  
Legal Department  
County of Volusia  
123 West Indiana Avenue  
DeLand, Florida 32720-4613  
Voice: (386) 736-5950  
Fax: (386) 736-5990  
e-mail: mdyer@co.volusia.fl.us

>>> On 1/20/2012 at 9:02 AM, in message  
<6342A67A8362574C9D060F83F5AE932A010DD3E4@pd001.ci.orange-city.fl.us>, "Jim Kerr"  
<jkerr@ourorangecity.com> wrote:

1-20-12

Mike  
Happy new year.

We talked on 7-11-11, and then I emailed you the City's bus bench sign violations in our LDC.

1. Has the RFP gone out as yet, or
2. Has the County Council approved a contract with a bus bench sign vendor...?

Either way, could you send me a copy of the result of either #1 or #2.  
Thank you

Jim Kerr  
City Planner  
205 East Graves Avenue  
Orange City, Florida 32763-5213  
Phone 386 775-5414  
Fax 386 775-5420  
E-mail: jkerr@ourorangecity.com

**Orange City, Florida**  
**Small Town Ambiance... World Class Opportunity**

Please note that Florida has a very broad public records law. Most written communications to or from

state officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

Visit our website at: [www.ourorangecity.com](http://www.ourorangecity.com)

**Visit us online at <http://www.ourorangecity.com>**

**CONFIDENTIALITY NOTICE:** Please note that Florida has a very broad public records law. Most written communications to or from State officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. This e-mail message including any attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review use disclosure or distribution is prohibited. If you are not the intended recipient contact the sender by reply e-mail and destroy all copies of the original message.

**PUBLIC RECORDS NOTICE:** The City of Orange City is governed by the State of Florida public records law. This means that the information we receive online including your e-mail address might be disclosed to any person making a public records request. If you have any question about the Florida public records law refer to Chapter 119 Florida Statutes. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

**From:** "Jim Kerr" <jkerr@ourorangepcity.com>  
**To:** "Michael Dyer" <mdyer@co.volusia.fl.us>  
**CC:** "John Chumley" <JChumley@co.volusia.fl.us>, "Ken Fischer" <KFischer@co.v...  
**Date:** 1/23/2012 11:46 AM  
**Subject:** RE: Bus bench sign contract

1-23-12

Mike

Thank you for your response to my email.

I would like to clarify one comment in your email where you state "...RFP would not include benches within incorporated areas...."

Our Development Services Director sent a letter to VOTRAN in August of 2011 requesting that bus benches be excluded from the RFP if they are within the unincorporated area of the county located in the City's DPA. Please see the attached letter and map. The intent was that the bus benches would be excluded from the entire area surrounded by the heavy dashed line regardless of whether the bench was in the incorporated area or the unincorporated area.

Please contact me if you have any questions regarding this matter.

Jim Kerr  
City Planner  
205 East Graves Avenue  
Orange City, Florida 32763-5213  
Phone 386 775-5414  
Fax 386 775-5420  
E-mail: jkerr@ourorangepcity.com

Orange City, Florida

Small Town Ambiance... World Class Opportunity

Please note that Florida has a very broad public records law. Most written communications to or from state officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

Visit our website at: [www.ourorangepcity.com](http://www.ourorangepcity.com)

From: Michael Dyer [mailto:mdyer@co.volusia.fl.us]  
Sent: Monday, January 23, 2012 11:10 AM  
To: Jim Kerr  
Cc: John Chumley; Ken Fischer; Pam Wilsky  
Subject: Re: Bus bench sign contract

Jim,

The RFP has not been finalized. However, in speaking with VOTRAN general manager, Ken Fischer, about the topic after our conversation, I am told that the RFP would not include benches within incorporated areas. Another attorney in our office is spearheading this RFP but I will follow-up with you regarding the RFP once we have a revised draft and know more.

Thanks.

Mike Dyer

Michael G. Dyer  
Assistant County Attorney  
Legal Department  
County of Volusia  
123 West Indiana Avenue  
DeLand, Florida 32720-4613  
Voice: (386) 736-5950  
Fax: (386) 736-5990  
e-mail: mdyer@co.volusia.fl.us

>>> On 1/20/2012 at 9:02 AM, in message  
<6342A67A8362574C9D060F83F5AE932A010DD3E4@pd001.ci.orange-city.fl.us>, "Jim Kerr"  
<jkerr@ourorangecity.com> wrote:

1-20-12

Mike

Happy new year.

We talked on 7-11-11, and then I emailed you the City's bus bench sign violations in our LDC.

1. Has the RFP gone out as yet, or

2. Has the County Council approved a contract with a bus bench sign vendor...?

Either way, could you send me a copy of the result of either #1 or #2.

Thank you

Jim Kerr  
City Planner  
205 East Graves Avenue  
Orange City, Florida 32763-5213  
Phone 386 775-5414  
Fax 386 775-5420  
E-mail: [jkerr@ourorangepcity.com](mailto:jkerr@ourorangepcity.com)

Orange City, Florida

Small Town Ambiance... World Class Opportunity

Please note that Florida has a very broad public records law. Most written communications to or from state officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

Visit our website at: [www.ourorangepcity.com](http://www.ourorangepcity.com)

Visit us online at <http://www.ourorangepcity.com> <<http://www.ourorangepcity.com/>>

**CONFIDENTIALITY NOTICE:** Please note that Florida has a very broad public records law. Most written communications to or from State officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. This e-mail message including any attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review use disclosure or distribution is prohibited. If you are not the intended recipient contact the sender by reply e-mail and destroy all copies of the original message.

**PUBLIC RECORDS NOTICE:** The City of Orange City is governed by the State of Florida public records law. This means that the information we receive online including your e-mail address might be disclosed to any person making a public records request. If you have any question about the Florida public records law refer to Chapter 119 Florida Statutes. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



Visit us online at <http://www.ourorangecity.com>

**CONFIDENTIALITY NOTICE:** Please note that Florida has a very broad public records law. Most written communications to or from State officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. This e-mail message including any attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review use disclosure or distribution is prohibited. If you are not the intended recipient contact the sender by reply e-mail and destroy all copies of the original message.

**PUBLIC RECORDS NOTICE:** The City of Orange City is governed by the State of Florida public records law. This means that the information we receive online including your e-mail address might be disclosed to any person making a public records request. If you have any question about the Florida public records law refer to Chapter 119 Florida Statutes. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



**Orange City Development Services Department**

205 East Graves Avenue, Orange City, Florida 32763-5213

Phone 386 775-5415 - Fax 386 775-5420

E-mail: [astetner@ourorangecity.com](mailto:astetner@ourorangecity.com)

August 25, 2011

Elizabeth Suchsland  
Assistant General Manager  
of Operations & Maintenance  
950 Big Tree Road  
South Daytona, FL 32119

RE: Request for Volusia Co. to exclude bus bench advertisements from City's DPA

Dear Ms Suchsland,

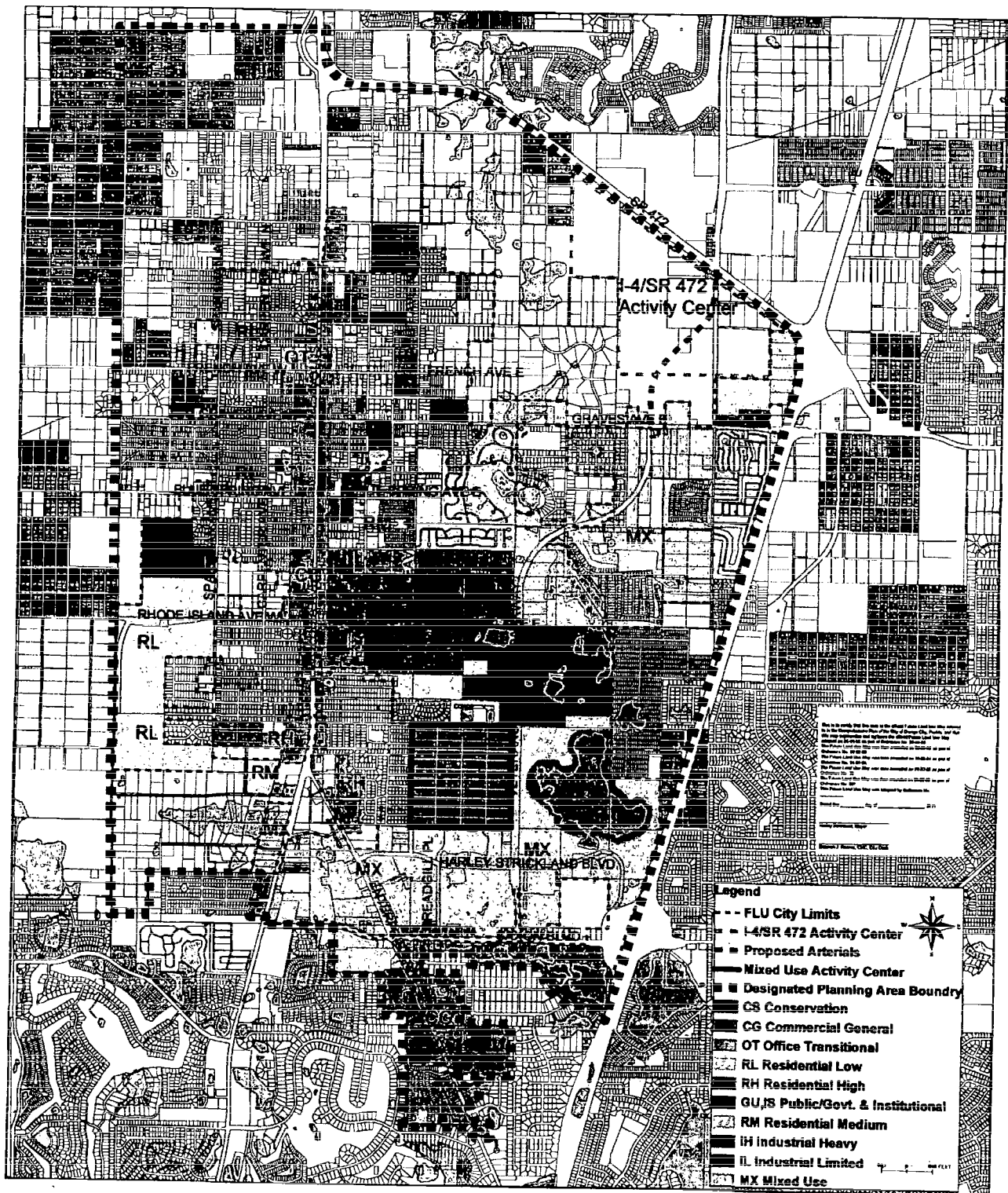
It is the City's understanding that the County of Volusia is currently preparing a request for proposals related to a future contract to allow the placement of bus bench advertisements within the unincorporated area of Volusia County.

