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COUNTY OF VOLUSIA

6

OSTEEN PUBLIC MEETING

7

RE: RAILS TO TRAILS

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(STENOGRAPHICALLY TRANSCRIBED VIA DIGITAL RECORDING)

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DATE TAKEN: FEBRUARY 6, 2014

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TIME: COMMENCED AT 6:00 P.M.

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STENOGRAPHICALLY

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TRANSCRIBED BY: LESLIE STILWELL
COURT REPORTER AND NOTARY PUBLIC

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1 APPEARANCES ON BEHALF OF VOLUSIA COUNTY COUNCIL:

2 Jason Davis, Chairman
3 Joyce Cusack, At-Large Member

4 STAFF:

5 Debbie Somerford, Staff
6 Jeff Crumbley, Staff

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11 **OTHERS AS MAY APPEAR IN TRANSCRIPT**

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I N D E X

MEETING CALLED TO ORDER	4
INVOCATION	5
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CERTIFICATE OF REPORTER	160

1 P R O C E E D I N G S

2 THEREUPON:

3 MR. DAVIS: Very well. If we can have the
4 meeting come to order.

5 Welcome to my first-ever town hall meeting.

6 (Applause.)

7 MR. DAVIS: My name is Jason Davis. I'm the
8 Volusia County Chair.

9 The lovely Ms. Joyce Cusack is joining me
10 here. She is also a council member; the at-large
11 council member.

12 To my right, we have -- the gentleman in the
13 purple shirt, that's Jeff. He's our AV guy.

14 And the young lady that's sitting here typing,
15 ever so feverishly, because I talk really quick, is
16 our staff member, Ms. Debbie Somerford, who is --
17 she's sitting here to take notes because both
18 council members are in the room at the same time.

19 Now, before we get all and started on this,
20 there's been a request from citizens here that we
21 do an invocation, and a request from you that we do
22 the pledge.

23 So if everyone would please rise.

24 Who is our person --

25 (Simultaneous speaking.)

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1 UNIDENTIFIED FEMALE SPEAKER: Pledge
2 allegiance?

3 MR. DAVIS: No, we -- invocation first.

4 UNIDENTIFIED FEMALE SPEAKER: Well...

5 UNIDENTIFIED FEMALE SPEAKER: Oh. How'd you
6 just see...

7 MR. DAVIS: Do the prayer. It's a prayer.

8 UNIDENTIFIED FEMALE SPEAKER: Janet.

9 MR. DAVIS: Janet.

10 I guess we have an ordained minister.

11 UNIDENTIFIED FEMALE SPEAKER: Yes.

12 This is Janet Altice. She's an evangelist.

13 She's traveling all around the -- the world, and

14 she's getting ready to go to India with her friends

15 and five families, so I'd like for her to pray.

16 So the way we do it in Osteen, put Jesus
17 first.

18 AUDIENCE: (Collectively) Amen.

19 MS. ALTICE: Thank Heavily Father, we've come
20 to you tonight, Lord, for this town hall meeting,
21 God, for the concerns of this community.

22 Father God, I pray right now that you will be
23 amongst us tonight, God. We give you preeminence
24 and reign in this place tonight, God.

25 We acknowledge you as our Lord and Savior and

1 the only God.

2 God, I pray right now, that you will bless
3 everything, God, everything that is said and done
4 this night and every person. Let their concerns be
5 aired and let them -- the answers come, Lord.

6 We ask you for wisdom and knowledge and
7 guidance. We give you thanks. In Jesus mighty
8 name. Amen.

9 AUDIENCE: (Collectively) Amen.

10 MR. DAVIS: Please rise and face the flag.

11 And if you are a veteran, if you wish, you may
12 render a salute as we say the pledge.

13 (Pledge of allegiance.)

14 MR. DAVIS: Thank you very much.

15 Please have a seat.

16 UNIDENTIFIED FEMALE SPEAKER: Chairman, are
17 there any more chairs?

18 MR. DAVIS: Have we got a pile of chairs in
19 there still?

20 UNIDENTIFIED FEMALE SPEAKER: No.

21 MR. DAVIS: Nope. No more chairs. We got
22 three chairs in the back. And there's still
23 (indiscernible) nothing. Come on in.

24 MS. ISAACKS: (Indiscernible.) Tom. Come on
25 in.

1 (Simultaneous speaking.)

2 MS. ISAACKS: -- Osteen. God bless.

3 Hello. How are y'all?

4 Hello.

5 (Simultaneous speaking.)

6 MS. ISAACKS: All right. Get up here,

7 (indiscernible).

8 (Simultaneous speaking.)

9 MR. DAVIS: All right. How many here have
10 been at a county council meeting?

11 (Simultaneous speaking.)

12 MR. DAVIS: Have to get to work.

13 All right. You guys have sent us a list of 38
14 questions and concerns. These questions and
15 concerns, we had as soon as I got them, we had the
16 staff look over them.

17 We talked with Jim Dinneen, who's the county
18 manager. We talked to the sheriff. We got
19 everybody involved that all these questions pertain
20 to.

21 So very simply, I will start off by reading
22 these questions. If I cov- -- do not cover one of
23 the questions that is on your mind, please, at the
24 end --

25 Can you ladies come up front, please?

1 UNIDENTIFIED FEMALE SPEAKER: (Indiscernible.)

2 MR. DAVIS: Come on up. It's all right. I
3 don't bite hard. I might get bitten every once in
4 a while.

5 If -- if I don't cover a question that you
6 have, after I'm done reading all these, please,
7 just go ahead and raise your hand. And we'll call
8 on you and we'll -- we'll find out what your
9 question is.

10 First thing is -- the question is: Who is
11 going to maintain the trail?

12 This is a very simple question. It's the
13 Division of Parks and Services of Volusia County.

14 Tim Baylie is our director of -- of that
15 particular department. It is his responsibility to
16 make sure that these trails stay clean, maintained,
17 and up to par.

18 How often will the trail be maintained and
19 trash picked up so that it doesn't become a dump
20 site?

21 That will be at least once per week the trail
22 will be traveled from -- by the staff. They got
23 the little gator carts, and they drive around.
24 They'll stop, they'll pick up the little piece of
25 trash, dump it in the garbage can.

1 Our job is to make this as nice as possible,
2 to make it as clean as possible, and to keep it
3 that way.

4 All right. What kinds of safety precautions
5 will there be for the trail users and homeowners?

6 This is a big question. A lot of people have
7 asked, not just you, all around the county.

8 Motorized vehicles will be prohibited from the
9 trail. The sheriff's office will be assisting --

10 UNIDENTIFIED MALE SPEAKER: Yeah.

11 MR. DAVIS: -- will be assisting the park
12 staff on an as-needed basis on trail violations.

13 For example, if somebody is driving a go-kart,
14 a minibike, a golf cart -- any kind of cart that
15 uses a motorized vehicle -- a Hummer Craft, an
16 airplane, a helicopter, it's up to the parks and
17 recs to notify the sheriff; the sheriff will get
18 them.

19 You guys see it happening, please don't
20 hesitate to pick up your phone and call, and we
21 will get out there, get those people off the trail,
22 because this is a pedestrian/bicycle trail, and
23 it's supposed to be safe for everybody.

24 We have constructed 21.1 miles of the paved
25 trails in the county already. And although the

1 homeowners are initially concerned about safety and
2 crime, we have not yet experienced any additional
3 crime or safety issues resulting from trail
4 deployment -- development.

5 We haven't had the big crime wave that
6 everybody's been concerned about. I think that's
7 because we've got some pretty good neighbor
8 watch -- neighborhood watch programs, concerned
9 citizens.

10 I mean, my goodness sakes, you see me, I
11 parked in front of a house one time, 'cause I was
12 looking for an address.

13 I think it was your house, for that meeting we
14 had.

15 And I got -- actually, somebody called the
16 cops. They pulled up and said, "What are you doing
17 here?"

18 I said, "I'm looking for this address."

19 And he asked for my ID, you know.

20 The sheriff's good about that. Pretty good.
21 Yeah. I didn't get a ticket, though.

22 Will the sheriff's office commit to more
23 patrols on the trails, (indiscernible) the excess
24 speeding on the road?

25 The sheriff's office has assisted park staff

1 on trail violations already. We have had a couple
2 of kids take the motorbikes out there, the golf
3 carts.

4 And when we put the trails up, a couple of the
5 senior citizens said, Oh, we're in the Villages,
6 and started driving down the trail. They were
7 told, You can't do that. So they did get on that,
8 and they -- they took care of that problem.

9 And I know you will keep up on this in the
10 future, especially when he knows about that one
11 place. I had to talk about that. We won't go
12 farther down that road.

13 Do we got any more chairs? I mean --

14 UNIDENTIFIED FEMALE SPEAKER: Uh-uh. Sorry.

15 MR. DAVIS: Okay. Everybody -- everybody can
16 hear me and everybody can see me. I'm sorry. I've
17 been yelling all day. I had six -- five members on
18 the council today, so we were -- got my throat a
19 little missed up.

20 Will the County put in writing that they will
21 specifically fund the sheriff's office the
22 additional expenses needed to patrol this area
23 since, at this time, there is no funding for this?

24 The sheriff adjusts his patrols as needed and
25 will evaluate the need once the trail is

1 constructed. In other words, the sheriff has
2 (indiscernible) way up.

3 Ev- -- ever notice how when you're driving
4 down the road there's a cop car sitting in
5 somebody's yard from the sheriff's department, it's
6 a cop car.

7 MS. ISAACKS: Not in Osteen.

8 MR. DAVIS: Well...

9 UNIDENTIFIED FEMALE SPEAKER: Not here.

10 MR. DAVIS: Well, we -- we don't --

11 MS. ISAACKS: Amen.

12 MR. DAVIS: We don't have a deputy that lives
13 out here, apparently. But the sheriff's deputies
14 take the patrol cars home.

15 When -- the sheriff, he gets all kinds of data
16 every month. You know, there's beatings over here,
17 there's armed robberies here, there's car thefts,
18 there's this and that and everything's going on.

19 He actually adjusts the patrol. You know, we
20 used to have so many cop -- patrolmen up in
21 Pierson. But then there's no crime up there, so
22 they reduce that in half, down to one sheriff. So
23 there's one sheriff deputy who goes up there and
24 then they have floaters.

25 So he does adjust monthly, to make sure that

1 all the needs of the citizens are taken care of.
2 So he wants to make sure you're safe; we want to
3 make sure you're safe, so that's how he's going to
4 adjust his patrol.

5 If there comes a need in the future for
6 additional patrolmen, we will have to address that
7 issue as it comes up.

8 But right now, like you said, at this time, we
9 don't have any major crime sprees going on around
10 the trail areas, so right now we're not really
11 anticipating anything.

12 Yes, sir.

13 You can interrupt me. Just raise your hand,
14 I'll...

15 UNIDENTIFIED MALE SPEAKER: My house is going
16 into auction (indiscernible) around the 22nd of
17 May. Could you get a sheriff's deputy out there
18 and maybe he could buy the house and we'll have one
19 in the neighborhood?

20 MR. DAVIS: I don't tell them where to live,
21 but hey, you never know. You never know.

22 Welcome. Come on in. Come on in.

23 UNIDENTIFIED FEMALE SPEAKER: We --

24 MR. DAVIS: Walk through. Walk on through.

25 UNIDENTIFIED FEMALE SPEAKER: We've got more

1 room over there.

2 MR. DAVIS: Walk on through. We're good.

3 UNIDENTIFIED FEMALE SPEAKER: We've got more
4 room over there.

5 MR. DAVIS: They're the late bloomers.
6 They're latecomers.

7 UNIDENTIFIED MALE SPEAKER: I have a question.

8 MR. DAVIS: Yes, sir.

9 UNIDENTIFIED MALE SPEAKER: When you say
10 notify the SO, would that be 9-1-1 or the
11 nonemergency number --

12 MR. DAVIS: No. If you've got --

13 UNIDENTIFIED MALE SPEAKER: -- if somebody's
14 violating the trail?

15 MR. DAVIS: If you've got somebody violating
16 the law, you pick up the phone, 9-1-1. I don't
17 even know what the nonemergency number is. I know
18 9-1-1.

19 If I have to pick up a phone and call somebody
20 'cause there's a crime being committed, I call
21 9-1-1. They -- they all go to the EOC, which we
22 built. It's that new Emergency Management Center
23 over there by Indian River, over by the jail. And
24 that's where all the phone calls go. So the same
25 people aren't handling it. So we'll -- we're good

1 to go.

2 UNIDENTIFIED FEMALE SPEAKER: I have a
3 question.

4 MR. DAVIS: I hope I have an answer. So far,
5 so good. I'm doing pretty good, I think.

6 UNIDENTIFIED FEMALE SPEAKER: We're new. We
7 just moved on Murray -- Murray Street.

8 MR. DAVIS: Uh-huh.

9 UNIDENTIFIED FEMALE SPEAKER: Christmas Eve of
10 last -- two years ago.

11 MR. DAVIS: Oh, so you are the new kids on the
12 block.

13 UNIDENTIFIED FEMALE SPEAKER: We're new.
14 We've not gotten -- I'm seeing letters to
15 homeowners on that. Is that -- I don't know what
16 this is all about.

17 MR. DAVIS: Oh.

18 UNIDENTIFIED FEMALE SPEAKER: We've never
19 gotten anything.

20 MR. DAVIS: I -- I apologize. I don't know
21 how you missed out on this. This is --

22 UNIDENTIFIED FEMALE SPEAKER: Don't feel --
23 don't feel bad.

24 MR. DAVIS: I don't mail them.

25 MS. ISAACKS: Wait a minute. We've got a lot

1 of people that haven't gotten letters.

2 MR. DAVIS: Okay.

3 UNIDENTIFIED FEMALE SPEAKER: We haven't.

4 MR. DAVIS: Does everybody know what we're
5 talking about here?

6 (Simultaneous speaking.)

7 UNIDENTIFIED MALE SPEAKER: Rails to Trails.

8 MR. DAVIS: You are correct. Rails to Trails.

9 Well, see this map over here. Okay. In
10 accordance to the Murphy rule from the state of
11 Florida, the -- there's an easement on --

12 Next to Osteen Ceme- -- Osteen Cemetery. I
13 lived there. Sorry.

14 -- Osteen-Maytown Road, that they're -- the
15 County is going to use as the bicycle trail, the
16 old Rail to Trail program everybody's been hearing
17 about. It's a bicycle/pedestrian trail. No
18 motorized vehicles.

19 It does go in front of houses out here. Some
20 of the real estate out here, as you see in the --
21 by this big map. It shows where --

22 UNIDENTIFIED MALE SPEAKER: In fact, let me
23 get out -- especially without glasses, it's hard to
24 do (indiscernible).

25 MR. DAVIS: Okay. Watch the little red

1 pointer. It's right there. That is Osteen-Maytown
2 Road. And this is the area in question. It goes
3 right in front of it; right here in front of these
4 people's yards.

5 We had a big discussion in council. I came
6 out and met with citizens out here, as many of my
7 council members met with citizens. They discussed
8 their -- their opinions and their -- what they
9 wanted to tell us about this issue.

10 We fought for it. We fought to -- to preserve
11 the rights of the citizens, but the council said,
12 Nope, we're going to do it this way. So the
13 alignment of the trail is going down Maytown Road.

14 There's -- literally, unless it's an act of
15 the United States Congress and the President of the
16 United States, that trail's going right there. We
17 have no control to stop it anymore.