The purpose of this letter is to respectfully request that the unincorporated areas of Volusia County located within the City's designated planning area (DPA) be excluded from the installation of bus bench advertisements. A map depicting the City's designated planning area is attached to this letter.

Feel free to contact this office at 386 775-5415 if you have any questions about this request.

Sincerely,

Alison Stettner  
Development Services Director



# 2025 Orange City Future Land Use Map

Map 2-2

**From:** Michael Dyer  
**To:** Kerr, Jim  
**CC:** Chumley, John; Croteau, Jamie; Fischer, Ken; Stettner, Alison; Wilsk...  
**Date:** 1/23/2012 1:26 PM  
**Subject:** RE: Bus bench sign contract

Jim,

Has the county delegated any planning authority to the city for any unincorporated area within the DPA?

Mike

Michael G. Dyer  
Assistant County Attorney  
Legal Department  
County of Volusia  
123 West Indiana Avenue  
DeLand, Florida 32720-4613  
Voice: (386) 736-5950  
Fax: (386) 736-5990  
e-mail: [mdyer@co.volusia.fl.us](mailto:mdyer@co.volusia.fl.us)  
>>> On 1/23/2012 at 1:09 PM, in message  
<6342A67A8362574C9D060F83F5AE932A010DD590@pd001.ci.orange-city.fl.us>, "Jim Kerr"  
<[jkerr@ourorangecity.com](mailto:jkerr@ourorangecity.com)> wrote:

Oooops  
That's because I didn't attach them... sorry  
See attached two pages

Jim Kerr  
City Planner  
205 East Graves Avenue  
Orange City, Florida 32763-5213  
Phone 386 775-5414  
Fax 386 775-5420  
E-mail: [jkerr@ourorangecity.com](mailto:jkerr@ourorangecity.com)

**Orange City, Florida**  
**Small Town Ambiance... World Class Opportunity**

Please note that Florida has a very broad public records law. Most written communications to or from state officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

Visit our website at: [www.ourorangecity.com](http://www.ourorangecity.com)

**From:** Michael Dyer [<mailto:mdyer@co.volusia.fl.us>]  
**Sent:** Monday, January 23, 2012 11:48 AM  
**To:** Jim Kerr  
**Cc:** John Chumley; Ken Fischer; Pam Wilsky; Alison Stettner; Jamie Croteau  
**Subject:** RE: Bus bench sign contract

Jim,

The attachments did not come through.

Michael G. Dyer  
Assistant County Attorney  
Legal Department  
County of Volusia  
123 West Indiana Avenue  
DeLand, Florida 32720-4613  
Voice: (386) 736-5950  
Fax: (386) 736-5990  
e-mail: mdyer@co.volusia.fl.us

>>> On 1/23/2012 at 11:45 AM, in message  
<6342A67A8362574C9D060F83F5AE932A010DD563@pd001.ci.orange-city.fl.us>, "Jim Kerr"  
<jkerr@ourorangepcity.com> wrote:

1-23-12

Mike

Thank you for your response to my email.

I would like to clarify one comment in your email where you state "....RFP would not include benches within incorporated areas...."

Our Development Services Director sent a letter to VOTRAN in August of 2011 requesting that bus benches be excluded from the RFP if they are within the unincorporated area of the county located in the City's DPA. Please see the attached letter and map. The intent was that the bus benches would be excluded from the entire area surrounded by the heavy dashed line regardless of whether the bench was in the incorporated area or the unincorporated area.

Please contact me if you have any questions regarding this matter.

Jim Kerr  
City Planner  
205 East Graves Avenue  
Orange City, Florida 32763-5213  
Phone 386 775-5414  
Fax 386 775-5420  
E-mail: jkerr@ourorangepcity.com

**Orange City, Florida**  
**Small Town Ambiance... World Class Opportunity**

Please note that Florida has a very broad public records law. Most written communications to or from

state officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

Visit our website at: [www.ourorangecity.com](http://www.ourorangecity.com)

**From:** Michael Dyer [mailto:mdyer@co.volusia.fl.us]  
**Sent:** Monday, January 23, 2012 11:10 AM  
**To:** Jim Kerr  
**Cc:** John Chumley; Ken Fischer; Pam Wilsky  
**Subject:** Re: Bus bench sign contract

Jim,

The RFP has not been finalized. However, in speaking with VOTRAN general manager, Ken Fischer, about the topic after our conversation, I am told that the RFP would not include benches within incorporated areas. Another attorney in our office is spearheading this RFP but I will follow-up with you regarding the RFP once we have a revised draft and know more.

Thanks.

Mike Dyer

Michael G. Dyer  
Assistant County Attorney  
Legal Department  
County of Volusia  
123 West Indiana Avenue  
DeLand, Florida 32720-4613  
Voice: (386) 736-5950  
Fax: (386) 736-5990  
e-mail: [mdyer@co.volusia.fl.us](mailto:mdyer@co.volusia.fl.us)

>>> On 1/20/2012 at 9:02 AM, in message  
<6342A67A8362574C9D060F83F5AE932A010DD3E4@pd001.ci.orange-city.fl.us>, "Jim Kerr"  
<jkerr@ourorangecity.com> wrote:

1-20-12

Mike  
Happy new year.

We talked on 7-11-11, and then I emailed you the City's bus bench sign violations in our LDC.  
1. Has the RFP gone out as yet, or

2. Has the County Council approved a contract with a bus bench sign vendor...?

Either way, could you send me a copy of the result of either #1 or #2.

Thank you

Jim Kerr  
City Planner  
205 East Graves Avenue  
Orange City, Florida 32763-5213  
Phone 386 775-5414  
Fax 386 775-5420  
E-mail: jkerr@ourorangepcity.com

**Orange City, Florida**  
**Small Town Ambiance... World Class Opportunity**

Please note that Florida has a very broad public records law. Most written communications to or from state officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

Visit our website at: [www.ourorangepcity.com](http://www.ourorangepcity.com)

**Visit us online at <http://www.ourorangepcity.com>**

**CONFIDENTIALITY NOTICE:** Please note that Florida has a very broad public records law. Most written communications to or from State officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. This e-mail message including any attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review use disclosure or distribution is prohibited. If you are not the intended recipient contact the sender by reply e-mail and destroy all copies of the original message.

**PUBLIC RECORDS NOTICE:** The City of Orange City is governed by the State of Florida public records law. This means that the information we receive online including your e-mail address might be disclosed to any person making a public records request. If you have any question about the Florida public records law refer to Chapter 119 Florida Statutes. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

**Visit us online at <http://www.ourorangepcity.com>**

**CONFIDENTIALITY NOTICE:** Please note that Florida has a very broad public records law. Most written communications to or from State officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. This e-mail message including any attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review use disclosure or distribution is prohibited. If you are not the intended recipient contact the sender by reply e-mail and destroy all copies of the original message.

**PUBLIC RECORDS NOTICE:** The City of Orange City is governed by the State of Florida public records law. This means that the information we receive online including your e-mail address might be disclosed to any person making a public records request. If you have any question about the Florida public records law refer to Chapter 119 Florida Statutes. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Visit us online at <http://www.ourorangecity.com>

**CONFIDENTIALITY NOTICE:** Please note that Florida has a very broad public records law. Most written communications to or from State officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. This e-mail message including any attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review use disclosure or distribution is prohibited. If you are not the intended recipient contact the sender by reply e-mail and destroy all copies of the original message.

**PUBLIC RECORDS NOTICE:** The City of Orange City is governed by the State of Florida public records law. This means that the information we receive online including your e-mail address might be disclosed to any person making a public records request. If you have any question about the Florida public records law refer to Chapter 119 Florida Statutes. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



**From:** Bernice Wendland  
**To:** Jennings, Jeaniene; Marcy Zimmerman; Tammy Bong  
**CC:** Cindy Finney; Dave Byron; Denise Collins; Margie Helton; Page, Glori...  
**Date:** 2/28/2012 1:18 PM  
**Subject:** PRR-022812: Joel Shank (re contracts & council minutes re Waverly Media & 20/20 Media)

[Please use the "Subject" above for all correspondence relating to this PRR. Thank you.]

**TO: PURCHASING & CONTRACTS**

**TO: COUNTY MANAGER/COUNTY COUNCIL**

**CC: LEGAL & RISK MANAGEMENT:** Is the subject matter and information requested currently involved in legal action which would make information exempt? If so, please advise.

**We are in receipt of a Public Records Request for any contract or county council minutes regarding Waverly Media and 20/20 Media, as far back as twenty years. The requestor would like the information emailed, if it is in electronic format, or will pick it up otherwise.**

Please follow these steps in fulfilling the request:

- STEP #1 - Call or send an "Acknowledgment Memo"
- STEP #2 - If applicable, Send estimate of costs to requester, including option to view at no charge.
- STEP #3 - If costs are approved, collect PRR info (check for "exempt" info) and send final invoice
- STEP #4 - If applicable, collect payment
- STEP #5 - Send documents to requester.

[ NOTE: IF WORKING WITH MULTIPLE DIVISION OFFICES, SEND TO COMMUNITY INFORMATION]

(1) **COVER SHEET:** Please include a cover letter/memo explaining what is enclosed, what is redacted and what FL Statute it applies. or comments about redactions/omissions. Please LABEL your materials when sending to the requestor or returning them to CI: As appropriate, please count, record and state in the cover memo the number of pages and reference which part of the PRR it is associated with (if multiple bullets) so it is clear what has been researched and what is still needed.

(2) Please keep a COPY of anything you send to Community Information for your office, and if possible please send an additional copy, along with the originals, for the CI office, preferably on CD but not required.

(3) Please use the attached INVOICE to itemize any charges/reimbursement for labor (\$10.00/hour), for printing (\$.05/per page), or cost of CD (\$.20) or DVD (\$.35). Please return your detailed invoice to CI with materials.

(4) **\*\* EXEMPT INFO/REDACTIONS** - All offices providing PRR information with redactions must adhere to The 2010 Florida Statutes - 119.07, Inspection and copying of records; photographing public records; fees; exemptions. -

(e) If the person who has custody of a public record contends that all or part of the record is exempt from inspection and copying, he or she shall state the basis of the exemption that he or she contends is applicable to the record, including the statutory citation to an exemption created or afforded by statute.

(f) If requested by the person seeking to inspect or copy the record, the custodian of public records shall state in writing and with particularity the reasons for the conclusion that the record is exempt or confidential, or state reason why not redacted. For more information go to link:  
[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0119/Sections/0119.07.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0119/Sections/0119.07.html)

---

Please contact Pam or Bernice if you have any questions or need assistance with this PRR.  
Thank you for your prompt attention and response.

**From:** Bernice Wendland  
**To:** joel.shankfl@gmail.com  
**CC:** Dave Byron; Pamela Renfro  
**Date:** 2/28/2012 1:17 PM  
**Subject:** Public Records Request PRR-022812: Joel Shank (re contracts & council minutes re Waverly Media & 20/20 Media)

**[Please use the "Subject" above for all correspondence relating to this PRR. Thank you.]**

**This will acknowledge receipt of your public records request (referenced above) for any contract or county council minutes regarding Waverly Media and 20/20 Media, as far back as 20 years, to be emailed if in electronic format, or picked up otherwise.**

**You will receive an invoice of tentative costs involved in completing your records request.**

**Please note: You also wanted information concerning advertising on Votran bus benches. It will be necessary for you to directly contact Votran for that information. That phone number is 386-756-7496.**

**From:** "Jamie Croteau" <jcroteau@ourorangedcity.com>  
**To:** <kfischer@co.volusia.fl.us>  
**Date:** 3/7/2012 3:28 PM  
**Subject:** FW: Unincorporated Bus Bench List  
**Attachments:** 2011 Bench Locations Unincorporated Volusia County.xlsx

Ken,

Please call me.

Thanks,

Jamie

From: Jim Brown [mailto:jimb@waverlymedia.com]  
Sent: Wednesday, March 07, 2012 3:13 PM  
To: William Reischmann  
Cc: Jamie Croteau  
Subject: Unincorporated Bus Bench List

Hello Bill,

Good to get a chance to speak with you Monday. Please see attached the list we sent VOTRAN/Volusia County a year ago with respect to those benches we pay them on, and presumed were covered by our contract with Volusia County. I trust you can see where our confusion and concern came from, as we believed these were County approved locations. I am gathering copies of some of our municipal contracts to forward you, as per your request. Are there any singular agreements you would particularly be interested in? Let me know.

In addition VOTRAN had told us that County Property was County Property, and as per our agreement with them, we could keep benches there in spite of Orange City's DPA. I had explained this via email to Mr. Kerr, and also accounted how VOTRAN had said in their new contract, the issue of DPAs would be addressed, and control over that right of way ceded to the individual municipalities whose DPAs would control. I trust you will appreciate that once given this information supplying a list of advertisers' contract information was something we felt was not necessary given it is proprietary information. I can only apologize about any perceived delay, and my part in that misunderstanding. Rest assured that any call or correspondence from Orange City was addressed and answered promptly.

We look forward to working with staff to see if there is a way we can work hand in hand going forward to the benefit of Orange City and its citizens. Thank you.

Sincerely,

Jim Brown

Waverly Media, LLC

Visit us online at <http://www.ourorangecity.com>

**CONFIDENTIALITY NOTICE:** Please note that Florida has a very broad public records law. Most written communications to or from State officials regarding City business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. This e-mail message including any attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review use disclosure or distribution is prohibited. If you are not the intended recipient contact the sender by reply e-mail and destroy all copies of the original message.

**PUBLIC RECORDS NOTICE:** The City of Orange City is governed by the State of Florida public records law. This means that the information we receive online including your e-mail address might be disclosed to any person making a public records request. If you have any question about the Florida public records law refer to Chapter 119 Florida Statutes. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Bench Locations Unincorporated Volusia County

Ormond By The Sea

1	A1A & Tropical Dr., ESR
2	A1A & Breezeway, ESR
3	A1A & Seaview Dr., ESR
4	A1A & Carol Rd., ESR
5	A1A & Roberta Rd., ESR
6	A1A & Sunrise Ave., ESR
7	A1A & Ocean Aire, ESR
8	A1A & Bass Dr., WSR
9	A1A & Seabridge Dr., WSR
10	A1A & Ocean Ave., WSR
11	A1A & Capistrano, WSR
12	A1A & Capri, WSR
13	A1A & Ocean Grove, WSR
14	A1A & Surfside, WSR
15	A1A & San Jose, WSR
16	A1A & Wisteria, WSR
17	A1A & Briggs Dr., WSR
18	A1A & Sunrise Ave., WSR
19	A1A & Ocean Breeze, WSR
20	A1A & Kathy Dr., WSR
21	A1A & Sunset, WSR
22	A1A @ Bicentineal Park, WSR
23	A1A & Seacrest, WSR
24	A1A & Carol Rd., WSR
25	A1A & Alamanda, WSR
26	A1A & Tropical Dr., WSR
27	A1A & Seaview Dr., WSR

Wilbur By The Sea

28	S. Atlantic Ave. & Mallard, WSR
29	S. Atlantic Ave. & Egret, WSR
30	S. Atlantic Ave. & Toronita, WSR
31	S. Atlantic Ave. & Curlew, WSR
32	S. Atlantic Ave. & Major, WSR
33	S. Atlantic Ave. & Major, ESR
34	S. Atlantic Ave. & Curlew, ESR
35	S. Atlantic Ave. & Toronita, ESR
36	S. Atlantic Ave. & Egret, ESR
37	S. Atlantic Ave. & Mallard, ESR

Ormond Beach

38	US 1 & Wall Ave., ESR
39	US 1 & Ormond Lakes Blvd., ESR
40 Bench Being Added	US 1 & Lowndes Ave., ESR
41	US 1 & Hull Rd., ESR