18 UNIDENTIFIED MALE SPEAKER: Maytown Road?

19 MR. DAVIS: Maytown -- Osteen Road.

20 UNIDENTIFIED MALE SPEAKER: On -- it's going
21 on the old railroad tracks.

22 MR. DAVIS: By the old railroad --

23 UNIDENTIFIED MALE SPEAKER: Railroad tracks.

24 MR. DAVIS: -- tracks.

25 UNIDENTIFIED MALE SPEAKER: Yeah. It's --

1 we're sharing them.

2 MR. DAVIS: Right.

3 UNIDENTIFIED MALE SPEAKER: Parts -- no, parts
4 of them.

5 UNIDENTIFIED MALE SPEAKER: Parts of it are
6 going down there.

7 UNIDENTIFIED MALE SPEAKER: Yeah. Parts of
8 it's going to come out to Maytown Road --

9 MR. DAVIS: Right.

10 UNIDENTIFIED MALE SPEAKER: -- parallel on the
11 side of Maytown Road --

12 MR. DAVIS: Exactly.

13 UNIDENTIFIED MALE SPEAKER: -- and dive back
14 in.

15 MR. DAVIS: And then dive back in.

16 UNIDENTIFIED MALE SPEAKER: Is there any
17 portion going down Lemon Bluff?

18 MR. DAVIS: Lemon Bluff. Where's Lemon Bluff?
19 (Simultaneous speaking.)

20 UNIDENTIFIED MALE SPEAKER: No.

21 UNIDENTIFIED FEMALE SPEAKER: No.

22 UNIDENTIFIED MALE SPEAKER: Way over there.

23 UNIDENTIFIED FEMALE SPEAKER: No, no.

24 MR. DAVIS: Oh, no, no. And it's going --
25 actually, we just broke ground on the bridge. The

1 bridge is going over. Right here. The trail's
2 going straight down in a -- watch -- watch your
3 head, dear. (Indiscernible). And right here, it
4 comes back up to Maytown Road. And you see that
5 line right there? It goes right straight down
6 there.

7 And then about right here, I believe, it comes
8 back out to the woodline, and it goes back out to
9 the woods, paralleling Maytown Road all the way
10 down. And it then goes to 95, then shoots due
11 north.

12 MS. MANCHE: Can I just --

13 (Simultaneous speaking.)

14 UNIDENTIFIED MALE SPEAKER: Are you saying
15 that turns around and comes back?

16 MR. DAVIS: No. No. It's part of the trail.

17 UNIDENTIFIED MALE SPEAKER: It's going all the
18 way to 95?

19 (Simultaneous speaking.)

20 MR. DAVIS: Oh, wait. Whoa, whoa, whoa. Hold
21 it. Hold it.

22 MS. MANCHE: Yeah, but you've got to watch --

23 MR. DAVIS: One at a time. One at a time.

24 UNIDENTIFIED MALE SPEAKER: I know it could
25 be.

1 MS. MANCHE: Okay. The big problem that we
2 have, they had a plan last year to use their own
3 25-foot right-of-way for their 16-foot sidewalk.
4 They said they only needed 16 feet.

5 But then April of last year, they decided to
6 change that and take an additional 35 feet from the
7 homeowners' properties and not pay them a penny for
8 it, and that's not even eminent domain. That's the
9 Murphy Land Act.

10 And the information here --

11 UNIDENTIFIED MALE SPEAKER: What was that?

12 MS. MANCHE: The information here, explains
13 that back in 1941, they claimed Osteen-Maytown
14 Road, but they also claimed Lemon Bluff, Enterprise
15 Osteen Road, Reed Ellis, Pell Road and Lake Helen
16 Osteen Road.

17 So at any time, they can come in and say:
18 Well, we decided we want to build a trail, we want
19 to widen the road. We can take up to a hundred
20 feet of your land, if we so choose, and not pay
21 you. And if your house is on it, oh, well.

22 UNIDENTIFIED FEMALE SPEAKER: Jason.

23 UNIDENTIFIED FEMALE SPEAKER: So what can they
24 do to change this so they can't take their
25 property?

1 MS. MANCHE: What we're doing right now.

2 UNIDENTIFIED MALE SPEAKER: That's what we're
3 doing right now.

4 MR. DAVIS: Okay. All right.

5 (Simultaneous speaking.)

6 UNIDENTIFIED MALE SPEAKER: 'Cause one of the
7 meetings (indiscernible) everybody else that lives
8 on these roads.

9 MS. MANCHE: And that's why he voted against
10 it; Joyce Cusack voted against it. They're the
11 only two that did.

12 MR. DAVIS: All right. Now, I've been told by
13 staff, when you -- when you raise your hand, and
14 when I call on you, I need to know your names so we
15 can have it in -- for the record. Okay? And...

16 UNIDENTIFIED FEMALE SPEAKER: Yes, sir.

17 SHERYL MANCHE: Sheryl Manche.

18 MR. DAVIS: Sheryl Manche, who was just
19 speaking.

20 Okay. So we -- now we know why we're here.
21 These are just the concerns that everybody had
22 about safety, maintenance, clean up and all those
23 other things that go along with having a piece of
24 property out in the middle of the woodline.

25 And so we had you -- when all these questions

1 came to us, we had them answered, written by the
2 authority that is in charge, so that's why we're
3 here. We're here to explain to you what's going to
4 happen and try to -- to help everybody understand.

5 All right. Once again, we'll -- we'll move
6 right along here.

7 Will vehicles have access to the trail, or
8 will it be restricted to only foot and bicycles?

9 I got that question, like, five times in here,
10 and I'll probably read it all five times. The
11 answer is: It is a bicycle/pedestrian trail. No
12 motorized vehicles, whatsoever.

13 And there is only one exception. One
14 exception is, if you are a card-carrying disabled
15 individual, that you have a motorized wheelchair.

16 And I -- I will tell you, I served in the
17 military and I got injured, and I -- I have a bum
18 leg. I am allowed to use a Segway, not a cart.

19 So I mean, that kind of things that help an
20 individual with a disability, if it's motorized,
21 fine. Now, I'm not going to jump in a -- in a
22 big-block Chevy and go tooling on down there, you
23 know. I mean, that -- that is ridiculous. No.
24 Something within reason.

25 So -- I mean, if -- if grandma says, Well, I

1 need a -- I need my wheelchair, but then somebody
2 puts a 350 Hemi on the back, you know, I think we
3 might have a problem with that.

4 Yes, ma'am. Your name, please.

5 MS. CHARLEY: Diane Charley.

6 MR. DAVIS: Diane Charley.

7 MS. CHARLEY: Yes.

8 I have a question about that. What do you
9 mean by "card-carrying?" Number one.

10 MR. DAVIS: Oh.

11 MS. CHARLEY: And number two --

12 MR. DAVIS: Yeah.

13 MS. CHARLEY: -- what do you mean by motorized
14 vehicle? A disabled --

15 MR. DAVIS: Anything --

16 MS. CHARLEY: -- person sitting on a golf
17 cart? Is that it?

18 MR. DAVIS: Anything that is propelled other
19 than human propulsion or animal propulsion. I
20 guess if you wanted to take a little -- I don't
21 even think you could take a (indiscernible) down
22 there.

23 But I mean, anything that's propelled with a
24 motor, meaning gas, electric or any kind of
25 propulsion, other than human power, is a motorized

1 vehicle. You don't bring it in.

2 As far as card-carrying, anybody who has a
3 disability, has a disability card or some form.
4 Because if you get pulled over riding a Segway or a
5 wheelchair, somebody's going to say, you know, Do
6 you have a disability? You better be able to prove
7 it. That's the only thing I mean by card-carrying.
8 You need to be able to prove it.

9 Like, if you get on a Segway and say, I've got
10 a bum leg and you're riding a Segway, like I do
11 when I have to go long distances, you've got -- you
12 know, somebody will say, Why are you riding that?
13 You're not allowed to be here. I can pull out my
14 disability card -- I have a VA card -- and show
15 them that I'm a disabled veteran. So...

16 Yes, ma'am. Name, please.

17 MS. STIPPLES: Sherry Stipples.

18 MR. DAVIS: Sherry Stickles (phonetic).

19 MS. STIPPLES: Now, over in Gemini Springs,
20 the trail goes through there, they have the
21 designated parking area.

22 MR. DAVIS: Yes.

23 MS. STIPPLES: And then off of Doyle -- Doyle
24 Road, I believe it's Audubon Park.

25 MR. DAVIS: Yes.

1 MS. STIPPLES: Isn't that designated parking?

2 MR. DAVIS: Yes. These are called trailheads.

3 MS. STIPPLES: Right. But you have where you
4 can put your car -- park your car there and then go
5 on the trail.

6 MR. DAVIS: Right.

7 MS. STIPPLES: Is there going to be something
8 around this area?

9 MR. DAVIS: You're in it.

10 MS. ISAACKS: Underneath -- right -- right
11 here.

12 MR. DAVIS: Yeah.

13 MS. STIPPLES: Just right here, then?

14 MR. DAVIS: Right here. And this is what they
15 call a trailhead.

16 UNIDENTIFIED MALE SPEAKER: Right over here.

17 UNIDENTIFIED MALE SPEAKER: New Smyrna is no
18 longer going to pass all the way through and
19 they're going to --

20 UNIDENTIFIED FEMALE SPEAKER: They're going to
21 block it.

22 UNIDENTIFIED MALE SPEAKER: Right here.

23 UNIDENTIFIED FEMALE SPEAKER: Okay. Okay.

24 UNIDENTIFIED FEMALE SPEAKER: Hey.

25 MR. DAVIS: Yep. So you're in.

1 MS. STIPPLES: Okay.

2 MR. DAVIS: Yes, sir. Your name.

3 MR. LOGUE: Jim Logue. L-O-G-U-E.

4 MR. DAVIS: Jim Gloke (phonetic)?

5 MR. LOGUE: Logue.

6 MR. DAVIS: G-L-O...

7 UNIDENTIFIED FEMALE SPEAKER: L-O --

8 MR. LOGUE: L-O-G-U-E.

9 UNIDENTIFIED FEMALE SPEAKER: L-O-G-U-E.

10 UNIDENTIFIED MALE SPEAKER: Logue. Okay.

11 UNIDENTIFIED MALE SPEAKER: L-O-U-G-E.

12 MR. LOGUE: You said that -- you say the

13 trail -- you know, four wheelers and golf carts

14 can't ride on that.

15 MR. DAVIS: No.

16 MR. LOGUE: When we call the -- when we call

17 the sheriff, what's his response time?

18 MS. ISAACKS: Out here, it's sixty minutes.

19 (Simultaneous speaking.)

20 UNIDENTIFIED FEMALE SPEAKER: Now, come on.

21 What is (indiscernible)?

22 MR. DAVIS: I will tell you this --

23 UNIDENTIFIED MALE SPEAKER: Let's do it

24 tomorrow.

25 MR. DAVIS: -- if you start getting -- if the

1 sheriff starts getting a lot of calls out here, the
2 data goes into the database. We got -- you know,
3 kids riding motorcycles. We got four wheelers out
4 here. We got trikes out here. We got motorcycles.
5 We got all this stuff going on. Believe me, the
6 presence of law enforcement will start getting more
7 intense.

8 MS. ISAACKS: Can I ask, can you speak up
9 about that? We live on Maytown Road. Can -- he
10 calls --

11 MS. SOMERFORD: Nancy Isaacks.

12 MS. ISAACKS: Nancy Isaacks.

13 He calls five to six times a week. We don't
14 see a deputy.

15 MR. DAVIS: Where's your --

16 MR. ISAACKS: Now, I beg to differ with you
17 there, and I think a lot of people will --

18 MS. MANCHE: Nancy.

19 MS. ISAACKS: -- stand behind me.

20 MS. MANCHE: Nancy, one of the questions that
21 we asked him, which is on there, is if -- I think
22 it's, if Volusia County's going to commit and put
23 in writing with the sheriff, that they're going to
24 be -- that Volusia County's going to be paying the
25 sheriff to come out there. 'Cause the last thing I

1 heard was, there wasn't enough funds for the
2 sheriff to go out --

3 MR. ISAACKS: That's right. There's not
4 enough funds, Sheryl, for them to have a deputy in
5 our area as it is now.

6 MS. MANCHE: So let -- let --

7 UNIDENTIFIED MALE SPEAKER: Well, that area
8 goes from Maytown Road --

9 MS. ISAACKS: All the way to --

10 MS. MANCHE: Don Causseaux.

11 UNIDENTIFIED MALE SPEAKER: -- Don Causseaux.

12 741 goes from Maytown Road to 46, and from 415
13 to US-1. That's one deputy.

14 MS. MANCHE: Yeah. So no sheriff.

15 UNIDENTIFIED MALE SPEAKER: That's the
16 response time.

17 MR. ISAACKS: Yeah.

18 UNIDENTIFIED MALE SPEAKER: That's -- that's
19 why it takes so long.

20 I had somebody shooting in my garage, and I
21 was in there, and it took them 45 minutes to get to
22 my house.

23 MS. ISAACKS: That's wrong.

24 UNIDENTIFIED MALE SPEAKER: There was a
25 meeting that we had here, and there was a captain

1 that stood up on behalf of Ben Johnson that stated
2 that if you're out of sight from Maytown Road,
3 you're on your own because they don't have the
4 funds --

5 MS. ISAACKS: That's right.

6 UNIDENTIFIED MALE SPEAKER: -- or the
7 manpower --

8 MS. ISAACKS: Amen.

9 UNIDENTIFIED MALE SPEAKER: -- to do this.

10 MS. ISAACKS: Well, you have to count on your
11 neighbors.

12 UNIDENTIFIED MALE SPEAKER: Or your gun.

13 (Simultaneous speaking.)

14 MS. MANCHE: Oh, wait.

15 UNIDENTIFIED MALE SPEAKER: Yeah.

16 MS. MANCHE: He said that he went to Dinneen
17 and asked these questions and got answers, so I'd
18 like -- I think we need to know them.

19 MR. DAVIS: Yeah. We're going to go on with
20 the questions here.

21 MS. MANCHE: Okay.

22 MS. SOMERFORD: Ms. Manche.

23 MR. DAVIS: So like -- like I said, most of
24 you --

25 MS. SOMERFORD: Ms. Manche, when you speak,

1 you have to say your name first.

2 SHERYL MANCHE: Oh, okay.

3 MS. SOMERFORD: Okay?

4 MR. DAVIS: Yeah.

5 MS. SOMERFORD: Every time.

6 MR. DAVIS: Every time.

7 MS. SOMERFORD: Anybody that's speaking, you

8 have to say your name first, please.

9 MR. DAVIS: Except for me.

10 UNIDENTIFIED MALE SPEAKER: (Indiscernible).

11 UNIDENTIFIED FEMALE SPEAKER: Yeah.

12 (Simultaneous speaking.)

13 MS. SOMERFORD: Mr. -- Whit- -- Whit- --

14 what's your last name?

15 UNIDENTIFIED MALE SPEAKER: One quick one.

16 MR. DAVIS: What's your --

17 MR. WHITAKER: My name's Robert Whitaker.

18 MR. DAVIS: Rob- -- Robert Whitaker.

19 MR. WHITAKER: Is -- is this or this being

20 cleared, is that what it's for?

21 UNIDENTIFIED MALE SPEAKER: Yes.

22 MR. WHITAKER: It's not for the stoplight so

23 we don't get killed going out on 415?

24 MS. ISAACKS: You're not getting those

25 stoplights.