Port Orange/Daytona Area

42	Clyde Morris & Old Kings Rd., ESR	
43	Clyde Morris @ Morristown Apts., ESR	
44	Clyde Morris S. of Big Tree, WSR	
45	Clyde Morris N. of Big Tree, ESR	
46	Clyde Morris N. of Big Tree, WSR	
47	Nova & Beville, WSR	
48	Nova N. of Big Tree, ESR	Removed
49	Clyde Morris S. of LPGA, WSR	
50	Mason W. of Clyde Morris, IFO 7-11	
Oak Hill Unincorporated		
51	US 1 WSR IFO Equipment Rental Bus.	
52	US 1 & H.H. Birch St., ESR	
New Smyrna Beach Area		
53	Saxon & Hiles	
54	S. Atlantic, WSR, Across from Errol By The	
55	S. Atlantic, S. of Silver Sands, N. of Hiles, WSR	
56	S. Atlantic & Hiles, WSR	
57	S. Atlantic & Sylvia Dr., WSR	
NSB/PO Area		
58	US 1 & Bayshore Dr., ESR	
59	US 1 & Bayshore Dr., WSR	
60	US 1 @ Palm Shores Mobile Park, ESR	
61	US 1 @ Spruce Creek Pk., WSR	
62	US 1 Across from Spruce Creek Pk., ESR	
Between DeLand & Daytona		
63	Hwy. 92, NSR, IFO Chevron	
64	Hwy. 92 & 4th St., NSR	
65	Hwy. 92, NSR Across from Birds Nest Motel	
66	Red John Rd., ESR, Across from Stewart-Marchman ACT	
67	Red John Rd., WSR, IFO Stewart-Marchman ACT	
68	Hwy. 92 & Big John Rd., NSR	
69	Hwy. 92 & West Pkwy., NSR	
70	Hwy. 92, WSR, IFO Fred's Trucks	
71	Hwy. 92 & Kepler Rd., NSR	
72	Hwy. 92 & Oak St., NSR	
73	Hwy. 92 & Oak St., SSR	
Added 2/23/11	Hwy. 92 & Colin Kelly Rd., SSR	
74	Hwy. 92 & Keppler, SSR	
75 Bench Bench Being Added	Hwy. 92, SSR, IFO Speedway Family Practice	
76	Hwy. 92 & West Pkwy., SSR	
77	Hwy. 92 & Big John Rd., SSR	
78	Hwy. 92 E. of 4th St., SSR	
DeLand Area Unincorporated		
79	Hwy. 92 & Spring Garden, NSR	
80	N. Spring Garden S. of 92, WSR	
81	Stone Ave. & Orange, ESR	
82	Stone Ave. S. of 92, ESR	

83	S. Woodland & Vermont, WSR
84	S. Woodland & Orange Camp, ESR
Between DeLand & Orange City	
85	S. Woodland & I-4 Off Ramp, WSR
86	S. Woodland & Minnesota, WSR @ Days Inn
87	S. Woodland & St. Lawrence, WSR
88	S. Woodland & Wisconsin, ESR
89	S. Woodland, ESR, IFO Candlelight Mobile Home Pk.
90	S. Woodland W. of Minnesota Ave., ESR
DeLand through DeLeon Springs	
91	N. Woodland & Glenwood, ESR
92	N. Woodland & Robin Hood, ESR
93	N. Woodland & Melodie, ESR
94	N. Woodland, ESR, IFO Phoenix Estates
95	N. Woodland & E. Davis St., ESR
96	17-92, DeLeon Springs, IFO School, ESR
97	17-92 & 40, ESR
98	17-92 & 40, WSR
99	17-92 & Lake Winona Rd., WSR
100	17-92 & Spring Garden Ave., WSR
101	N. Woodland & W. Davis, WSR
102	N. Woodland & Mills Rd., WSR
103	N. Woodland & West Virginia Ave., WSR
104	N. Woodland & Robin Hood, WSR
105	N. Woodland & SR 11, WSR
106	N. Woodland, WSR, Across from Ardmore Farms
Between Deltona & Orange City	
107	Saxon @ I-4 Off Ramp
108	Saxon across from I-4 Off Ramp @ Ruby Tuesday
109	Enterprise S. of Saxon, ESR
110	Enterprise S. of Saxon, WSR
111	Enterprise S. of Saxon, WSR IFO Law Office
112	Enterprise S. of Saxon, ESR IFO Action Transmission
113	Enterprise across from Target
114	Enterprise W. of Saxon/17-92 WSR
115	Enterprise W. of Saxon/17-92 WSR
116	Enterprise W. of Saxon/17-92 ESR
117	Enterprise W. of Saxon/17-92 ESR



**From:** Marcy Zimmerman  
**To:** Bong, Tammy; Jennings, Jeaniene; Wendland, Bernice  
**CC:** Byron, Dave; Finney, Cindy; Helton, Margie; Orr, Rhonda; Page, Glori...  
**Date:** 3/6/2012 10:52 AM  
**Subject:** Re: PRR-022812: Joel Shank (re contracts & council minutes re Waverly Media & 20/20 Media)

I still haven't been able to complete this records search. Do I have time or is it a rush? Marcy

Marcy Zimmerman  
Deputy Clerk  
County Manager's Office  
County of Volusia  
123 West Indiana Avenue  
Suite 301  
DeLand, Florida 32720  
Phone: 386-736-5920 x2398  
Fax: 386-822-5707  
email: mzimmerman@co.volusia.fl.us

\*\*\*\*Florida has a very broad Public Records Law. Virtually all written communications to or from state and local officials and employees are public records available to the public and media upon request. Volusia County policy does not differentiate between personal and business emails. E-mail sent on the county system will be considered public and will only be withheld from disclosure if deemed confidential pursuant to state law. \*\*\*\*

>>> Bernice Wendland 2/28/2012 1:18 PM >>>

[Please use the "Subject" above for all correspondence relating to this PRR. Thank you.]

**TO: PURCHASING & CONTRACTS**

**TO: COUNTY MANAGER/COUNTY COUNCIL**

**CC: LEGAL & RISK MANAGEMENT:** Is the subject matter and information requested currently involved in legal action which would make information exempt? If so, please advise.

**We are in receipt of a Public Records Request for any contract or county council minutes regarding Waverly Media and 20/20 Media, as far back as twenty years. The requestor would like the information emailed, if it is in electronic format, or will pick it up otherwise.**

Please follow these steps in fulfilling the request:

**STEP #1** - Call or send an "Acknowledgment Memo"

**STEP #2** - If applicable, Send estimate of costs to requester, including option to view at no charge.

**STEP #3** - If costs are approved, collect PRR info (check for "exempt" info) and send final invoice

- STEP #4 - If applicable, collect payment  
STEP #5 - Send documents to requester.

[ NOTE: IF WORKING WITH MULTIPLE DIVISION OFFICES, SEND TO COMMUNITY INFORMATION]

(1) COVER SHEET: Please include a cover letter/memo explaining what is enclosed, what is redacted and what FL Statute it applies. or comments about redactions/omissions. Please LABEL your materials when sending to the requestor or returning them to CI: As appropriate, please count, record and state in the cover memo the number of pages and reference which part of the PRR it is associated with (if multiple bullets) so it is clear what has been researched and what is still needed.

(2) Please keep a COPY of anything you send to Community Information for your office, and if possible please send an additional copy, along with the originals, for the CI office, preferably on CD but not required.

(3) Please use the attached INVOICE to itemize any charges/reimbursement for labor (\$10.00/hour), for printing (\$.05/per page), or cost of CD (\$.20) or DVD (\$.35). Please return your detailed invoice to CI with materials.

(4) \*\* EXEMPT INFO/REDACTIONS - All offices providing PRR information with redactions must adhere to The 2010 Florida Statutes - 119.07, Inspection and copying of records; photographing public records; fees; exemptions. -

(e) If the person who has custody of a public record contends that all or part of the record is exempt from inspection and copying, he or she shall state the basis of the exemption that he or she contends is applicable to the record, including the statutory citation to an exemption created or afforded by statute.

(f) If requested by the person seeking to inspect or copy the record, the custodian of public records shall state in writing and with particularity the reasons for the conclusion that the record is exempt or confidential, or state reason why not redacted.

For more information go to link:

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0119/Sections/0119.07.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0119/Sections/0119.07.html)

---

Please contact Pam or Bernice if you have any questions or need assistance with this PRR.

Thank you for your prompt attention and response.

**Heather Blanck - Re: Fwd: Destroyed Bus Stop**

---

**From:** Jim Brown <jimb@waverlymedia.com>  
**To:** Heather Blanck <hblanck@co.volusia.fl.us>  
**Date:** 3/13/2012 11:54 AM  
**Subject:** Re: Fwd: Destroyed Bus Stop

---

Hi Heather,

Ours, and we'll fix it today. I've never seen anything like it. This is the 14th bench hit and demolished since the Friday before Thanksgiving. That's more than in the previous two years combined! Thank you for letting us know.