1 MR. WHITAKER: How long we been trying to get
2 that?

3 MS. ISAACKS: Yes, sir. Twenty-five years.

4 MS. SOMERFORD: Okay. Wait. Wait.

5 MS. ISAACKS: Nancy Isaacks.

6 MR. DAVIS: I hope this is not about the
7 stoplights. I can't get the stoplights.

8 (Simultaneous speaking.)

9 MR. DAVIS: Okay. Yes, sir. I need your
10 name.

11 MR. PREVATT: Charles Prevatt.

12 MR. DAVIS: Charles Prevatt.

13 MR. PREVATT: Excuse me, sweetie.

14 MS. ISAACKS: Yes, sir.

15 MR. PREVATT: Sir, my question is: The bike
16 path, going all the way to 95.

17 MR. DAVIS: Yeah.

18 MR. PREVATT: I -- I live out on the other
19 side of Pell Road. It used to be dirt; 16 miles of
20 dirt road.

21 MR. DAVIS: Yeah. I remember that.

22 MR. PREVATT: Well, I was born and raised
23 here.

24 Once you get to Pell Road -- even just before
25 Pell Road, the creek, once you get to the second

1 bridge down there, the second creek, there's hardly
2 any houses anywhere near -- sorry. There's hardly
3 any houses anywhere near where they could get to
4 that trailhead for somebody to call if there was an
5 emergency down there, if somebody fell and broke
6 their leg --

7 UNIDENTIFIED MALE SPEAKER: Uh-huh.

8 MR. PREVATT: -- broke their neck, got a
9 rattlesnake bit.

10 MR. DAVIS: I understand that.

11 MR. PREVATT: God forsake, a bear attacked
12 them. I mean, it is starting to happen. We're
13 pushing them out of their territory.

14 UNIDENTIFIED FEMALE SPEAKER: Yeah.

15 MR. PREVATT: You know?

16 Would there be some kind of safety boxes every
17 few miles out there?

18 MR. DAVIS: I -- I brought that up. No.

19 (Simultaneous speaking.)

20 MR. DAVIS: I don't know.

21 MR. PREVATT: You don't get cell phone
22 reception.

23 (Simultaneous speaking.)

24 MR. DAVIS: Yeah, I don't -- and I don't -- we
25 might have an answer to that right in here.

1 UNIDENTIFIED FEMALE SPEAKER: What did you
2 just say?

3 (Simultaneous speaking.)

4 UNIDENTIFIED MALE SPEAKER: Thanks.

5 MR. ISAACKS: One -- one more thing.

6 Nancy Isaacks.

7 To some of these people that don't know,
8 another reason we're here, people, is the bike path
9 is coming out in people's front yards and they're
10 not getting paid for nothing.

11 MS. MANCHE: We're here for more.

12 UNIDENTIFIED MALE SPEAKER: Drive safe.

13 MR. ISAACKS: Yeah. Let's just nut (verbatim)
14 it in the bud.

15 UNIDENTIFIED FEMALE SPEAKER: Leave us alone.

16 MR. DAVIS: All right. Here we go.

17 MS. MANCHE: All right, girl. Remember, he's
18 on our side.

19 MR. DAVIS: Gopher turtles in harm's way.
20 What is the proposed plan for these and other
21 wildlife?

22 They're going to be handled like -- like we
23 handle every other turtle problem. It's going to
24 be handled within state requirements. If you
25 see -- if somebody -- if you're riding -- I mean,

1 how many people actually plan to use this bike
2 trail?

3 If you happen to see a gopher turtle, let me
4 tell you what, having grown up in Florida all my
5 life, they don't move that quick. So you can ride
6 around them and leave them alone and they'll just
7 go on their merry way.

8 Now, as far as a snake or something, I would
9 avoid it if you don't know how to handle a snake.

10 And if you see a bear, stop, turn around, go
11 the other way. Common sense.

12 (Simultaneous speaking.)

13 MR. DAVIS: There are some people that will
14 not stop. They will drive up just to hit the bear.
15 Not the smartest people, but...

16 Yes, ma'am.

17 MS. MCCLENEN: Candy McClenen. I think the
18 question about the gopher tortoises isn't --

19 MR. DAVIS: On the trail?

20 MS. MCCLENEN: Yeah. If they're walking
21 across the trail, what do you do? Isn't there a
22 law against, you know, endangered species; that
23 they can't build over their habitats?

24 MR. DAVIS: There is a law about gopher
25 turtles that says you can actually move them.

1 UNIDENTIFIED MALE SPEAKER: Yeah, they move
2 them now.

3 MR. DAVIS: They are moved.

4 UNIDENTIFIED MALE SPEAKER: They
5 (indiscernible) their habitat.

6 UNIDENTIFIED FEMALE SPEAKER: They changed the
7 law.

8 MR. DAVIS: Because they're a turtle. And
9 believe it or not, their brain is about the size of
10 my thumbnail. And when -- if you pick them up and
11 you put them ten feet over --

12 (Simultaneous speaking.)

13 MR. DAVIS: -- he thinks he's on another
14 planet. Really. It does nothing. They don't
15 think nothing of it.

16 Okay. Moving on.

17 UNIDENTIFIED MALE SPEAKER: I got a question.

18 MR. DAVIS: I think we had a question over
19 here.

20 Name again.

21 MR. LOGUE: Jim Logue.

22 MR. DAVIS: Jim Logue.

23 MR. LOGUE: I got fined for taking down a
24 cypress tree. How many are you going to destroy?

25 (Applause.)

1 MR. DAVIS: That, I don't know.

2 UNIDENTIFIED FEMALE SPEAKER: What are we
3 paying you for?

4 MR. DAVIS: You're paying me to come out
5 here -- no.

6 There are certain permitting rules -- there --
7 there are certain permitting rules we have to
8 follow for endangered trees and things like this.
9 We have to follow all these rules.

10 As a matter of fact, there's a section of the
11 trail that actually goes around a tree because it
12 comes up, and we couldn't touch this tree, so they
13 had to go around it. So that's what we may end up
14 doing again.

15 UNIDENTIFIED FEMALE SPEAKER: Okay.
16 Because --

17 MR. DAVIS: Let me -- let me try and get
18 through these. Like I said, we've got 38, and we
19 are on Question Number 8.

20 How many miles is the trail?

21 It's 40 miles long right now. Right now it's
22 22.

23 UNIDENTIFIED FEMALE SPEAKER: Okay. That's --

24 MR. DAVIS: So how many miles is the trial?

25 East Central Regional Bike Trail is 40 miles

1 long in Volusia County.

2 That was the answer. That was the question.

3 UNIDENTIFIED FEMALE SPEAKER: Okay.

4 MR. DAVIS: Will there be restrooms at the
5 beginnings or the ends?

6 Restrooms exist. Right here in the center and
7 then the Rotary Park in Edgewater. These are
8 two -- these are going to be two trailheads.

9 This place -- I talked to Mr. Baylie. This
10 community center is going to be open for usage. So
11 the bike trail goes through, this is going to be
12 totally revamped. It's going to have new paint.
13 It's going to have new floors; a new ceiling, if we
14 need to; electrical redone, as -- as necessary; new
15 windows. But it's going to be open to the public
16 because this is going to become part of a park.

17 So if you get here, you're going to hop on a
18 bicycle here, and you say -- you're going to go for
19 a good, long ride, but I drank 3 gallons of water,
20 and you need to take care of business, you come in
21 that door or that door. You go to wherever the
22 bathroom is, which is probably behind that wall and
23 you do that.

24 So that's -- the trailheads are going to be
25 open so that you can utilize the facilities.

1 Yes, ma'am. Name again.

2 MS. MCCLLENEN: Candy McClenen.

3 With the restrooms being so far apart, what do
4 we do in somebody's case like mine, when I let my
5 13-year-old walk down the trail and some guy's
6 relieving himself on the side of the trail?

7 MR. DAVIS: That would be a violation of the
8 law. You call the sheriff's department.

9 MS. MCCLLENEN: Tell them to stand there for 45
10 minutes with his thing hanging out --

11 MR. DAVIS: Just stand right there.

12 MS. MCCLLENEN: -- and -- and wait for the law
13 to come? I mean, I'm just asking.

14 MR. DAVIS: Wait. This is a work-in-progress.
15 I will tell you that. I don't -- we don't have an
16 answer for every scenario/situation like that. We
17 are going to -- there you go. You got a cell
18 phone, snap a picture.

19 (Simultaneous speaking.)

20 MS. MCCLLENEN: And then -- and then you think
21 that this is going to be -- this kind of has two
22 parts. If this is going to become a park --

23 MR. DAVIS: Yes.

24 MS. MCCLLENEN: -- we obviously have no place
25 for our children to be playing in this area. So --

1 MR. DAVIS: Why not?

2 MS. MCCLEENEN: -- since we're -- would you let
3 them play out there?

4 MR. DAVIS: Oh, no, no, no, no. Not that kind
5 of a park.

6 MS. MCCLEENEN: So --

7 MR. DAVIS: It's not that kind of a park.

8 MS. MCCLEENEN: -- are they going to put any
9 kind of -- any kind of --

10 MR. DAVIS: There will be security issues --

11 MS. MCCLEENEN: No.

12 MR. DAVIS: -- done here.

13 MS. MCCLEENEN: Since it's going to be open to
14 the public and whatnot. You know, 'cause I've
15 lived here ten years and I've been allowed in here
16 three times for some kind of meeting. The rest of
17 the time, the place has been closed off.

18 MR. DAVIS: That's true.

19 MS. MCCLEENEN: It would be a perfect place for
20 a playground or something for the kids. Can we see
21 about getting that?

22 MR. DAVIS: We can start working with the
23 parks and recs on that.

24 MS. MCCLEENEN: It -- it'd be nice to -- I
25 mean, my kid's too big to play on the swing sets

1 any more, but I know a lot of little ones are around
2 here. If we're going to do something as a
3 community center, it'd be nice to see something for
4 the little ones to be able to play.

5 MS. ISAACKS: Instead of a park for all the
6 spandex riders.

7 UNIDENTIFIED FEMALE SPEAKER: Yes.

8 MR. DAVIS: Name, please.

9 UNIDENTIFIED FEMALE SPEAKER: Nancy Isaacks.

10 MR. DAVIS: Don Causseaux.

11 MR. CAUSSEAU: Beck -- Becks Ranch, they're
12 building it, and they -- there is going to be a
13 playground down there. It's going to be a sand lot
14 volleyball -- yeah, I just looked at the
15 schematics.

16 UNIDENTIFIED MALE SPEAKER: Five soccer
17 fields?

18 UNIDENTIFIED MALE SPEAKER: Yeah.

19 UNIDENTIFIED FEMALE SPEAKER: Yeah, but how
20 many years has that been in the plans?

21 MR. CAUSSEAU: Well, they just started
22 construction a couple months ago. They're spending
23 about a million and a half dollars, redoing that
24 whole thing. I was just --

25 MS. MCCLLENEN: Is that going to be en route to

1 the bike path for the kids to be able to walk?

2 MR. CAUSSEAUX: Down by 415 --

3 (Simultaneous speaking.)

4 MR. DAVIS: -- that paved sidewalk, that is
5 the tie-in for the Seminole to Volusia.

6 UNIDENTIFIED MALE SPEAKER: Yep.

7 MS. MCCLEENEN: So they could actually access
8 it.

9 MR. CAUSSEAUX: Correct.

10 MS. MCCLEENEN: Parents could actually ac- --

11 MR. DAVIS: Ride -- ride a bike, be right down
12 there.

13 UNIDENTIFIED FEMALE SPEAKER: -- access with
14 bikes or walk them down the trail?

15 MR. CAUSSEAUX: Yeah. Yeah.

16 (Simultaneous conversation.)

17 MR. CAUSSEAUX: As far as I saw in the plans,
18 there's nothing over here (indiscernible)
19 construction (indiscernible) down there.

20 MR. DAVIS: We were trying to make sure that
21 you have all the amenities necessary, as far as
22 recreational department (indiscernible). That's
23 why we're opening this place. We're -- we're doing
24 the work on the -- on the playground down there.

25 You know, there -- there's been a lot of

1 requests that we have this kind of amenities for
2 the kids, the young adults for the kids. And maybe
3 some of us are kids at heart and we want to climb
4 on monkey bars, too. But I mean, at least we --
5 we're working on trying to get these amenities for
6 you.

7 MS. MCCLLENEN: And is this going to be open?
8 Like, it's not going be locked? I'm just wondering
9 about vandalism --

10 MR. DAVIS: Oh, no, no.

11 MS. MCCLLENEN: -- or, you know, squatters.

12 MR. DAVIS: The rules of the parks -- all
13 Volusia County parks are, they are open from sunup
14 till sundown. At sundown, you really don't need to
15 be hanging around in a park. And we do lock the
16 gates.

17 MS. MCCLLENEN: Okay.

18 MR. DAVIS: So -- no, there is a security
19 issue.

20 MS. CUMMINGS: I'm -- Susan Cummings. I'm
21 just curious --

22 MR. DAVIS: Susan Cummings.

23 MS. CUMMINGS: I'm just curious, what is the
24 projected usage of these trails?

25 MR. DAVIS: Item 10.

1 I have heard -- now, I'll -- I'll tell you
2 this. I -- I've heard and I've witnessed -- I got
3 on the trail myself. I don't ride a bicycle. It's
4 a little hard for me to do that.

5 But I've been on the trail and I've seen
6 sections of the trail where it's, like, elbow to
7 elbow, they're jockeying for position like it's
8 a -- you know, a -- like a Tour de France.

9 And I've been on other sections of the -- of
10 the trail where if you see one person, it's a lot.
11 So I don't really have an answer as to how many
12 people.

13 We had -- right now, we got 50 people coming
14 down from Jacksonville, riding the East Coast
15 Bikeway. So there's going to be 50 people coming
16 down, riding that particular section of the trail.

17 I do hope that this is an economic generator.
18 I do hope that around these trail areas, people
19 with private property might start a little bicycle
20 repair business or a water shop, you know, where
21 you sell water or snacks or something. I would
22 hope that would happen, you know, generate revenue
23 from --

24 (Simultaneous speaking.)

25 MS. MCCLLENEN: Can you repeat that part?

1 Can -- so did you just say that we're allowed to
2 sell things?

3 MR. DAVIS: Is it your yard?

4 MS. MCCLENEN: So I can open my back gates,
5 and I can have a Girl Scout Cookie booth, and open
6 up a thing of beef jerky and some hot dogs?

7 MR. DAVIS: Is it your yard?

8 UNIDENTIFIED FEMALE SPEAKER: It is.

9 MR. DAVIS: I don't see a problem. Do you see
10 a problem?

11 (Simultaneous speaking.)

12 MS. MCCLENEN: That's right. Unless somebody
13 takes a picture of me selling hot dogs, I won't get
14 in trouble.

15 MR. DAVIS: That's right.

16 Okay. Yes, ma'am. I need your name first.

17 MS. WOODS: Shawna Woods.

18 MR. DAVIS: Shawna Woods.

19 MS. WOODS: We use this for voting --

20 MR. DAVIS: Yes, you do.

21 MS. WOODS: -- for all different elections.

22 Will we still be using the center --

23 MR. DAVIS: Yes.

24 UNIDENTIFIED FEMALE SPEAKER: -- for that?

25 MR. DAVIS: Yes. Unless there's a problem, or

1 if the Department of Supervisor of Election has an
2 issue for whatever reason, like, it -- there's not
3 enough room or whatever, then we're going to have
4 to change it.

5 MS. WOODS: I don't know where else they'd put
6 us for voting --

7 MR. DAVIS: Yeah.

8 MS. WOODS: -- besides out in a field.

9 MR. DAVIS: Yeah. We don't need to do that.

10 Now, one more question. And I'd really like
11 to get through this.

12 (Simultaneous speaking.)

13 MS. MANCHE: We have some real important
14 questions we have to get to on this -- Sheryl
15 Manche.

16 But why don't you do some of the -- these are
17 the easy ones. We've got some really difficult
18 ones for them, so let's let him get to the --

19 MR. DAVIS: Oh. Now, we're in trouble.

20 MS. MANCHE: -- difficult ones. Like, is the
21 County going to cover insurance in case somebody
22 gets hurt on the homeowner's property?

23 UNIDENTIFIED MALE SPEAKER: Good question.

24 UNIDENTIFIED FEMALE SPEAKER: Oh, yes.

25 MR. DAVIS: And can we get through this real

1 quick? We'll get through this.

2 Is that on here?

3 UNIDENTIFIED MALE SPEAKER: Yes.

4 MS. MANCHE: It should be.

5 MR. DAVIS: It should be.

6 MS. MANCHE: I put it --

7 MR. DAVIS: I think it is.

8 MR. GREIBER: Tom Greiber.

9 MR. DAVIS: Yes, sir. Your name, again.

10 MR. GREIBER: Tom Greiber.

11 MR. DAVIS: Tom Greiber.

12 MR. GREIBER: Why is it when they create these
13 projects throughout the state, it seems like they
14 never put money or funds into providing the
15 necessary security along the way with that? They
16 create all these things, but yet they don't go the
17 extra mile to provide these necessary things to
18 really have it right, I guess, is my question.

19 MR. DAVIS: It -- it is -- just -- it's the
20 construction process. Okay?

21 And I'll tell you right now, I'm new to the
22 county government. You know, this is my first term
23 with any elected office, so I don't have all the
24 answers on that particular -- I'm with you. I do
25 believe an ounce of prevention is well worth a

1 pound of cure. If we're going to build something,
2 we need to have some sort of secure issue or
3 security issues that, you know, worked into the
4 plan.

5 Hopefully, when we get through here, that
6 question will be answered by the sheriff's
7 department (indiscernible).

8 So we do have a lot to go over. Item Number
9 10. So we'll try to keep moving.

10 How often will the restrooms be maintained?

11 Daily. Right here in Osteen, they will be
12 maintained daily. We don't need that kind of an
13 issue going on. Seriously.

14 Will there be lighting on the trail?

15 UNIDENTIFIED MALE SPEAKER: No.

16 MR. DAVIS: No.

17 This answered that first question we just had
18 from over here.

19 Trails -- oh, wait a minute.

20 County trails are open from sunrise to sunset.
21 Lighting is only planned at the county trailheads.

22 You're sitting on one of the trailheads.

23 That's for a safety issue. You're coming off the
24 trail, it's dark. When you're putting your bicycle
25 away, you don't need to carry a hitchhiker along

1 with you. That's why these areas will be lighted.

2 All right. Who will the homeowners call if
3 there are people on the trail after hours?

4 It is not a violation of county code or state
5 law to be on the trail after dark, so it says. I
6 would still call the sheriff.

7 If somebody's out there on that trail after
8 dark, they're probably not coming over to bring you
9 a welcome wagon basket. They may be up to no good.

10 Yes, ma'am.

11 MS. HARPER: If there's no law or no
12 ordinance, my experience has been with calling the
13 police, that if there's no law being broken,
14 they're not going to really do anything.

15 MR. DAVIS: Well, see --

16 MS. SOMERFORD: Your name?

17 MR. DAVIS: -- this is a really cool thing.

18 MS. HARPER: My name's Phyllis.

19 MR. DAVIS: Phyllis Cracker? Cooper?

20 UNIDENTIFIED MALE SPEAKER: Harper.

21 MS. HARPER: Harper.

22 MR. DAVIS: Phyllis Harper.

23 Here's the really cool thing, guys, you're
24 talking to two of the people that make the county
25 ordinances. If this is an issue, if this is a

1 problem and this becomes a problem, I'm sure that
2 the council will be addressing that. And we might
3 have to make an ordinance -- might have to make an
4 ordinance that says you can't be on the trail at
5 night; if that's legal and we can do it. We have
6 to send it to people who will know.

7 MS. HARPER: I -- I'd like to know --

8 MR. DAVIS: But we have to see where this goes
9 first.

10 MS. HARPER: That's right.

11 And I'd like to know who defines if it's a
12 problem. For somebody on the commission who's not
13 living in the neighborhood, or it's not in their
14 back yard, it's not a problem. But it's a problem
15 to me if it's in my back yard and somebody's there.

16 And so what has to be done -- what would have
17 to be done in order to keep the place safe and our
18 homes and our neighborhood safe?

19 MR. DAVIS: See this lady right here? You get
20 ahold of her: "Save Osteen NOW." She contacts me.
21 We do this again. We'll at least sit down and talk
22 about that problem, if it becomes a problem.

23 I'm open to everybody. I talk to people
24 for -- how long did we talk on the phone? An hour?
25 Two hours?

1 UNIDENTIFIED FEMALE SPEAKER: (Indiscernible.)

2 UNIDENTIFIED FEMALE SPEAKER: That was me.

3 MR. DAVIS: Oh.

4 UNIDENTIFIED FEMALE SPEAKER: That was me.

5 MR. DAVIS: Oh, that was you for the hour.

6 UNIDENTIFIED FEMALE SPEAKER: Yep.

7 MR. DAVIS: Well, we talked, too.

8 UNIDENTIFIED FEMALE SPEAKER: No. We were
9 supposed to, but you got sick.

10 MR. DAVIS: I -- I -- I know. I'm sorry about
11 that. You didn't want get that.

12 But anyways, I talk to people on the phone for
13 hours at a time, 'cause there's information and
14 things that need to be addressed, and I'm open.
15 That's why I'm here. That's why I do what I do.

16 Believe me, if I wasn't an open-minded
17 individual, I wouldn't be sitting here with ten
18 papers in my hand, that I'd like to continue to
19 read, to try to get through.

20 Yes, ma'am. One more question.

21 MS. BOWLES: Are property -- I'm Judy Bowles.

22 MR. DAVIS: Yes.

23 MS. BOWLES: Are our property taxes going to
24 go up because of this?

25 MR. DAVIS: That is in here. That will be

1 answered.

2 See, a lot of these questions, you got right
3 here.

4 MS. BOWLES: Why don't you give us a copy of
5 that?

6 MS. MANCHE: I'll do that. Make sure your --

7 MR. DAVIS: We have --

8 MS. MANCHE: -- e-mails on the list.

9 MR. DAVIS: We have 19 --

10 MS. MANCHE: Sheryl.

11 MR. DAVIS: We have 19 copies --

12 UNIDENTIFIED MALE SPEAKER: I have --

13 MR. DAVIS: -- hard copies, right?

14 UNIDENTIFIED MALE SPEAKER: My address is on
15 there, though.

16 MR. DAVIS: Yeah. We have 19 copies right
17 here of this, and you can have mine, if you need
18 it. So we have 20 copies here, for 20 people. If
19 you are a couple, you know, husband and wife, take
20 one copy, and you got the answers.

21 And there's a lot of times in here that says,
22 "Will the County put it in writing? Will the
23 County put it in writing? Will the County put it
24 in writing?" The County put it in writing. So you
25 have it in writing.

1 So where were we? Lighting.

2 UNIDENTIFIED FEMALE SPEAKER: Twelve.

3 MR. DAVIS: Twelve.

4 No, I just read 12.

5 UNIDENTIFIED FEMALE SPEAKER: Oh.

6 MR. DAVIS: Where -- will there be hours for
7 trail use?

8 Thirteen, I already read that.

9 Who assumes liability if an accident occurs
10 both on the trail, or next to the trail, and inside
11 the homeowner's property should trail users get
12 injured while trespassing?

13 UNIDENTIFIED FEMALE SPEAKER: Trespassing.

14 MR. DAVIS: I like that.

15 (Simultaneous speaking.)

16 MR. DAVIS: That's pretty good.

17 The answer is: Accidents related to County
18 negligence are a County responsibility.

19 Bicyclist riding down a trail, swerves, falls
20 in your yard, smacks into your fence, gets injured,
21 it is our responsibility. He was using our
22 facilities. That's what it says.

23 UNIDENTIFIED FEMALE SPEAKER: All right.

24 UNIDENTIFIED FEMALE SPEAKER: That's a
25 lawsuit.

1 UNIDENTIFIED FEMALE SPEAKER: But...

2 MR. DAVIS: There was no but. I didn't say
3 that. There was a period at the end of that
4 statement.

5 MS. MCCLLENEN: Well, I don't have one of those
6 20 hard copies, so I don't see that period.

7 Candy McClenen.

8 If -- I've worked in the insurance --

9 MR. DAVIS: Yeah.

10 MS. MCCLLENEN: -- you know, for a long time,
11 and there's loopholes and gray areas.

12 If somebody steps onto our property, that's
13 considered our property, then. And not being on
14 County property, they've stepped off of County land
15 and into our property. Now, if they fall and hurt
16 ourselves [verbatim], I'm still going to get sued.

17 MR. DAVIS: Before you leave, take my hard
18 copy, so you can have it in writing.

19 (Simultaneous speaking.)

20 MS. MCCLLENEN: But -- but --

21 MR. DAVIS: Okay.

22 MS. MCCLLENEN: -- I understand that that's
23 what it says. But what I'm saying is, when -- you
24 know, for -- for an example, when I had to pay out
25 a injury claim for a man that fell through a

1 sunroof while breaking into these people's homes
2 and broke his leg, and he sued the homeowners
3 because he -- they had a faulty sunroof. And I had
4 to pay the claim out, because it was the negligence
5 on the homeowner.

6 So somebody riding the bike or walking down a
7 trail or if something happens --

8 MR. DAVIS: Believe me.

9 MS. MCCLENEN: -- and it's on our property --

10 MR. DAVIS: I understand that. Believe me,
11 the first person they're going to file a lawsuit
12 with, is us.

13 Believe me, every day I get handed -- handed
14 at least three services. So we do -- we -- we will
15 get the lawsuit. We will take care of it as it
16 says right here: It's our responsibility.

17 We put the trail there. They're using the
18 trail. It's our responsibility.

19 UNIDENTIFIED MALE SPEAKER: Just drag them out
20 into the road.

21 MS. MCCLENEN: Yep. It sounds good. It
22 sounds good.

23 (Simultaneous speaking.)

24 MR. DAVIS: By the way -- by the way, just
25 thought I'd let everybody know real quick, these

1 little round things, you are being recorded. This
2 whole meeting is being recorded. I just needed to
3 let you know that.

4 All right. Can I get -- can I --

5 MS. ISAACKS: Can I speak?

6 MR. DAVIS: Same subject?

7 UNIDENTIFIED FEMALE SPEAKER: Nancy.

8 MS. ISAACKS: Yeah.

9 MS. SOMERFORD: What is your name?

10 MS. ISAACKS: Nancy Isaacks.

11 Can I please ask: I think a lot -- a lot of
12 people are here for more than just the bike path,
13 aren't you?

14 Raise your hand if you're here for the road
15 widening and the -- and everything else.

16 Can we, please, Sheryl, can we, please, Mr.
17 Davis, change the subject a little bit and let some
18 of these people know what's going on before it gets
19 too late, 'cause we've got people leaving --

20 MR. DAVIS: Okay.

21 MS. ISAACKS: -- that live on Maytown, that
22 live on --

23 UNIDENTIFIED FEMALE SPEAKER: Lemon.

24 UNIDENTIFIED MALE SPEAKER: Lemon Bluff.

25 MS. ISAACKS: -- Lemon Bluff. They've

1 leaving, because they think there's nothing here
2 for them. There is something here for y'all, but
3 we've got to get him off this spandex trail.

4 MR. DAVIS: Well, that's -- that was the
5 question that everybody sent me, so -- I mean, I
6 can go down...

7 All right. Well, wait a minute. I think
8 there was an answer to that.

9 Is there a question in there? Number one?

10 UNIDENTIFIED FEMALE SPEAKER: No. This is
11 (indiscernible.)

12 MR. DAVIS: I remember seeing that. There's
13 only 38 questions.

14 UNIDENTIFIED FEMALE SPEAKER: Do y'all want to
15 hear about (indiscernible)?

16 (Simultaneous speaking.)

17 MS. MANCHE: All right. Do this one.

18 MR. DAVIS: Like I said, all your concerns are
19 right here, that you guys wrote to us. It didn't
20 just go on the bicycle trail.

21 Item Number 32 was: Can we get in writing
22 that the County is not -- underlined, emphasis,
23 exclamation point -- planning to four-lane
24 Osteen-Maytown Road in the next 20 years with no
25 exception to loopholes? Okay?

1 UNIDENTIFIED FEMALE SPEAKER: My question.

2 MR. DAVIS: She -- she gives good questions.

3 There are no plans by the County to four-lane
4 Osteen-Maytown Road. This Council cannot bind any
5 future councils or budgets on the planning-level
6 decisions, but at this time, and in the very
7 foreseeable future, there are no plans.

8 MS. ISAACKS: Ain't there some on the wall?

9 UNIDENTIFIED FEMALE SPEAKER: Yes.

10 MS. ISAACKS: I beg to differ. Come on,
11 (indiscernible.) I'm leaving.

12 (Simultaneous speaking.)

13 MS. MANCHE: According -- Sheryl Manche.

14 According to Glenn Storch --

15 MR. DAVIS: Uh-huh.

16 MS. MANCHE: -- in the Farmton project
17 overview, Glenn Storch required to -- provided a
18 description of the Farmton project. In it, he
19 says, development cannot occur until 2017. And his
20 transpor- -- his construction crew, the
21 transportation crew, they also said the same thing,
22 that it cannot occur until 2017.

23 MR. DAVIS: Okay.

24 UNIDENTIFIED FEMALE SPEAKER: That's less than
25 five years.

1 MR. DAVIS: That's right. There's not going
2 to be anything going on in --

3 MS. MANCHE: That's less than five years.

4 MR. DAVIS: That -- yes. But there's nothing
5 going on over there. I've seen -- I am well aware
6 of that.

7 But even in the Farmton plan, there is not a
8 plan to four-lane Osteen-Maytown Road. It's not
9 there. We just went over that.

10 UNIDENTIFIED MALE SPEAKER: Yeah.

11 MR. DAVIS: Sir, I need your name.

12 MR. PEAVY: Byron Peavy.

13 MR. DAVIS: Byron Peavy.

14 MR. PEAVY: November 21st council meeting.

15 Me and you were there. It's on the records. Why
16 did Pat Patterson admit to it, then?

17 MR. DAVIS: He said that he --

18 UNIDENTIFIED FEMALE SPEAKER: He --

19 MR. DAVIS: -- was liking to. He would like
20 to do it.

21 MR. PEAVY: And then I think in a interview --

22 MR. DAVIS: There is no money.

23 MR. PEAVY: And I think the interview with the
24 Channel 9 News, Pat Northey committed to it.

25 MR. DAVIS: In the interview with Pat Northey?

1 MR. PEAVY: Yeah.

2 MR. DAVIS: Oh, I didn't get the Channel 9
3 interview.

4 MR. PEAVY: Yeah. We've got it taped, so --

5 MR. DAVIS: Okay.

6 MR. PEAVY: -- you can listen to it.

7 MS. MANCHE: At the council meeting.

8 MR. DAVIS: That was after a council meeting.

9 MR. PEAVY: That was after a council meeting.

10 MS. CUSACK: Chairman Davis, I would just like
11 to say that it's understood that no -- I'm -- I'm
12 Joyce Cusack. And there's nothing that we can bind
13 future county representatives to.