Sincerely,  
Jim

--- On Tue, 3/13/12, Heather Blanck <hblanck@co.volusia.fl.us> wrote:

From: Heather Blanck <hblanck@co.volusia.fl.us>  
Subject: Fwd: Destroyed Bus Stop  
To: jimb@waverlymedia.com  
Cc: "Robert Davenport" <RDavenport@co.volusia.fl.us>  
Date: Tuesday, March 13, 2012, 11:30 AM

Hi Jim, It looks like a bus bench was demolished. I am not sure if it belongs to Waverly. Our staff just reported this information:

This is at the intersection of 17th and 40 in Barberville. Looks like it just happened recently.

Heather Blanck  
Assistant General Manager of Planning,  
Marketing, and Customer Service  
Votran  
950 Big Tree Road, South Daytona, FL 32119-8815  
386-756-7496 ext. 4112  
fax 386-756-7487  
<http://www.votran.org>

**From:** Gloria Lynne Page  
**To:** Bong, Tammy; Jennings, Jeaniene; Wendland, Bernice; Zimmerman, Marcy  
**CC:** Byron, Dave; Collins, Denise; Finney, Cindy; Helton, Margie; Orr, Rh...  
**Date:** 3/14/2012 2:56 PM  
**Subject:** Re: PRR-022812: Joel Shank (re contracts & council minutes re Waverly Media & 20/20 Media)

We received a call this afternoon from Melanie with Attorney Bill Rieschmann's office advising that they have received everything they asked for pursuant to the public records request and as such, the request can be closed. Thanks.

G. Lynne Page, Paralegal  
Tura Schnebly, Deputy County Attorney  
County of Volusia - Legal Department  
123 W. Indiana Ave., Ste. 301  
Deland, FL 32720  
O: 386/736-5950 Ext. 12219  
F: 386/736-5990  
gpage@co.volusia.fl.us

>>>

**From:** Bernice Wendland  
**To:** Jennings, Jeaniene; Marcy Zimmerman; Tammy Bong  
**CC:** Cindy Finney; Dave Byron; Denise Collins; Margie Helton; Page, Gloria Lynne; Rhonda Orr; Tura Schnebly; Victoria Potter  
**Date:** 2/28/2012 1:18 PM  
**Subject:** PRR-022812: Joel Shank (re contracts & council minutes re Waverly Media & 20/20 Media)

[Please use the "Subject" above for all correspondence relating to this PRR. Thank you.]

**TO: PURCHASING & CONTRACTS**

**TO: COUNTY MANAGER/COUNTY COUNCIL**

**CC: LEGAL & RISK MANAGEMENT:** Is the subject matter and information requested currently involved in legal action which would make information exempt? If so, please advise.

**We are in receipt of a Public Records Request for any contract or county council minutes regarding Waverly Media and 20/20 Media, as far back as twenty years. The requestor would like the information emailed, if it is in electronic format, or will pick it up otherwise.**

Please follow these steps in fulfilling the request:

**STEP #1 - Call or send an "Acknowledgment Memo"**

STEP #2 - If applicable, Send estimate of costs to requester, including option to view at no charge.

STEP #3 - If costs are approved, collect PRR info (check for "exempt" info) and send final invoice

STEP #4 - If applicable, collect payment

STEP #5 - Send documents to requester.

[ NOTE: IF WORKING WITH MULTIPLE DIVISION OFFICES, SEND TO COMMUNITY INFORMATION]

(1) COVER SHEET: Please include a cover letter/memo explaining what is enclosed, what is redacted and what FL Statute it applies. or comments about redactions/omissions. Please LABEL your materials when sending to the requestor or returning them to CI: As appropriate, please count, record and state in the cover memo the number of pages and reference which part of the PRR it is associated with (if multiple bullets) so it is clear what has been researched and what is still needed.

(2) Please keep a COPY of anything you send to Community Information for your office, and if possible please send an additional copy, along with the originals, for the CI office, preferably on CD but not required.

(3) Please use the attached INVOICE to itemize any charges/reimbursement for labor (\$10.00/hour), for printing (\$.05/per page), or cost of CD (\$.20) or DVD (\$.35). Please return your detailed invoice to CI with materials.

(4) \*\* EXEMPT INFO/REDACTIONS - All offices providing PRR information with redactions must adhere to The 2010 Florida Statutes - 119.07, Inspection and copying of records; photographing public records; fees; exemptions. -

(e) If the person who has custody of a public record contends that all or part of the record is exempt from inspection and copying, he or she shall state the basis of the exemption that he or she contends is applicable to the record, including the statutory citation to an exemption created or afforded by statute.

(f) If requested by the person seeking to inspect or copy the record, the custodian of public records shall state in writing and with particularity the reasons for the conclusion that the record is exempt or confidential, or state reason why not redacted. For more information go to link:

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0119/Sections/0119.07.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0119/Sections/0119.07.html)

---

Please contact Pam or Bernice if you have any questions or need assistance with this PRR.

Thank you for your prompt attention and response.

**TSchnebly - Melanie 407-425-9566**

---

**m:** Jennifer Castaldi  
**to:** Tura/Lynne  
**Date:** 3/14/2012 10:28 AM  
**Caller:** Melanie  
**Company:** Bill Rieschmann, Esq.  
**Phone:** 407-425-9566

---

Re: Contract with Waverly Media

**From:** Ken Fischer  
**To:** Chumley, John  
**Date:** 3/19/2012 11:30 AM  
**Subject:** Bus Bench RFP  
**Attachments:** Bus Bench ADA Compliance.pptx

Gif,

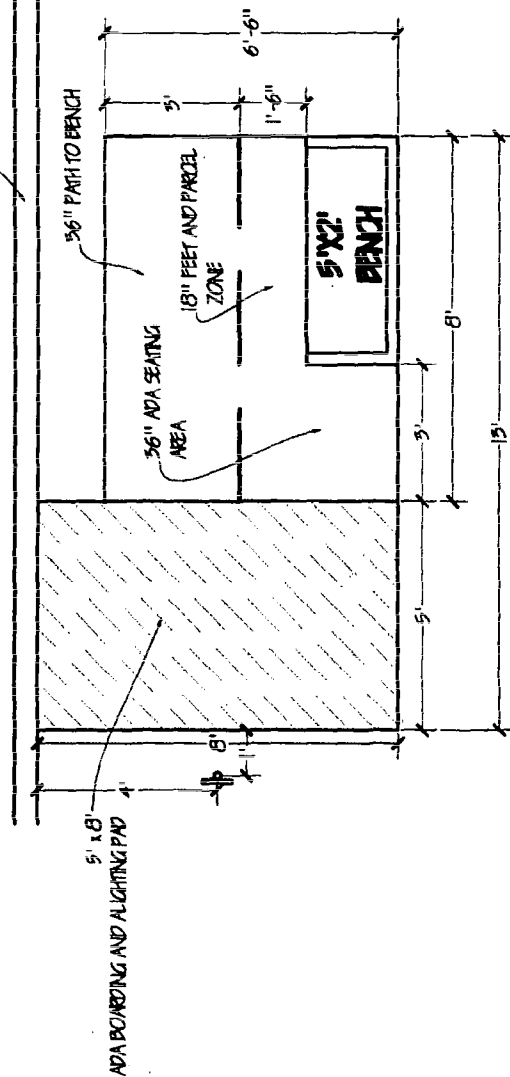
Good morning. Please find attached a set of power point slides on ADA compliance at bus stops with bus benches. We will probably need to meet to discuss how to incorporate the ADA compliance into the RFP. Let me know when you would like to meet to discuss.

Thanks,  
Ken

Ken Fischer  
General Manager  
Votran  
950 Big Tree Road  
South Daytona, FL 32119  
(386) 756-7496, ext. 4126  
kfischer@co.volusia.fl.us

FLOW OF TRAFFIC  
STREET SURFACE

CURB



Bus Stop Pad with Bench and Curb

Item	Estimated Cost
ADA Boarding and Alighting Pad	\$600
Bench Pad	\$700
Bench	\$800
Bus Stop Sign/Pole	\$160
Total	\$2,260