14 UNIDENTIFIED FEMALE SPEAKER: That's right.

15 MS. CUSACK: We have an election in 2014. So,
16 you know, through 2014, that the council that is
17 in -- that's serving presently, will be in until
18 2014. What happens after 2014 depends on --

19 (Simultaneous speaking.)

20 MS. CUSACK: -- who's in -- in this -- in this
21 office.

22 And so you have con- -- you can't bind other
23 councils to what we are today. So just know that
24 you're safe at least till 2014, which is --

25 UNIDENTIFIED FEMALE SPEAKER: Which is now.

1 (Simultaneous speaking.)

2 UNIDENTIFIED FEMALE SPEAKER: We're safe
3 today, but not tomorrow.

4 MS. MANCHE: Wait. Let me say something.
5 Sheryl Manche.

6 UNIDENTIFIED MALE SPEAKER: That's covering
7 your butt right here.

8 MS. MANCHE: Remembering that these are --
9 Joyce, that these are the only two that voted in
10 our favor not to take the 35 feet from our land.

11 UNIDENTIFIED MALE SPEAKER: Let's keep them in
12 office, too.

13 MS. MANCHE: There's another five that did.

14 UNIDENTIFIED MALE SPEAKER: These are the ones
15 that are here to help us out. The good guys.

16 MR. DAVIS: Now, before we go -- hold on. I
17 have -- Ms. Cusack sits on the TPO, which is the
18 Transportation Planning Organization for Volusia
19 County.

20 We just went over this big brouhaha about
21 expansion of Lake Monroe.

22 And if everybody will recall, right after that
23 they said, Well, now what are you going to do?
24 You're doing this. You're going to do that. What
25 else are you going to spend money on?

1 The answer is, we just shot all our
2 transportation money. We're done. That \$5 million
3 project is it. There is not any money in the
4 foreseeable near future to do any major expansion.

5 We've got projects -- you know, the expansion
6 of 415 we're finishing. We got the expansion of --
7 oh, my goodness. I can't remember the name of the
8 road, but I drive up and down it almost every day.

9 UNIDENTIFIED FEMALE SPEAKER: Pioneer?

10 MR. DAVIS: Thank you.

11 Yeah. We've got Pioneer Trail being worked
12 on. But these are projects that are already done,
13 the money's been already allocated, and it's
14 already been committed. Trust me. Ain't seen
15 anything.

16 And I've asked Glenn Storch, "What, are we
17 going to have to widen this road?"

18 And he says, "Not unless you've got the
19 money." He says, 'Cause we're not widening the
20 road."

21 This project, the Farmton project, you're
22 right, it's not going to even be started until
23 2017. But how many years is it going to take
24 before the traffic patterns know, from a point
25 where we're going to have to think about expanding

1 any roads?

2 UNIDENTIFIED FEMALE SPEAKER: That brings me
3 to my next question.

4 MR. DAVIS: Plus -- there is one more
5 little -- little caveat into this thing. Part of
6 the Farmton project -- part of the Farmton project
7 takes Highway 442 --

8 Which is in Edgewater. I live on it. I live
9 past it.

10 -- takes it up into the woodline, weaves
11 around, comes over, and it ends over at Howland
12 Boulevard. So from Howland Boulevard, when Farmton
13 gets going -- and the first part of the Farmton
14 project, too, is the north side, which is near the
15 industrial park area up on 442.

16 So we're not going to see houses here for
17 quite some time. Probably for the next 30 years
18 before you really start seeing a growth in houses.
19 So we're not going to need to do anything here.

20 And then by the time that the housing market
21 here starts to go a little more expanded, High- --
22 Highway 442, which will become the Howland
23 expansion, will go all the way north and over to
24 Highway 442, so you won't need to four-lane it,
25 because we're going to have plenty of road to

1 that -- Osteen -- O- -- Osteen-Maytown Road to
2 travel to get from point A to point B and through
3 the whole neighborhood to the Farmton -- Farmton
4 project.

5 This young lady first, then you men.

6 And your name, please.

7 MS. RAGER: Mary Rager.

8 MR. DAVIS: Mary Rager.

9 MS. RAGER: I'd like to say that, you know,
10 all respect to you, I hear what you're saying, but
11 I've lived here since 1993. And when this first
12 started happening before Ms. Sheryl came into our
13 community -- and I appreciate what she's doing --
14 we had a meeting over at Osteen Elementary about
15 all the plans of the Deltona annexation.

16 And a guy stood up there with a little flip
17 chart, and I remember it. And I have to say that
18 everything the guy was talking about, is happening.

19 And I've been to these meetings. I've been up
20 to the courthouse. I've took my little
21 (indiscernible) y'all and everything.

22 And so I know what y'all are saying, but I
23 know what that guy said years ago with the little
24 flip chart. And everything on that flip chart is
25 starting to come to pass. I see it. One thing

1 after the other. You guys have a plan. You're
2 working on it.

3 MR. DAVIS: I -- I --

4 MS. RAGER: And all this stu- -- and I seen on
5 that flip chart --

6 MR. DAVIS: Uh-huh.

7 MS. RAGER: -- that right here, on
8 Osteen-Maytown Road, they were planning on taking
9 out all this housing here and putting a little
10 strip -- fancy --

11 MR. DAVIS: Strip mall?

12 MS. RAGER: -- malls right there. They're
13 nice. You know, like they have over in 434 and
14 all. So I'm just saying --

15 MR. DAVIS: They're not all that nice. I grew
16 up in Apopka. They're not all that nice.

17 MS. RAGER: I'm just saying -- well, it --
18 they -- you know, they look pretty from the
19 outside.

20 But, you know, I'm just saying is that all
21 these plans -- and you're saying now -- and -- but
22 this was before you were on the council.

23 MR. DAVIS: Uh-huh.

24 MS. RAGER: This was back in about '90 --
25 2005, 2006, or whatever. Whenever they were. I

1 moved to Tennessee for a few years, came back.

2 MR. DAVIS: I actually lived in Osteen.

3 MS. RAGER: And everything on that flip chart,
4 the Lake Mary extension, the widening of 415, the
5 bike trail.

6 UNIDENTIFIED FEMALE SPEAKER: All of this
7 stuff was already on there --

8 MS. RAGER: It was --

9 UNIDENTIFIED FEMALE SPEAKER: -- since 2000 --
10 2004.

11 MS. RAGER: Yeah.

12 MR. DAVIS: Yeah. The bike trail -- the bike
13 trail has been in the process since -- and you'll
14 have to help me out on this, Joyce. When did we --

15 MS. CUSACK: I don't know.

16 MR. DAVIS: When did that come about?

17 MS. CUSACK: I have no idea.

18 MR. DAVIS: My mind's drawing a blank. But
19 I --

20 (Simultaneous speaking.)

21 MS. RAGER: -- I pitched a big fit about it
22 and everything back then. You know what I'm
23 saying?

24 MR. DAVIS: Well, yeah.

25 MS. RAGER: You know, so all -- I'm just

1 saying, I understand y'all -- (indiscernible) a
2 town hall and everything, but I have a hard time
3 trusting what you're saying, it's not going to
4 happen, when they -- I seen it, the plan. And the
5 plan --

6 MR. DAVIS: I will tell you -- I will tell you
7 one thing. I will tell you one thing. If you
8 don't want a strip mall down here or over there or
9 anywhere in this town, don't sell them your land.
10 It's very simple.

11 UNIDENTIFIED FEMALE SPEAKER: Apparently --
12 (Simultaneous speaking.)

13 UNIDENTIFIED FEMALE SPEAKER: Okay.

14 MR. DAVIS: Private industry can't take your
15 land.

16 UNIDENTIFIED MALE SPEAKER: Yes, they can.

17 UNIDENTIFIED MALE SPEAKER: Yes, they can.

18 (Simultaneous speaking.)

19 MR. DAVIS: Hold on. Hold on. Whoa, whoa.

20 UNIDENTIFIED FEMALE SPEAKER: They're taking
21 it right now --

22 (Simultaneous speaking.)

23 MR. DAVIS: This lady right here.

24 Your name, please.

25 MS. GEISLERE: Ann Geislere.

1 MR. DAVIS: Ms. Ann Garsler (phonetic).

2 MS. GEISLERE: Geislere.

3 MR. DAVIS: Geislere.

4 UNIDENTIFIED FEMALE SPEAKER: Geislere.

5 MS. GEISLERE: G-E-I-S-L-E-R-E. I live on
6 Reed Ellis.

7 I want to thank you, Mr. Davis and Ms. Cusack,
8 for being on our side and being here.

9 Regarding road widening, you might not have
10 money for road widening, and I can appreciate that,
11 it's not in the budget. However, developers will,
12 you know, many times will pay for the road
13 widening, and it's just a reality, you know.

14 MR. DAVIS: Yeah.

15 MS. GEISLERE: Progress is coming. Look at --
16 look at Lake Nona. Look at Disney paying for
17 overpasses. Developers will -- it will be -- it's
18 in their private interest, you know, to pave the
19 roadway.

20 So what can we do as residents? If they want
21 to do that, these issues have to come before the
22 County.

23 Sheryl Manche, president of Save Osteen NOW,
24 has done a great job of keeping us informed of
25 these issues. This is a fantastic presence here

1 tonight.

2 Every time we have been to the county meetings
3 or the PLDRC meetings, they have thanked us for
4 coming, because it shows that we're interested,
5 we're concerned. So we do have a say in what
6 happens here in our community. It's very important
7 to get on these e-mail lists so -- Sheryl, who
8 watches all the council meetings like a hawk, so
9 she can tell us. So as many of us can be there
10 when these requests for road improvements,
11 variances, rezoning come through.

12 So I just want to make you aware, you know,
13 we're not so helpless in this. We have
14 (indiscernible). I know it's a lot of work. I've
15 taken time off from work to go to these things.
16 But it's very important if we want to preserve our
17 community the way it is now.

18 MR. DAVIS: Oh, I agree. In '05 -- '04, I
19 lived in Osteen. That's why I keep saying Osteen.
20 Osteen Cemetery Road, I lived on it. So whenever I
21 say Osteen --

22 UNIDENTIFIED MALE SPEAKER: That's always been
23 considered Osteen. That's why the cemetery's
24 called Osteen.

25 MR. DAVIS: That's right. And because --

1 (Simultaneous speaking.)

2 MR. DAVIS: Yes, ma'am. The red jacket.

3 MS. LACETTE: P.J. Lacette.

4 Could we ask that the comments and questions
5 be held till you get through the initial batch of
6 questions? (Indiscernible.)

7 UNIDENTIFIED FEMALE SPEAKER: Yeah.

8 MR. DAVIS: I agree.

9 UNIDENTIFIED FEMALE SPEAKER: Yes.

10 (Simultaneous speaking.)

11 MR. DAVIS: Okay. We're going to go back to
12 that now.

13 All right. Where were we? Was that 14 or 15?

14 UNIDENTIFIED FEMALE SPEAKER: Number 14.

15 UNIDENTIFIED FEMALE SPEAKER: Fourteen.

16 (Simultaneous speaking.)

17 MR. DAVIS: I remember 12.

18 Thank you for keeping tabs, whoever you are.

19 Nope. That was the liability.

20 Do homeowners have to have extra coverage if
21 an accident occurs on private property?

22 Insurance coverage -- and there's a lot more,
23 but it says the same thing.

24 Insurance coverage on private property is the
25 responsibility and up to the discretion of the

1 private property owner.

2 If you own your house outright, you don't have
3 to have property insurance on it. That's just the
4 law. But if you mortgage it and you have a
5 mortgage or something, you have to have insurance.
6 That is still the law.

7 Trail users would be trespassing if they
8 traverse private property adjacent to the county
9 trail. The County will not pay for a separate
10 policy on each property. We are -- as -- as have
11 said, they're moving the fence. We're going to
12 move your fences back. You guys out here are
13 lucky, because you get to have fences in front of
14 your yards. It is addressed later.

15 UNIDENTIFIED MALE SPEAKER: I have a question
16 with that.

17 MR. DAVIS: It's addressed.

18 So if there -- somebody drives by a fence and
19 your fence is there and they bump into your fence,
20 they're not going to fall in your yard. So you're
21 kind of safe there.

22 But we do not carry property insurance for
23 your property. But if they're on our property and
24 something happens to them -- and let's say they hit
25 a gopher turtle with their bicycle because they

1 don't know how to ride a bicycle, and they do a,
2 you know, belly up and flip through the air and
3 land in your yard and get hurt, that's not your
4 responsibility; it's still our responsibility.
5 They started on our property. So as it said prior
6 to, it is our responsibility.

7 Will the county attorney write up a release of
8 liability for homeowners?

9 UNIDENTIFIED MALE SPEAKER: Nope.

10 MR. DAVIS: No.

11 That was from the county attorney. That's the
12 first I've ever seen him write anything.

13 Will there be signs up warning trail users to
14 watch for homeowners coming out of their driveways?

15 According to the trail design guidelines and
16 specifications, trails are treated the same as
17 sidewalks. Individual homeowners have the
18 responsibility to yield to trail users as they
19 enter and exit their driveways.

20 Please be careful. Don't run over one of
21 these spandex bike riders, whatever she calls them.

22 MS. MCCLEENEN: She left.

23 MR. DAVIS: What'd she call them? Spandex...

24 MS. MCCLEENEN: Spandex.

25 (Simultaneous speaking.)

1 MR. DAVIS: Spandex riders.

2 Just be careful. If we all work together and
3 we all take two seconds -- trust me, two seconds to
4 save my life, worth more than I care to think
5 about.

6 I think that two seconds to stop, go, okay
7 there's nobody here. Nobody's going to get hurt.
8 Trust me.

9 There will be -- will there be watering
10 stations for dog walkers?

11 Drinking fountains will only be available here
12 at the trailheads.

13 And they got these cute little water bottles.
14 If you're out there walking your dog, you stop, oh,
15 the dog's thirsty. You flip the thing down, you
16 give it a squeeze and sit it down, the water goes
17 in there, the dog can drink his water.

18 UNIDENTIFIED FEMALE SPEAKER: Yep.

19 MR. DAVIS: So it's --

20 UNIDENTIFIED FEMALE SPEAKER: And it ends up
21 on your property.

22 MR. DAVIS: Yeah. Well, it's just water.

23 UNIDENTIFIED FEMALE SPEAKER: It's --

24 (Simultaneous speaking.)

25 UNIDENTIFIED FEMALE SPEAKER: So they throw it

1 in the trash?

2 MR. DAVIS: No, no. No. It's a \$10 thing.

3 UNIDENTIFIED FEMALE SPEAKER: Oh.

4 MR. DAVIS: It's a -- yeah, I wouldn't throw
5 \$10 away. No, not me.

6 Will there be poop bags and trash cans for
7 waste? The question.

8 Here's the answer. Yes. Trash containers and
9 dog bag dispensers will be placed along the entire
10 trail.

11 And they are. I've been down to sections of
12 the trail. Walk around and go, What is this green
13 thing? Oh, I know. Never mind.

14 And you look at it. It doesn't even look like
15 it, but it is. It's a waste containment system of
16 several varieties.

17 Where will vehicles park?

18 Parking will be available; trailheads. Right
19 here; at the cross section of Gobblers Lodge, down
20 there, there's going to be one; at the Maytown
21 Spur, which is -- I don't know where that is. It's
22 way down there.