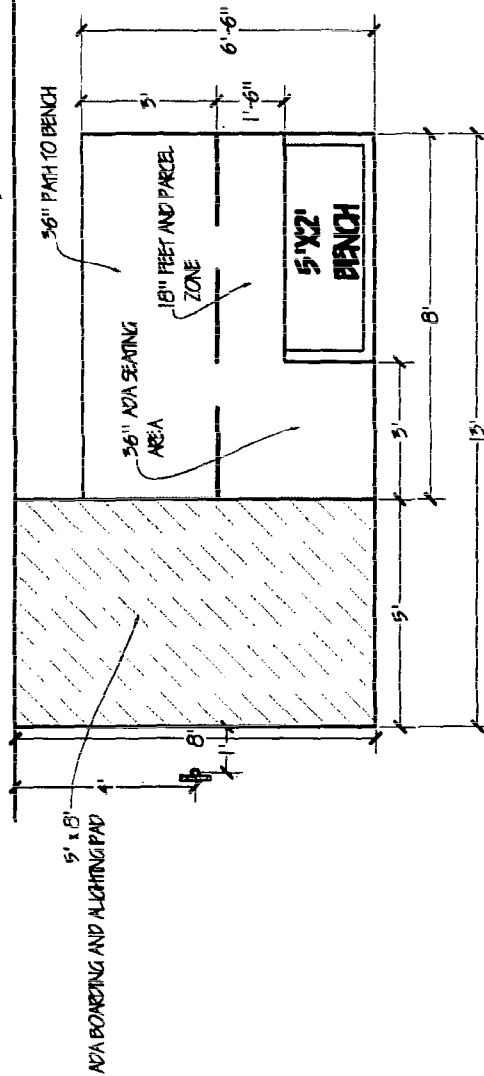
\* Cost is based on as drawn diagram

## Bus Stop Pad Option 2



# Bus Stop Pad Option 2

FLOW OF TRAFFIC  
STREET SURFACE

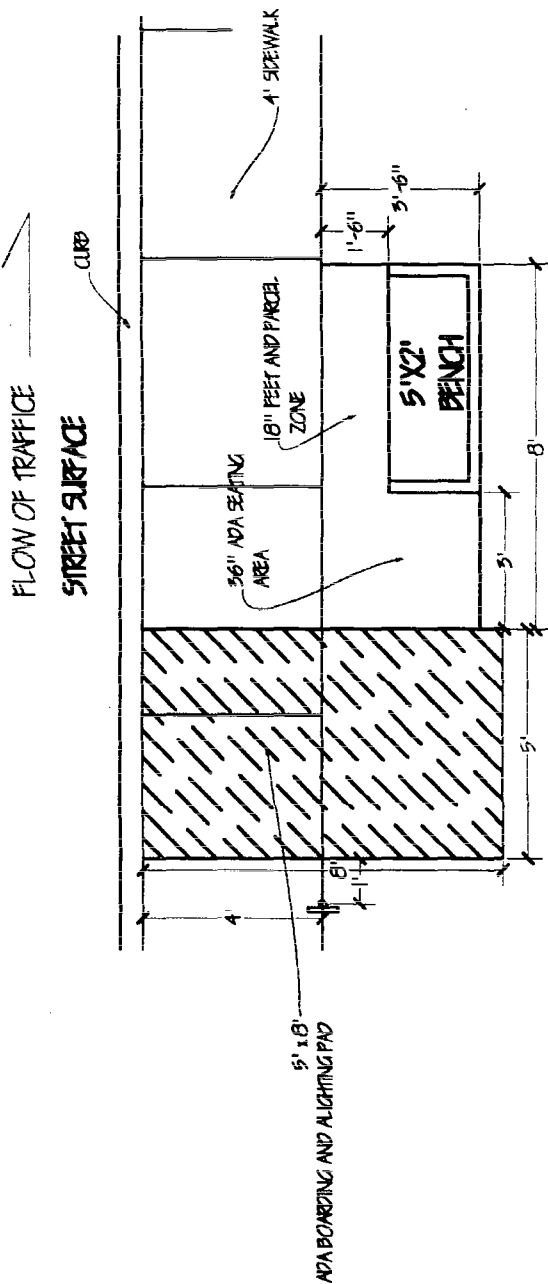


Bus Stop Pad with Bench and No Curb

Item	Estimated Cost
ADA Boarding and Alighting Pad	\$600
Bench Pad	\$700
Bench	\$800
Bus Stop Sign/Pole	\$160
Total	\$2,260

\*Cost is based on as drawn diagram

# Bus Stop Pad Option 2

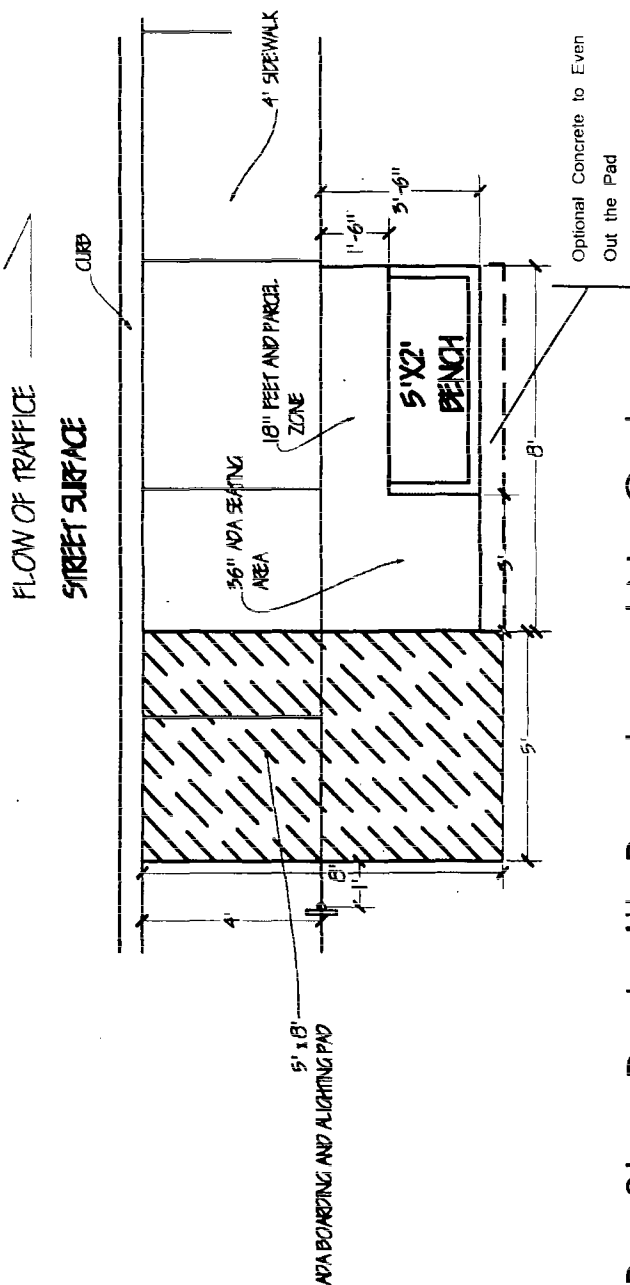


Bus Stop Pad with Bench and No Curb

Item	Estimated Cost
ADA Boarding and Alighting Pad	\$300
Bench pad	\$420
Bench	\$800
Bus Stop Sign/Pole	\$1,160
<b>Total</b>	<b>\$2,680</b>

\*Cost is based on as drawn diagram

# Bus Stop Pad Option 2



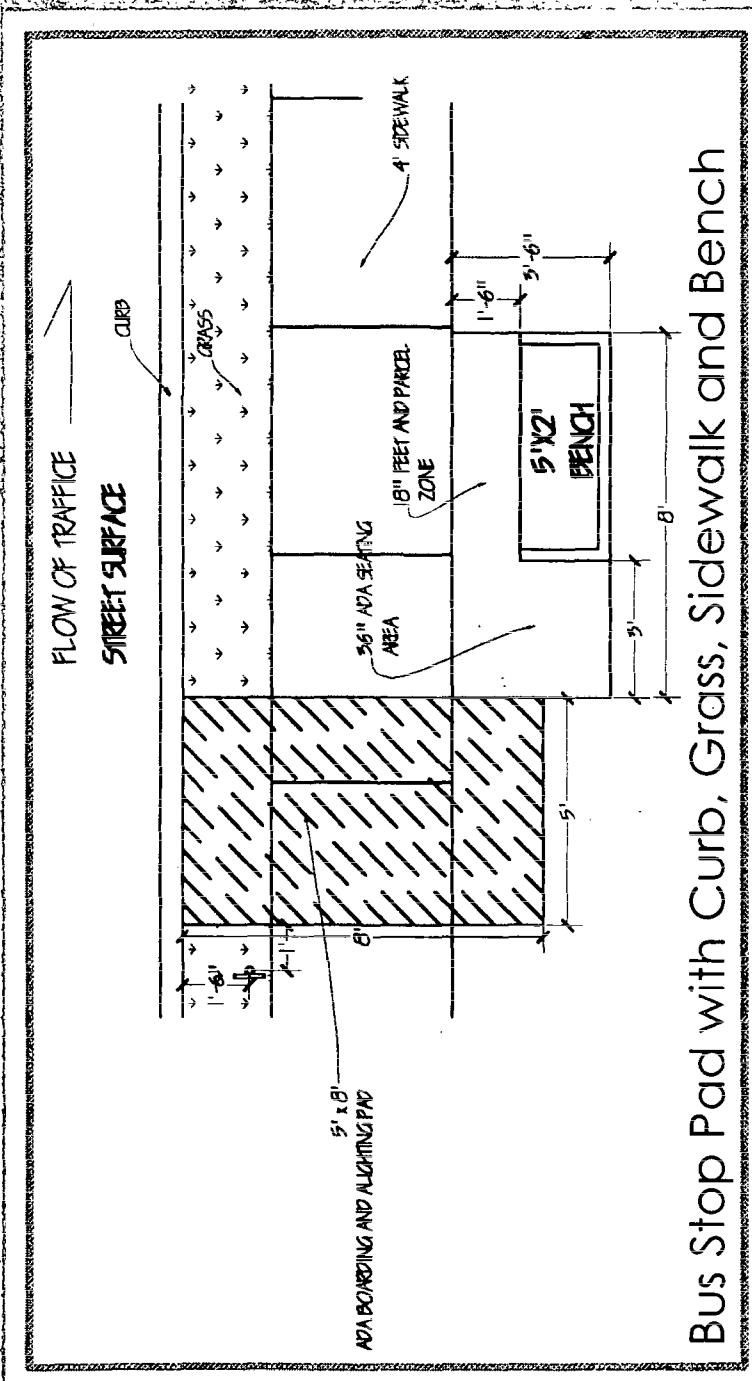
Bus Stop Pad with Bench and No Curb

Item	Estimated Cost
ADA Boarding and Alighting Pad	\$300
Bench Pad	\$480
Bench	\$800
Bus Stop Sign/Pole	\$160
Total	\$1,740*

\*Cost is based on as drawn diagram



# Bus Stop Pad Option 2

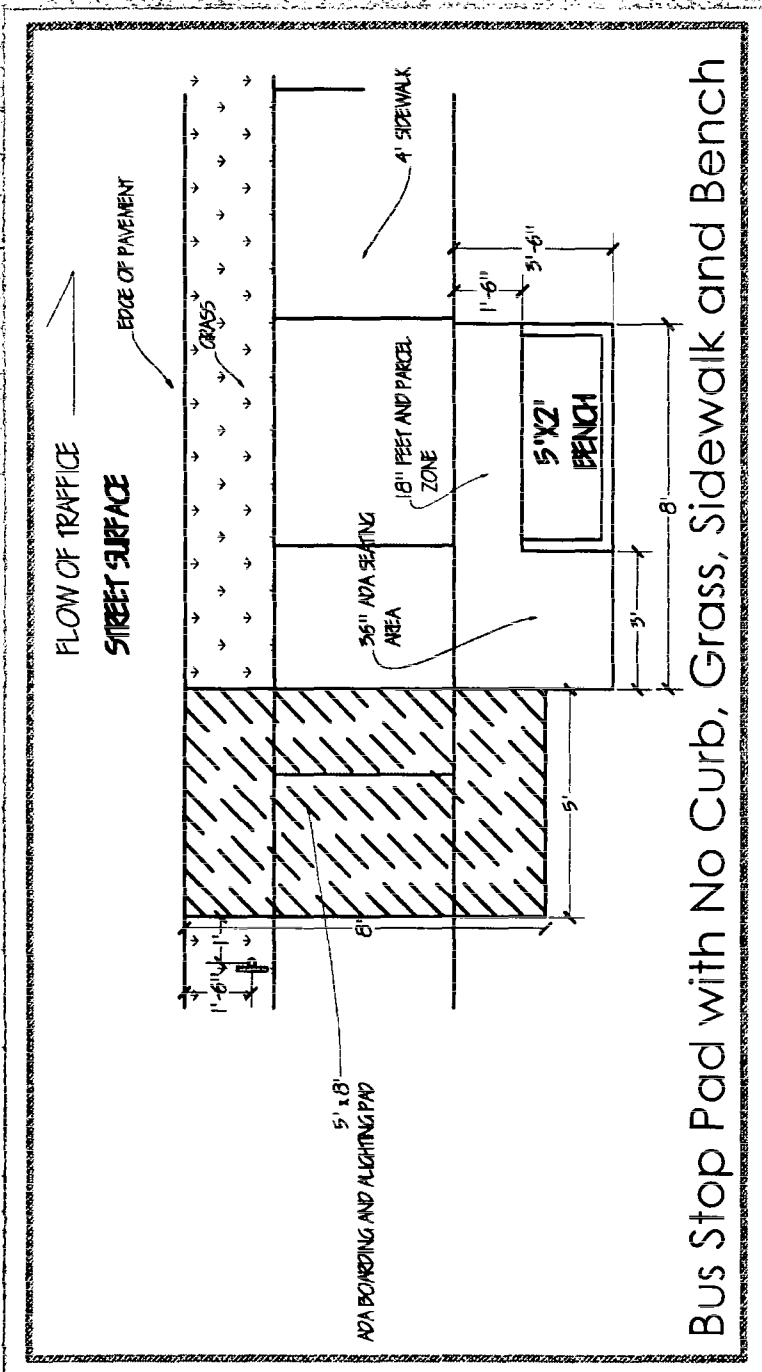


Bus Stop Pad with Curb, Grass, Sidewalk and Bench

Item	Estimated Cost
ADA Boarding and Alighting Pad	\$480
Bench Pad	\$420
Bench	\$800
Bus Stop Sign/Pole	\$160
<b>Total</b>	<b>\$1,860*</b>

\*Cost is based on as drawn diagram

# Bus Stop Pad Option 2



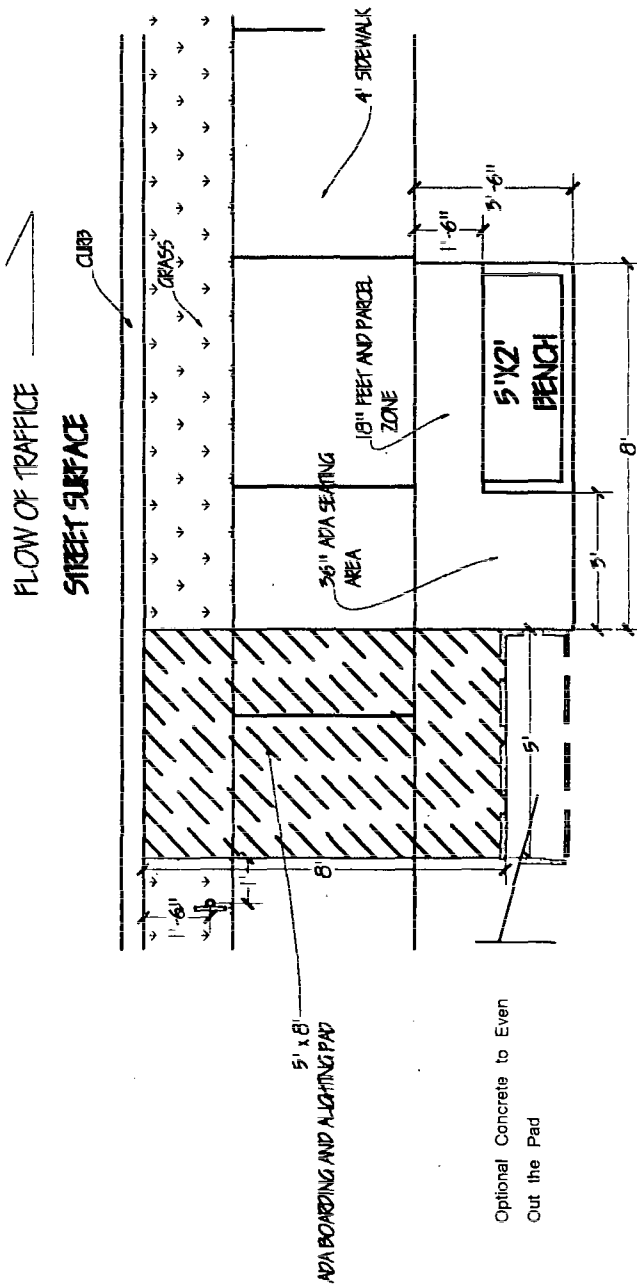
Bus Stop Pad with No Curb, Grass, Sidewalk and Bench

Item	Estimated Cost
ADA Boarding and Alighting Pad	\$480
Bench Pad	\$420
Bench	\$800
Bus Stop Sign/Pole	\$1160
Total	\$1,860

\*Cost is based on as drawn diagram



# Bus Stop Pad Option 2



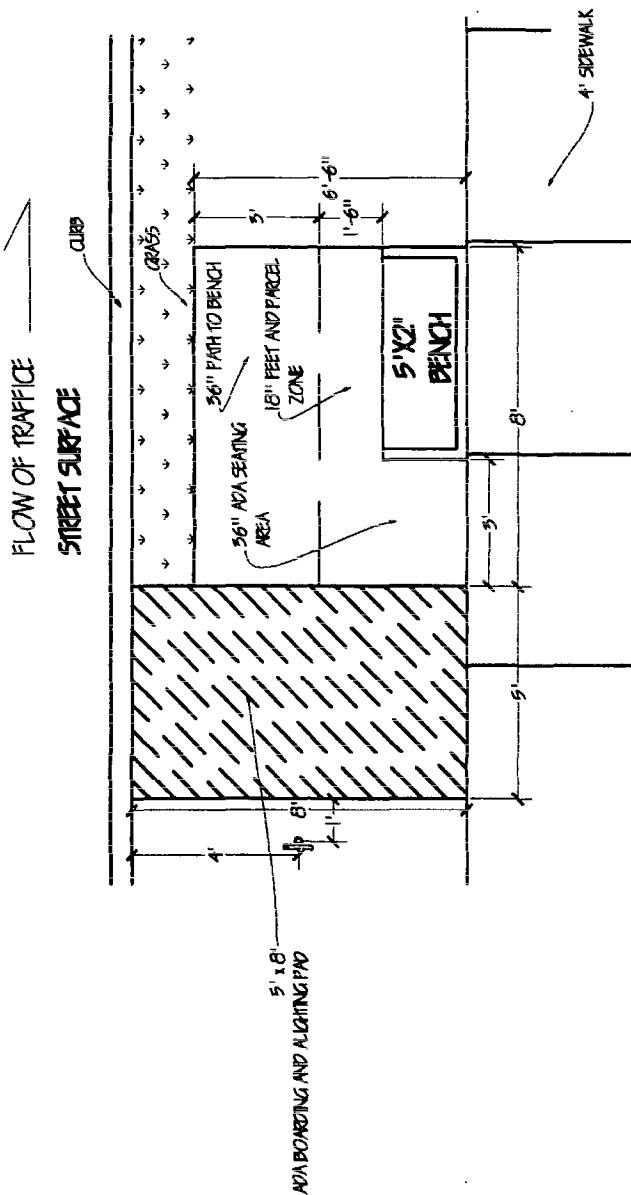
Bus Stop Pad with Curb, Grass, Sidewalk and Bench