23 UNIDENTIFIED MALE SPEAKER: Way down there.

24 MR. DAVIS: And just south of the SR 442
25 bridge, which is over by my house. So there.

1 That's where you park your car.

2 Will the speed limit be lowered on
3 Osteen-Maytown Road?

4 No. It will stay current: 45 miles an hour.
5 That's the speed limit on Maytown-Osteen Road.

6 UNIDENTIFIED FEMALE SPEAKER: Some places 35.

7 MR. DAVIS: Yes. Yeah. When you get up here,
8 it's lower, but --

9 UNIDENTIFIED FEMALE SPEAKER: Or 30.

10 MR. DAVIS: -- for the -- for the length of
11 it, it's pretty much just 45. Drive at your own
12 risk. If you speed down there, you -- you could
13 get caught.

14 Where will homeowners place their trash cans
15 and recycle bins?

16 That was your question. Was it yours or...

17 UNIDENTIFIED MALE SPEAKER: It was mine.

18 MR. DAVIS: Hers. That's the latter house
19 over there.

20 All right. The trail will be offset a
21 sufficient distance from the travel lanes to allow
22 normal placement of trash cans or recycle bins.

23 Now, where will they be after the garbage man
24 comes --

25 UNIDENTIFIED FEMALE SPEAKER: Yes.

1 MR. DAVIS: -- is another question.

2 UNIDENTIFIED FEMALE SPEAKER: In the middle of
3 our driveway.

4 MR. DAVIS: Trust me. Even in Edgewater, it's
5 a -- it's a new and exciting experience Thursday
6 afternoon. Where is my garbage can? I -- I quit
7 putting the lid on it; it kept blowing down the
8 road. It's crazy.

9 When will the County apply for the release of
10 the rest of the Murphy Deed properties back to the
11 homeowners, and can we get that agreement in
12 writing?

13 Once again, this is the writing.

14 And the answer is: Property owners must
15 petition the state for the release of the remainder
16 of the Murphy Deed reservation. Consistent with
17 county council direction, county staff will assist
18 property owners with that processing upon request.

19 You come to the house -- you go to the office,
20 "I want my Murphy Deed released," we help you do
21 it.

22 Yes, ma'am.

23 MS. MANCHE: Sheryl Manche. I got --

24 MR. DAVIS: Water? Bottle of water.

25 UNIDENTIFIED FEMALE SPEAKER: I got a bottle.

1 MS. MANCHE: Right here.

2 UNIDENTIFIED MALE SPEAKER: You have to go to
3 the trail.

4 MR. DAVIS: We're at the trail. This is the
5 trail. Too funny.

6 UNIDENTIFIED FEMALE SPEAKER: No, he's going
7 to be (indiscernible).

8 MR. DAVIS: Okay. You can go ahead.

9 MS. MANCHE: Okay. That's a very good
10 question about applying to the state, because I
11 have a real issue with that one, because we already
12 did that.

13 UNIDENTIFIED FEMALE SPEAKER: Uh-huh.

14 MS. MANCHE: And I wrote a letter to DOT and
15 it said that the Osteen homeowners were supposed to
16 be notified of the County's intent to use the
17 Murphy Land Act to take their property before DOT
18 gave the jurisdiction to Volusia County.

19 But they gave a letter from July 25th, to
20 Volusia County, but did not give any notice to the
21 homeowners until October 16th.

22 And then at the October 24th meeting, is the
23 first time they said they were requesting to the
24 Trustees of the Internal Improvement Fund of the
25 state of Florida, to transfer Murphy Deed reserve

1 easements to the County for construction of the
2 East Central Regional Rail Trail along
3 Maytown-Osteen Road.

4 So when Catherine Peavy applied to the TIITF
5 board and assisted the DOT, the DOT threw it back
6 to the County and they said, We already gave the
7 authority to Volusia County. So how is that fair,
8 and how is that going to change in that question?

9 MR. DAVIS: I can only read you what they
10 said. And we did state that. Once this is done,
11 remaining properties that is in the Murphy Deed --
12 we said it in chambers, it's on the record. You
13 come to the County and apply, they will help you
14 run that through the state, however it's got to be
15 done to get it done, and you will have your
16 property and that Murphy Deed will be gone. It
17 will be your deed.

18 MS. MANCHE: But why did they send the letter
19 to the homeowners October 16th, telling them they
20 were going to have a meeting about this at council,
21 requesting the release of the Murphy reservation if
22 they already had asked for it in July unbeknownst
23 to the homeowners? That is dirty pool.

24 MR. DAVIS: I cannot argue that.

25 But the council made the -- the five

1 members -- we are in a representative democracy.
2 And the five outweighed the two. And that is what
3 happened.

4 MS. MANCHE: Yeah.

5 MR. PEAUVY: Byron Peavy.

6 Sheryl, so was that something that they kind
7 of broke a rule or something like that, because
8 they were supposed to come to me first before the
9 County was --

10 MS. MANCHE: I'm.

11 MR. PEAUVY: -- to be able to go to --

12 MS. MANCHE: I'm glad you asked that
13 because --

14 MR. PEAUVY: -- the DOT?

15 MS. MANCHE: -- according to the DOT training
16 manual -- they actually have a training manual --
17 it's -- most current one's 1999, because I looked
18 on the DOT employee's website because I like to
19 research.

20 Well, according to them, they're supposed to
21 allow the homeowners an opportunity to obtain a
22 release from the Trustees of the Internal
23 Improvement Trust Fund. They can apply through
24 Department of Environmental Protection for a form
25 to release -- to request release of the

1 reservation.

2 Prior to releasing the reservation, Department
3 of Environmental Protection will advise the
4 property owner to seek approval of the release from
5 the Florida Department of Transportation.

6 And this section outlines the process DOT is
7 supposed to go through, and it's got this whole
8 list. This is longer -- before Volusia County was
9 supposed to get the -- their -- they're supposed to
10 go through a process and they didn't do it. And
11 they broke DOT regulations and they broke the due
12 process regulations. And that's why we're mainly
13 here.

14 UNIDENTIFIED MALE SPEAKER: Yeah.

15 MR. PEAVY: Is that the -- Byron Peavy.

16 And so they're out of order. Is that kind of
17 like against the law or something; like they broke
18 a statute?

19 UNIDENTIFIED FEMALE SPEAKER: It is.

20 MR. PEAVY: And kind of like if we did it, we
21 would have to answer to it? How come they're not
22 answering to it?

23 MS. MANCHE: Right here.

24 UNIDENTIFIED MALE SPEAKER: That's -- that's
25 one of them right here.

1 MR. PEAUVY: They've got a couple.

2 MS. MANCHE: That's a 2013 set.

3 MR. PEAUVY: What do we have?

4 UNIDENTIFIED FEMALE SPEAKER: 2013.

5 MR. PEAUVY: I feel like as a property owner...

6 UNIDENTIFIED MALE SPEAKER: Which one is this?

7 This one doesn't have ours. (Indiscernible.) Oh.

8 MR. PEAUVY: Can I say one more thing?

9 MR. DAVIS: I don't work for the Department of
10 Transportation.

11 MR. PEAUVY: But can I say one more thing?

12 Byron Peavy.

13 MR. DAVIS: Yeah.

14 MR. PEAUVY: When I did try to call around for
15 an attorney, all the ones outside of it says one
16 thing about Volusia County, when you start working
17 with this, they're like the Wild Wild West, it's
18 the good ol' boy system. A lot of them do not want
19 to represent you because of the way -- and you hear
20 it all over the place -- about Volusia County.

21 How do we change that? As you're chairman,
22 how do we change that? There's some of these
23 people that are elected, like the engineer or stuff
24 like that, it's his way or the highway. How do we
25 get his job? He's not doing the right thing. He's

1 doing all -- he's paid by all of us right here.

2 MR. DAVIS: Exactly.

3 MR. PEAVY: He's not doing the right thing for
4 this community right here and others as I -- as I
5 hear. There's other people that I talk to that
6 lives in Enterprise.

7 Where's Carl at?

8 Edgewater. Over there near Altoona or Astor,
9 all the same. And they're talking about the same
10 man, the same man. I've got him on videotape, that
11 he don't even know he's getting taped, but I got
12 him. And it's like this rude appearance and
13 everything coming to my house the way he acted.

14 But how do we get people like that the --
15 the -- the -- did you ask the attorney to come here
16 tonight to talk to us? Did you ask Gerald Brinton?
17 Where are they at?

18 MR. DAVIS: They are not here.

19 MR. PEAVY: It shouldn't be up -- you up there
20 answering these questions because you're not in
21 charge of this trail. Where are they at? What was
22 their excuse?

23 UNIDENTIFIED FEMALE SPEAKER: Let me say --

24 UNIDENTIFIED FEMALE SPEAKER: They wouldn't --

25 MS. MANCHE: Let me say one thing about that.

1 Jason taught me, the first time we had a meeting
2 with them -- oh, by the way, he did go to the
3 homeowners' house of the 13 property owners, sat
4 down, had pizza try- -- trying to figure out what's
5 going on. He did not know about the four-laning.
6 He only knew about the Rails to Trail, and I
7 said --

8 MR. DAVIS: But I didn't know -- I didn't know
9 that the trail -- see, let me tell you. In --
10 in -- I guess the honest truth to it all is, this
11 came to us in a manner that is not consistent with
12 what you have written here. We are going to go --
13 expand the trails down through Osteen Cemetery or
14 Os --

15 MS. MANCHE: -- steen Road.

16 MR. DAVIS: I'm sorry. Osteen and Maytown
17 Road. We're going to go to Osteen Road.

18 (Simultaneous speaking.)

19 MR. DAVIS: We are going to put the -- extend
20 the trail down through Osteen.

21 I said, Okay. Great. So, did you buy the
22 land?

23 No. We have a Murphy Deed to buy the trail.

24 Oh. So this is going down there somewhere?

25 Yeah. They give you this little map -- and

1 you see the maps they give us.

2 MS. MANCHE: Oh, yeah.

3 MR. DAVIS: It's a hand-drawn map, and it
4 really is not to scale, and it just kind of -- it's
5 like, that really doesn't sound right. I need to
6 find out what -- what's going on with this thing.

7 Lo and behold, I get a phone call. Hey, we
8 want to talk to you about Murphy. Cool. Boy, did
9 I get an education in one night. It was like a
10 three-year college degree on land use. And
11 immediately, I started looking into this Murphy.

12 I have independent staff. I do -- I do have
13 county staff, but I have people that work for me
14 because they like me. They work for me because
15 they want to get to the bottom of the problems.
16 They work with me -- with me because they want to
17 see truth in government. They want to see things
18 better, like I want to see things better in this
19 county.

20 I do not care if they put the trail through
21 the woodline. I do not care where they put the
22 trail, until when they start interrupting the
23 property owner's rights, I got a problem. That's
24 why I talk with you guys. That's why I came out
25 here for three hours one night. That's why I'm out

1 here tonight. Because I believe that you guys have
2 certain and inalienable rights of life, liberty and
3 the pursuit of happiness as designated by the
4 Declaration of Independence. And part of your
5 life, liberty and pursuit of happiness is on
6 Maytown-Osteen Road.

7 We cannot change that which has been done,
8 unfortunately. The trail will be there. It was a
9 five-to-two vote. And we fought very hard. We
10 fought for hours.

11 Here, (indiscernible), I don't want you to
12 lose your...

13 We fought for hours behind the scenes, on the
14 dais, discussion, argument. It was actually even
15 postponed one meeting because we wanted the truth
16 of what the hell is going on in Osteen. This is a
17 very tight-knit little, happy community.

18 I was proud to live out here. My daughter
19 worked at the diner, you know. So I mean, I was
20 happy to be out here to help you guys. I don't
21 know how all this got through as quickly as it did,
22 and how people didn't follow the rules.

23 You want to know how to change the government?
24 I'll tell you how to change the government. You
25 change it in November. You don't like the people

1 that are doing the job, you vote them out. If you
2 like the people that are doing the job, you damn
3 well make sure you vote them in and keep them
4 there.

5 We got a chance. We do have a chance.

6 And I talked, not only to council during our
7 dais, not only to private citizens, but I talk to
8 business people. And they realized the potential
9 of Volusia County was a tourist destination, as a
10 economic development destination, as a place to
11 bring a multimillion pro-- Forbes 500 company to
12 Volusia County because we have so much to offer.
13 I'm fighting for that, too. You see, this is what
14 we do.

15 But like I said, it's all up to the vote on
16 the dais. Three-four vote, four win. Five-two
17 vote, five win. The five voted to go forth with
18 this. Not happy.

19 As a matter of fact, I think after that, I
20 said, "We need a ten-minute break." And I smacked
21 the gavel, and I got away from the dais. And -- I
22 smoke a pipe. And I just smoked my pipe because I
23 was, to be quite frank, pissed off. This was
24 wrong.

25 But I can't change it. Joyce can't change it.

1 It is what it is. We need to work together to make
2 it the best for all parties available.

3 I'm sorry that our county manager did not show
4 up tonight. I'm sorry that the parks and recs
5 could not be here tonight. He did -- he obviously
6 did have a conflict. I am sorry that Gerry --
7 Gerry Brinton did not come out here tonight. I do
8 not know why. I even asked Jamie Seaman to come
9 out, who was the attorney for this project. She
10 could not come out here. I don't know why.

11 They don't report to me. They don't report to
12 Joyce. This is kind of county government 101. Two
13 people we have report to us: The county manager
14 and county attorney. After that, he runs the
15 staff, he tells them where to go, what to do, who
16 does what and how they do it.

17 You want to change your government, though.
18 You asked how do we get rid of Mr. Brinton.

19 UNIDENTIFIED MALE SPEAKER: Yes. Completely.

20 MR. DAVIS: Oh, now you want to --

21 UNIDENTIFIED MALE SPEAKER: I -- I want to get
22 rid of him.

23 (Simultaneous speaking.)

24 MR. DAVIS: (Indiscernible).

25 UNIDENTIFIED MALE SPEAKER: I think that's

1 what he was scared of if he come out here, he just,
2 you know.

3 MR. DAVIS: Well, I mean, let me -- let me
4 tell you what. I ain't afraid of the citizens.
5 I'm not afraid of the people.

6 UNIDENTIFIED FEMALE SPEAKER: Okay. But --

7 MR. DAVIS: I love people.

8 UNIDENTIFIED FEMALE SPEAKER: -- that's the
9 guy that wronged us.

10 MR. DAVIS: Well, I don't -- see, if I would
11 have wronged you, then I wouldn't be here.

12 November, that's when you change government.
13 That's how you change government. That's how
14 things happen. And, you know, right now -- I mean,
15 believe me, I have many agenda items that I would
16 like to see brought forth, but can't, though,
17 because I just don't have the support right now.