Item	Estimated Cost
ADA Boarding and Alighting Pad w/ Additional Fill	\$660
Bench Pad	\$420
Bench	\$800
Bus Stop Sign/Pole	\$1160
Total	\$2,040

\*Cost is based on as drawn diagram



# Bus Stop Pad Option 2

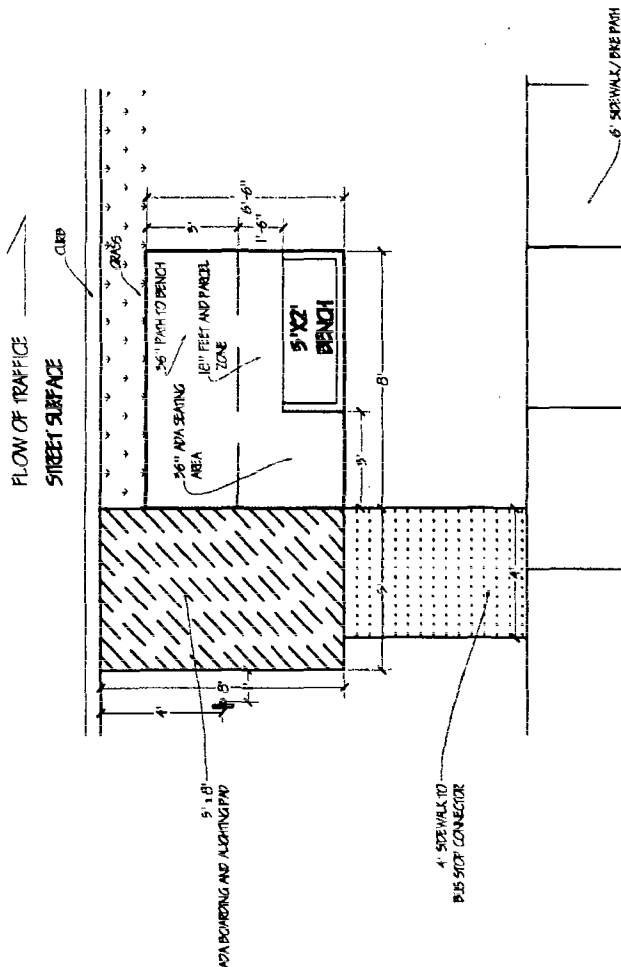


Bus Stop Pad with Curb, Grass, Sidewalk Behind and Bench

Item	Estimated Cost
ADA Boarding and Alighting Pad	\$600
Bench Pad	\$700
Bench	\$800
Bus Stop Sign/Pole	\$160
Total	\$2,260*

\*Cost is based on as drawn diagram

# Bus Stop Pad Option 2



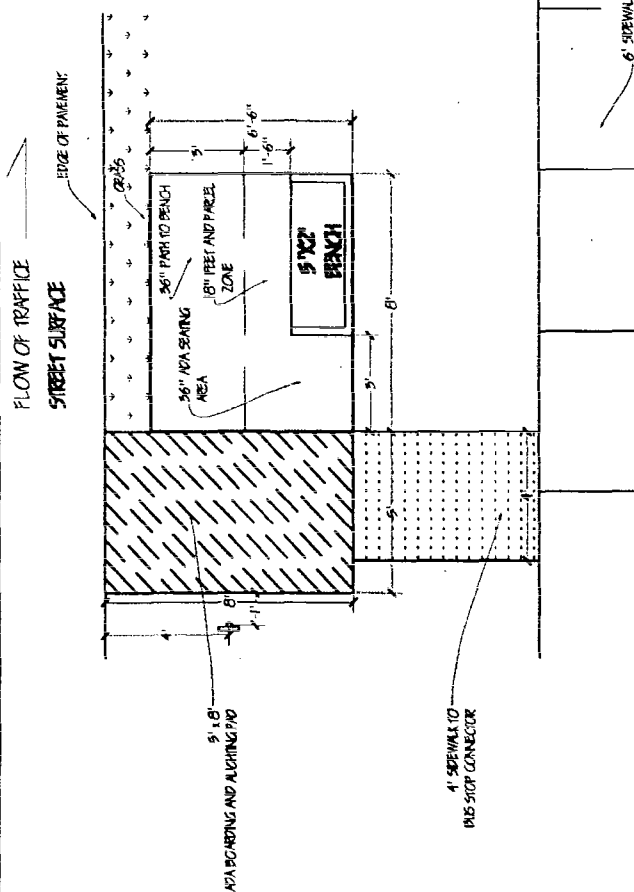
Bus Stop Pad with Curb, Grass, Sidewalk/Connector and Bench

Item	Estimated Cost
ADA Boarding and Alighting Pad	\$600
Bench Pad	\$700
Connector (4' x 5') x \$15 per SF	\$XXXXX
Bench	\$800
Bus Stop Sign/Pole	\$160
Total	\$XXXXX*

\*Cost is based on as drawn diagram



# Bus Stop Pad Option 2



Bus Stop Pad with No Curb, Grass, Sidewalk/Connector and Bench

Item	Estimated Cost
ADA Boarding and Alighting Pad	\$600
Bench Pad	\$700
Connector (4' x 8') \$15 per SF	\$XXX.XX
Bench	\$800
Bus Stop Sign/Pole	\$160
Total	\$XXX.XX

Cost is based on as drawn diagram

## Design Criteria

For standards governing bus stop bench placement see:

- ☐ FAC Rule 14-20-032 "Placement of Transit Bus Benches"
- ☐ Accessing Transit: Design Handbook for Florida Bus Passengers Ver. 2 2008
- ☐ FDOT Design Standards Section 700
- ☐ Florida Accessibility Code for Building Construction- Chapter 11
- ☐ 2010 Dept. Of Justice Standards for Accessible Design -
  - Section 810.2.1 Surface
  - Section 810.2.2 Dimensions
  - Section 810.2.4 Slope
  - Section 903.1 General

# Bus Stop Pad Option 2



**From:** Charles Hargrove  
**To:** Chumley, John  
**Date:** 1/8/2013 12:36 PM  
**Subject:** Fwd: ADA Compliance at Bus Stops

FYI

-----  
Sincerely,

Charles D. Hargrove  
Assistant County Attorney  
County Attorney's Office  
County of Volusia  
123 West Indiana Avenue, Ste. 301  
DeLand, Florida 32720-4613  
Telephone: (386) 736-5950  
Fax: (386) 736-5990  
Email: [CHargrove@co.volusia.fl.us](mailto:CHargrove@co.volusia.fl.us)

>>> Gary Cooney <[GCooney@deltonafl.gov](mailto:GCooney@deltonafl.gov)> 1/27/2011 2:51 PM >>>

Mr. Hargrove,

Jamie Seaman informs me that you are the attorney to go to with ADA compliance issues. I have tried unsuccessfully to reach you via telephone.

The City of Deltona has received a complaint concerning ADA compliance at bus stops within the city. The complaint alleges the stops are non-compliant in that they do not have the allegedly required 5 x 8 paved access ramps. FDOT appears to be of the same opinion as the complainant. As the complaint involves Voltran, county roads and city roads, I wanted to coordinate with the County concerning any measures to be taken.

Please contact me at your earliest convenience.

Thanks,

Gary J. Cooney  
City Attorney  
City of Deltona

**CONFIDENTIALITY NOTICE:** This e-mail message including any attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review use disclosure or distribution is prohibited. If you are not the intended recipient contact the sender by reply e-mail and destroy all copies of the original message.

**PUBLIC RECORDS NOTICE:** The City of Deltona is governed by the State of Florida public records law. This means that the information we receive online including your e-mail address might be disclosed to any person making a public records request. If you have any question about the Florida public records law refer to Chapter 119 Florida Statutes.