18 MR. PEAVY: He's not a elected official,
19 though. We're talking about Gerald Brinton.

20 MR. DAVIS: Who? Jim Dinneen?

21 MR. PEAVY: Yeah.

22 MS. SOMERFORD: Please say your name when you
23 speak. Byron Peavy.

24 MR. PEAVY: Byron Peavy.

25 UNIDENTIFIED FEMALE SPEAKER: B-Y-R-O-N.

1 UNIDENTIFIED MALE SPEAKER: Uh-huh.

2 MR. PEAVY: Believe me, I tried --

3 MR. DAVIS: No, he's not an elected official,
4 he's an appointed -- he's a hired official, hired
5 by Mr. Dinneen.

6 UNIDENTIFIED FEMALE SPEAKER: How do we get
7 him fired?

8 MR. PEAVY: Who's his boss?

9 MR. DAVIS: Who's whose boss?

10 MR. PEAVY: Gerald Brinton.

11 MR. DAVIS: Jim Dinneen.

12 MS. CUSACK: Jim Dinneen.

13 MR. PEAVY: Okay. Is he elected official?

14 MR. DAVIS: Nope.

15 MR. PEAVY: Who's his boss?

16 MR. DAVIS: Us.

17 MR. PEAVY: You?

18 MR. DAVIS: Well, us seven.

19 UNIDENTIFIED FEMALE SPEAKER: It's us seven.

20 MR. PEAVY: I don't like him.

21 UNIDENTIFIED FEMALE SPEAKER: Change it in
22 November.

23 MR. DAVIS: That's all I can say on that.

24 Now, I have the pink -- lady in pink, and then
25 the -- the lady (indiscernible). Okay. Yeah.

1 Okay.

2 MS. MCCLLENEN: Candy McClenen. I apologize.

3 I'm texting myself my own questions at the end.

4 But while we're on this letter --

5 MR. DAVIS: Uh-huh. Which letter?

6 MS. MCCLLENEN: Is it -- it is too -- well,
7 yeah, but that's what -- when I raised my hand, we
8 were on it.

9 MR. DAVIS: Yeah. All right.

10 MS. MCCLLENEN: If we haven't received that
11 letter, does that mean our property's not going to
12 be affected -- 100 percent it's not going to be
13 affected?

14 Because the reason I'm asking that question
15 is, from the people I've spoken with, I'm looking
16 at 15 feet of my back yard being taken. That would
17 also be 15 feet for spandex, my neighbor, and also
18 her neighbor, Mr. Patch. None of us have received
19 the letter about October or July or anything.

20 So leaving this meeting, I need to know, is my
21 property being touched, or is it not being touched?

22 MR. DAVIS: Where -- where -- where do you
23 live?

24 MS. MCCLLENEN: 405 Osteen-Maytown Road.

25 MR. DAVIS: Is it on that map?

1 UNIDENTIFIED FEMALE SPEAKER: No.

2 MR. DAVIS: It is not on that map? Is there a
3 map?

4 UNIDENTIFIED MALE SPEAKER: I saw couple
5 little maps. It's not on this map?

6 MS. MCCLLENEN: It's going directly behind my
7 home.

8 UNIDENTIFIED FEMALE SPEAKER: It's -- there's
9 a railroad --

10 MR. DAVIS: There's going to be an easement
11 taken from the back of your property. Is your
12 property --

13 MS. MCCLLENEN: It --

14 MR. DAVIS: How -- how big is your property?

15 MS. MCCLLENEN: Three acres.

16 MR. DAVIS: Three acres.

17 And how far out is the trail?

18 MS. MCCLLENEN: A little under three.

19 MR. DAVIS: Trail -- trail back --

20 MS. MCCLLENEN: Well, the easement goes
21 directly behind my home.

22 UNIDENTIFIED MALE SPEAKER: Okay. That's --

23 MS. MCCLLENEN: But when I -- when I spoke
24 to -- I -- I forget the gentleman's name I spoke to
25 at the County. He said that I was -- I was looking

1 at losing 15-plus feet of my back yard.

2 UNIDENTIFIED MALE SPEAKER: Uh-huh.

3 MS. MCCLLENEN: So --

4 UNIDENTIFIED MALE SPEAKER: On the back
5 property line.

6 MS. MCCLLENEN: Yeah. But that's still my --

7 MR. DAVIS: I understand.

8 MS. MCCLLENEN: -- my yard. I mean, I have
9 equipment that parks back there, so --

10 UNIDENTIFIED MALE SPEAKER: Uh-huh.

11 MS. MCCLLENEN: -- I need to know if -- is my
12 fence going to be moved in?

13 UNIDENTIFIED MALE SPEAKER: Yes. Your fence
14 will be moved.

15 MS. MCCLLENEN: But why haven't I gotten a
16 paper?

17 MR. DAVIS: (Indiscernible.)

18 UNIDENTIFIED MALE SPEAKER: It's in here.
19 Your fence is in here.

20 MR. DAVIS: I don't know why you even gave him
21 that picture.

22 MS. MCCLLENEN: If that's my case, why hasn't
23 anybody alerted us? If -- if we're going to be
24 affected by this, why aren't we being notified?

25 MR. DAVIS: I don't know why you were not

1 notified. I have no idea.

2 Who else is here and did not get notification?

3 And you live on Osteen-Maytown Road?

4 UNIDENTIFIED FEMALE SPEAKER: Did you get
5 notification?

6 UNIDENTIFIED MALE SPEAKER: Sure.

7 MR. DAVIS: All right. Let's -- your name,
8 please.

9 MS. RAGER: Mary Rager.

10 MR. DAVIS: Mary Rager.

11 UNIDENTIFIED MALE SPEAKER: Mary Rager.

12 MS. RAGER: I -- I also like to do research,
13 Sheryl. I -- I'm a teacher at heart and I teach
14 people. I do research. And I did research when I
15 got your e-mail about coming here tonight, about
16 the Murphy land.

17 And from what I understand, folks, that -- it
18 was supposed to be put in the title deed of the
19 property. And after the second or third sale on
20 each property, the Title Association stopped
21 putting it in the deed. So that's why people today
22 are surprised about this, because it never was.
23 But we are supposed to get title insurance.

24 But from what I understand, is this would be a
25 title insurance issue, that maybe that's some clout

1 that these people, then, can go to, the title
2 insurance people and say, Look, you need to pay up
3 the value of my land, you know, the easement that I
4 was never known about, never came up in the title
5 search when I bought my property, so now you need
6 to pay up. And maybe the title insurance company
7 not wanting to pay out on all y'all, might get
8 behind you and -- and enough clout --

9 MS. MANCHE: Okay. Let me ask you this one.

10 UNIDENTIFIED MALE SPEAKER: Mary, are you
11 still at 509?

12 MS. MANCHE: Sheryl Manche.

13 UNIDENTIFIED MALE SPEAKER: Sheryl Manche.

14 MS. MANCHE: I spoke to Byron and
15 Catherine's -- president of the First American
16 Title Company in Tallahassee this afternoon because
17 he knew we were going to have this meeting.

18 And I used to own a title abstract company.
19 That's -- I'm the one that goes out -- or used to
20 go out and bond all these exceptions and easements
21 and everything. And I -- I did very well in
22 Atlanta, then I came down here.

23 The minimum title search, in Florida, is 30
24 years. And it goes till -- 90 percent of the title
25 searches go 30 years. The last time the Murphy

1 Land Act was put on any of these 13 properties was
2 about 32 years ago. Okay?

3 But, the law of the land is, just because you
4 didn't get that title search that went back 50 or
5 100 years, doesn't mean that easement's not on
6 there. You -- you're getting due notice because
7 it's in the record room.

8 And there's -- there's a lot of court cases
9 between judges and attorneys. It goes again- -- we
10 have a Florida Statute; they tried to battle it.

11 Since 1990 to 2007, the Florida Legislature
12 made a lot of changes. But you've got to remember,
13 2007 was the height, the boom. They weren't giving
14 up land. Okay?

15 We're in a whole different mindset now. Now,
16 50 percent of Volusia County and Americans have
17 succumb to foreclosure and short sales, and they're
18 not going to be qualified for a mortgage for the
19 next five to ten years. Five years for a short
20 sale; about ten years for a foreclosures.

21 So now, the 50 percent that do have homes,
22 they're working two or three jobs to pay for this
23 property. And Volusia County being one of the
24 highest taxed counties in Florida --

25 UNIDENTIFIED MALE SPEAKER: Third now.

1 UNIDENTIFIED MALE SPEAKER: Yeah.

2 MS. MANCHE: Oh, third? Well, I'm glad you
3 stepped in.

4 UNIDENTIFIED MALE SPEAKER: We were two. We
5 dropped down to three.

6 MS. MANCHE: But we're barely hanging onto our
7 properties now, and so that's one of the reasons
8 why we're so angry, because we're doing all we can
9 to survive and hang onto these houses, which are
10 paying the salaries of the commissioners, the very
11 ones that are taking the land for free, when they
12 have more than enough money for the Rails to
13 Trails.

14 He pointed out to me, the County doesn't get a
15 darn cent from Rails to Trails. Rails to Trails a
16 totally separate entity. They're getting \$50
17 million from the federal government. None of it
18 goes to Volusia County. Doesn't pay for the cops.
19 Doesn't pay for the trashmen. It doesn't pay for
20 any of this. And there's a lot of issues about how
21 much does it really cost. I've got information
22 here.

23 UNIDENTIFIED MALE SPEAKER: Where was I?

24 MS. MANCHE: They asked.

25 UNIDENTIFIED MALE SPEAKER: Right here's part

1 of it.

2 MS. MANCHE: They asked -- they asked for \$5
3 million. I've got the engineer right here, shows
4 it's only going to cost 1.9 million. I said, "Well
5 where's the other 3 million going? Who's getting
6 that?"

7 All right? They got the money. They just
8 don't want to fork it over. And that's another
9 reason why we're so mad, 'cause they said at the
10 council meeting, Jamie Seaman, Pat Northey,
11 Brinton, Well, we could take that land, but we'd
12 have to pay for it. But we can take this land
13 because it's free. We just found out about it, so
14 we want the free land. I said, Well, you're pretty
15 darn greedy. You're getting all this money, but
16 you still want to take something even though it's
17 wrong?"

18 And that's what he said. Just because you can
19 do it, doesn't mean it's right.

20 And that's why we're trying to stop it. And
21 these -- the only way we can possibly slow this
22 down is with the media and the Osteenians getting
23 loud, getting smart and -- and firing people up,
24 which is the next point.

25 I want you all to get that piece of paper from

1 Catherine. She has an action plan for you, I want
2 you all to do -- if you really want to do
3 something. I want you to do that on Monday. All
4 right? I want to light them up.

5 Because we have been to Channel 9, Fox News,
6 several times. We've been in the Journal. We were
7 just in the Journal Sunday. We've been in Hometown
8 News. We've been in Volusia Beacon. I mean, we
9 need to take every media outlet that we can have
10 listen to us. Next is having a parade in the
11 street, which might be next.

12 (Simultaneous speaking.)

13 MS. MANCHE: Me.

14 Go ahead.

15 But the only way we're going to stop this --
16 and by the way, the Farmton plan, which wants this
17 four-laning and all this, they're still working on
18 the -- they don't have the final approval yet.

19 UNIDENTIFIED MALE SPEAKER: Yes, they do.

20 MS. MANCHE: Oh, okay. They did. August.

21 Okay.

22 UNIDENTIFIED MALE SPEAKER: We did. August.

23 MS. MANCHE: They're working on that.

24 UNIDENTIFIED FEMALE SPEAKER: Uh-huh.

25 MS. MANCHE: But they still have -- they have

1 to make all these -- they can make all these
2 different changes and everything. Nothing's set in
3 stone. Okay? The only thing that's set in stone,
4 is they're going to put a bike trail through.

5 We would like it back to 2012's plan of using
6 their current 25 foot right-of-way or six -- they
7 only need 16 feet. But as they admitted to, they
8 want to four-lane.

9 Well, they're not going to put the trail by
10 the edge of Maytown Road if they're going to
11 four-lane it. They're going to put it all the way
12 back, so they don't have to build the trail a
13 second time.

14 Isn't that right?

15 UNIDENTIFIED MALE SPEAKER: (Indiscernible.)

16 MS. MANCHE: Yes.

17 So, yes, you are going to have a bike trail in
18 your front yard, literally.

19 MR. PEAUVY: Sir, Byron Peavy.

20 I understand -- I understood the other night,
21 they'll take 30 feet from me. Will I still have to
22 pay taxes on that 30 feet even though it's theirs?
23 Isn't that what it's -- isn't that what you said?
24 In all the stuff that I'm reading, I'm still going
25 to have to pay taxes on it.

1 UNIDENTIFIED FEMALE SPEAKER: That doesn't
2 make sense.

3 UNIDENTIFIED FEMALE SPEAKER: Oh, that's --

4 MS. MANCHE: Do you have --

5 MR. PEAVY: No, it does not make sense.

6 MS. CUSACK: Have you been paying taxes on it?

7 MR. PEAVY: Yes, ma'am.

8 UNIDENTIFIED FEMALE SPEAKER: Yes.

9 MS. MANCHE: And by the way, that's another
10 thing.

11 UNIDENTIFIED FEMALE SPEAKER: Tax
12 certificates.

13 MS. MANCHE: Sheryl Manche.

14 We asked -- eight homeowners paid for tax
15 certificates on January 21st, that showed taxes
16 paid from 1971 --

17 UNIDENTIFIED MALE SPEAKER: Uh-huh.

18 MS. MANCHE: -- to 2013. In the first -- the
19 first paragraph of the 2013 Florida Statute of
20 Murphy land says that if we can prove that, that
21 the rights that are released under this subsection
22 are all the rights in the land, including
23 state-held subsurface rights. Okay?

24 So that's what we did. So what we're saying
25 is, what do we do now? Because we're supposed to

1 be receiving these tax certificates, and we want to
2 presented at the County saying, Now you have to go
3 through eminent domain process because we're
4 following the -- the law. Are you? But where do
5 we go with this? Okay?

6 UNIDENTIFIED MALE SPEAKER: Uh-huh.

7 MS. MANCHE: We want -- if they want it so
8 bad, let them pay for it.

9 UNIDENTIFIED MALE SPEAKER: Oh, I agree.

10 MR. DAVIS: We do it. We -- we -- you pay for
11 land that we need.

12 (Simultaneous speaking.)

13 MR. DAVIS: And -- of course, I characterized
14 my argument with -- with this whole scenario, is
15 that, you know, the little joke, there ain't no
16 free lunch. There ain't no free land, either.

17 Let me go over on this side real quick.

18 Yes, ma'am. Name again.

19 MS. GEISLERE: Ann Geislere.

20 Another -- also following up on what Sheryl
21 just said. For those of us that could be affected
22 in the future by the Murphy Land Act --

23 MS. MANCHE: Right here.

24 MS. GEISLERE: It could affect several of us.

25 MR. DAVIS: Yeah.

1 MS. GEISLERE: Sheryl gave us a whole list of
2 roads that could be -- where they designated as
3 state roads.

4 Sheryl, can you explain -- you said that --
5 you know, you said we can go -- we can get -- file
6 a tax certificate.

7 MS. MANCHE: Yes. You go to the --

8 MS. GEISLERE: I'm talking about being
9 proactive --

10 MS. MANCHE: Yes.

11 MS. GEISLERE: -- for those of us who haven't
12 been affected by this.

13 MS. MANCHE: That's -- if -- if we had known
14 about this five years ago, we would have gotten the
15 tax certificates.

16 MS. GEISLERE: So we can go down to the
17 property --

18 MS. MANCHE: You go down to the tax -- the
19 tax --

20 (Simultaneous speaking.)

21 MS. MANCHE: Tax --

22 UNIDENTIFIED FEMALE SPEAKER: Yeah.

23 UNIDENTIFIED MALE SPEAKER: Down there --

24 UNIDENTIFIED FEMALE SPEAKER: Tax assessor --

25 MS. MANCHE: Not the property appraiser, the

1 tax assessor's office, in the administrative
2 building in DeLand.

3 UNIDENTIFIED MALE SPEAKER: We don't have a
4 tax assessor's office. We have a tax revenue
5 office.

6 MS. MANCHE: Tax revenue. Tax revenue office.

7 UNIDENTIFIED MALE SPEAKER: That's where you
8 go to pay the taxes.

9 MS. MANCHE: Okay.

10 UNIDENTIFIED FEMALE SPEAKER: That's where you
11 pay --

12 MS. MANCHE: Tax revenue office. And you --
13 anybody can go get this. If you give them your
14 address, you give them 35 bucks, and you say you
15 want to show that taxes have been paid by -- not
16 just you, but all previous landowners from 1971 to
17 2013, and you want them to record it in the record
18 deed book. So this way, if they're going to try
19 and take it later on, they're going to have to pay
20 for it.

21 UNIDENTIFIED FEMALE SPEAKER: That's right.

22 MS. GEISLERE: Thank you.

23 UNIDENTIFIED FEMALE SPEAKER: What was it? I
24 didn't hear the first part.

25 MS. MANCHE: You go to the --

1 UNIDENTIFIED FEMALE SPEAKER: Tax revenue.

2 MS. MANCHE: -- tax revenue office. It's
3 downstairs of the --

4 UNIDENTIFIED MALE SPEAKER: It's where -- it's
5 where you buy -- it's where you buy your tag. You
6 go in there.

7 MS. MANCHE: Yeah.

8 (Simultaneous speaking.)

9 MS. MANCHE: Okay. You pay them \$35, you fill
10 out the form. They -- it very rarely happens for
11 them, so we had to educate them on how to do it.
12 We brought them a sample. Okay? We said we want
13 it done like this. So -- and I can -- I can send
14 you guys samples of that.

15 UNIDENTIFIED FEMALE SPEAKER: What is it
16 called, again?

17 MS. MANCHE: It's a tax certificate. And
18 you're going to get it recorded. Because remember,
19 five years ago, Osteen-Maytown Road was a dirt
20 road. He didn't even know it was a state road. He
21 thought it was a sand road.

22 UNIDENTIFIED MALE SPEAKER: (Indiscernible.)

23 MS. MANCHE: It's a dirt road.

24 MR. DAVIS: Less than ten years ago it was
25 a -- a bouncy, beat up old dirt road with ruts. It

1 was like driving down a washboard.

2 MS. MANCHE: Yeah.

3 MR. DAVIS: I lost two of my favorite teeth on
4 that road and two rabbits' foots (indiscernible).

5 MS. MANCHE: None of you guys knew about the
6 Rails to Trail. None of you knew about the
7 four-laning.

8 UNIDENTIFIED MALE SPEAKER: Nope.

9 MS. MANCHE: So if they're coming in --
10 they're try -- they're trying to come in all sides
11 of Osteen. 415, see what happened there. You got
12 Osteen-Maytown Road. You see what's happened
13 there. Okay? We don't know how big this is going
14 to get. And if I was -- if I knew anything about
15 this, I would have got the tax certificates.

16 But you got Lemon Bluff Road. You got
17 Enterprise Osteen Road. You got Reed Ellis Road,
18 Lake Helen Osteen Road and Pell Road. All of them
19 are under the -- this is from 1937. This -- or
20 1941. This is the Murphy Land Act that is still
21 valid today.

22 MR. DAVIS: Yes, ma'am.

23 All right. We're going to continue.

24 MS. RAGER: One more question.

25 MR. DAVIS: We're almost halfway done.

1 UNIDENTIFIED FEMALE SPEAKER: I've got one
2 more question and I'm going to leave, 'cause I've
3 got things to do.

4 MR. DAVIS: Yeah.

5 MS. RAGER: Geri Rager.

6 I just want to ask --

7 (Simultaneous speaking.)

8 UNIDENTIFIED FEMALE SPEAKER: You're saying --

9 MS. RAGER: This relates to my previous
10 question. Is that the title insurance on that
11 30-year note, (indiscernible). Like, how do we
12 know if our property is affected by the Murphy Law?
13 How do we figure that out?

14 MR. DAVIS: Where do you live?

15 MS. RAGER: I live right here on Murray
16 Street.

17 MR. DAVIS: Murray Street?

18 MS. RAGER: Right -- right here.

19 MR. DAVIS: It's not on the list.

20 MS. MANCHE: It's -- it's not on the list.

21 MS. RAGER: Well, it's not (indiscernible).

22 MS. MANCHE: Murray Street.

23 UNIDENTIFIED FEMALE SPEAKER: You have to
24 live --

25 (Simultaneous speaking.)

1 UNIDENTIFIED FEMALE SPEAKER: It's going to be
2 one of these main artery roads. It's called an
3 artery road. You know --

4 UNIDENTIFIED FEMALE SPEAKER: So mine would be
5 (indiscernible).

6 MS. MANCHE: No. But if you don't know what
7 easement's on there -- I mean, for all you know,
8 you could be part of the magic railroad. We've all
9 heard about the magic railroad.

10 UNIDENTIFIED FEMALE SPEAKER: Murray is
11 affected somewhat, because Murray runs right behind
12 Maytown Road. And I know the people that live
13 behind me are technically on Murray, and it's both
14 of our homes being affected. Because you guys --

15 Candy McClenen.

16 You guys keep saying that it's running in
17 front of the houses. In our case, living at the
18 beginning of Maytown Road, it's running behind our
19 homes. So how do we get -- how do we get an exact
20 map that's better than that, that shows where this
21 is going so we know if our homes are definitely
22 being affected or not, because you guys keep saying
23 13 and -- and this and that, but there's so many
24 more people.

25 And -- and what's really frustrating, is a lot

1 of these people sitting in this room and that have
2 already left, don't have Internet, don't have
3 Smartphones, don't have this stuff, and are relying
4 only on the signs and whatnot. So they -- they
5 know nothing about it.

6 And if their homes are being affected, like my
7 home's supposed to be being affected, and we don't
8 get any notification, then sorry, your letter got
9 lost in the mail. I mean, what -- what is our
10 rights? You guys have received letters. We
11 haven't.

12 MR. DAVIS: You have the right to come to the
13 council board. You have the right to bring this to
14 the -- to the council. We have public
15 participation in the morning and in the evening.
16 And I encourage you to --

17 MS. MCCLLENEN: I mean, are these meetings held
18 on a -- like a --

19 MR. DAVIS: First --

20 MS. MCCLLENEN: -- second -- second Thursday of
21 the month or something like that?

22 MR. DAVIS: Yep. We just had one today.

23 MS. MCCLLENEN: I mean, I -- I --

24 MR. DAVIS: A regular county council.

25 MS. MCCLLENEN: I'm one of the youngest in the

1 room. I'm not into all the political thing as much
2 as I should be. But, you know, I'm learning and
3 I'm -- I'm trying.

4 And what's going to ultimately happen at my
5 property is you guys are going to sandwich me in.
6 You're taking my back yard for the rail -- for the
7 bike trail. And then when the non-widening of
8 Maytown Road happens, my front yard's being taken
9 away. I mean, it -- it sucks.

10 MR. DAVIS: It does. And I agree with you.

11 MS. MANCHE: The -- the title company --

12 UNIDENTIFIED MALE SPEAKER: Yeah.

13 MS. MANCHE: You can check with your -- you
14 have a policy, right?

15 I'm sorry. Sheryl Manche.

16 Okay. You have a title policy. And I'm not
17 trying to deflect at all, trust me, because I know
18 title. But you have a policy. You can bring it --
19 or you can call your -- it doesn't matter how old
20 it is. Call the agent and say, I need you to
21 review the title policy you gave me. Is there
22 easements on this policy?

23 All right. The problem with --

24 MS. MCCLLENEN: There is. It's on my -- on
25 my --

1 MS. MANCHE: I know. Cath- -- the problem
2 with -- it's good and bad, but the problem with
3 Catherine Peavy's, hers is so new from last year,
4 they actually did find it and put it as an
5 exception. We covered everything except the Murphy
6 Land Act. So they're going to take her land and
7 she cannot sue the title company for it and get her
8 money back. Okay?

9 But the other ones, most of them, it was not
10 put as an exception, so, yes, they can call the
11 title company and sue them, which I don't like.
12 It's not the title company's fault. They did their
13 job. But it's the only recourse the homeowner has
14 to try and get something. Okay?

15 MS. MCCLLENEN: But why wouldn't they have to
16 send me one of those letters? Everybody else got a
17 letter. Why -- why -- why am I not getting the
18 letter?

19 (Simultaneous speaking.)

20 MS. MANCHE: Listen.

21 MS. MCCLLENEN: Why is Patch not getting the
22 letter?

23 MS. MANCHE: Listen.

24 MS. MCCLLENEN: Why did she get the letter?

25 MS. MANCHE: Listen. You've got to be -- like

1 Ann said, you've got to be proactive.

2 UNIDENTIFIED MALE SPEAKER: Does it go to
3 Guise Road?

4 MS. MANCHE: You have got to go find out what
5 easements are on your property. Like, me, before
6 we got into our house, I literally went, myself,
7 and put -- because I know how to do it, I went back
8 a hundred years. I wanted to make sure I had
9 mineral rights. And, you know, I just wanted to
10 make sure nobody took nothing away from that
11 property. Okay? But that was me, because I'm part
12 of the industry, so I know there could be screwups
13 from doing their -- their title work.

14 But if I wasn't in it, I'd be picking up the
15 phone and saying, Look over my policy again and
16 make sure I don't have any problems. Like, do I
17 have a Murphy Land Act? Do I have a railroad?
18 What is on my policy I need to talk to an attorney
19 about.

20 MS. MCCLEENEN: Okay. So I know I have the
21 railway easement running behind, you know. But the
22 thing is, is they're taking the extra land to make
23 it the extra width, and that's where the problem
24 lies, where -- where a lot of us is losing the
25 land.

1 MS. MANCHE: Well, talk to me later about it,
2 and I'll -- I'll help you. But he's got to --

3 MR. DAVIS: Yeah.

4 MS. MANCHE: -- go on because we're losing a
5 lot of people.

6 MR. DAVIS: We're losing people here. I'd
7 like to really get through this.

8 MS. SHELTON: Yeah. And you're getting ready
9 to lose us. But I've got a -- I just had a
10 quick --

11 MS. SOMERFORD: Name.

12 MS. SHELTON: Oh. Diana Shelton.

13 MS. SOMERFORD: Thank you.

14 MS. SHELTON: On the -- on these letters, I've
15 got a bit confused. What was the outcome? I mean,
16 why would somebody mislead or what -- what was
17 the --

18 MS. MANCHE: Time. Time. Because they got
19 the funding, the last \$10 million, November. Yes.
20 The last hearing was November 21st. So by the
21 time we found out about it --

22 MS. SHELTON: Yeah.

23 MS. MANCHE: -- it was too late.

24 MS. SHELTON: And -- and why would somebody
25 benefit from doing that? What --

1 MS. MANCHE: Money.

2 UNIDENTIFIED MALE SPEAKER: They don't have to
3 pay for the property now, they take it from us.

4 MS. SHELTON: Okay. But did -- did they -- or
5 you're saying that somebody's pocketed --

6 UNIDENTIFIED MALE SPEAKER: No. This -- this
7 money -- I paid --

8 MS. MANCHE: Well, somebody's getting --

9 UNIDENTIFIED MALE SPEAKER: I paid taxes on
10 it.

11 MS. SOMERFORD: What's your name?

12 MS. MANCHE: Sheryl Manche.

13 Somebody's getting paid. They don't do this
14 work for free.

15 MS. SHELTON: I'm kind of new at this. I just
16 wondered what would be the --

17 MS. MANCHE: What's the incentive?

18 MS. SHELTON: -- somebody's reason. Yeah.

19 MS. MANCHE: Well, there's \$50 million that
20 was given by the federal government for Rails to
21 Trails.

22 MS. SHELTON: Uh-huh.

23 MS. MANCHE: People are making money.

24 MS. SHELTON: Uh-huh.

25 MS. MANCHE: We haven't had time to do the

1 money trail yet. That would be another avenue one
2 day.

3 MS. SHELTON: Okay.

4 MS. MANCHE: Because I would like to know the
5 answer to that, too.

6 MS. SHELTON: Yeah.

7 (Simultaneous speaking.)

8 MS. ALTICE: Janet Altice.

9 So it's really behind -- the federal
10 government is -- is really what's behind all of the
11 trails and the -- and -- and all that stuff.

12 MR. DAVIS: Pretty much.

13 MS. MANCHE: The -- the federal --
14 Sheryl Manche.

15 The federal money -- this is -- oh, by the
16 way, I talked to the previous director of the TPO
17 Board. I located him in Texas. He got voted -- he
18 got voted out by the five. No, he got voted out by
19 the five. Anyway, he's now a director in
20 Washington, I think.

21 Anyway -- I research everything, buddy.

22 MR. DAVIS: Director of TPO, Washington, DC.

23 MS. MANCHE: No, director of the
24 transportation.

25 MS. CUSACK: It look like he's -- anyway, he

1 landed on his feet.

2 MS. MANCHE: He landed on his feet.

3 MR. DAVIS: With -- with --

4 MS. MANCHE: Yes.

5 MR. DAVIS: -- Tony --

6 MS. CUSACK: No.

7 MR. DAVIS: Because he's the director of the
8 Department of Transportation.

9 MS. MANCHE: No.

10 Okay.

11 MR. DAVIS: Sorry.

12 MS. MANCHE: I'll tell you later.

13 MR. DAVIS: Tell me later.

14 MS. MANCHE: He explained to me on the phone,
15 the federal funding comes in to the TPO Board,
16 and -- somehow the money gets mixed around, but
17 when it comes out, it's county money.

18 So any trail on the Osteen-Maytown Road is not
19 federal; it's county. I don't know how they do
20 it --

21 MR. DAVIS: Oh, it's easy.

22 MS. MANCHE: -- at this level.

23 MR. DAVIS: I have an answer to that. It's
24 like when we do a CRA -- whenever we send CRA
25 funding out to a city.

1 UNIDENTIFIED FEMALE SPEAKER: They don't know
2 what CRA means.

3 MR. DAVIS: Oh. CRA: Community Redevelopment
4 Authority. That's where a city says, County
5 Government give us millions of dollars so we can go
6 build something and we sit in this one area.

7 And we say, Okay. Give them that money. And
8 we say, What are you going to build?

9 They say, We don't have to tell you.

10 Well, it's the same thing with the federal
11 government.

12 Give us money, TPO. We have all these
13 projects and plans and everything. But once it
14 comes in to the county coffer, through the TPO,
15 then it goes out. It is the county money.

16 So it is a grant. We probably got with Feds
17 to the County to do what we need to do as far as
18 building roads, bridges, things like that. That's
19 how that money gets to the county.

20 MS. ALTICE: Janet Altice, again. a
21 follow-up question. Then who -- who asks them for
22 this money? Is that something that just comes --

23 MR. DAVIS: We have grant writers on the city
24 level, county level, state level, TPO level, any --
25 every governmental organization has a grant writer.

1 We need a grant. They say, okay. I start
2 researching, and they write all the paperwork up.
3 They say, Here's your grant. They send it off to
4 the powers that do it. They look it over, and say
5 okay, they mail it back to you.

6 That's very simply how it happens.

7 MS. ALTICE: One more question. So then, this
8 grant money and this money that's come down from
9 the federal government, they have to find a way to
10 spend it.

11 MR. DAVIS: There you go.

12 MS. ALTICE: Through trails...

13 MR. DAVIS: The trail program actually is a
14 grant from the federal government, specifically
15 earmarked and appropriated for the trails. That's
16 why we have a --

17 MS. ALTICE: Uh-huh.

18 MR. DAVIS: -- trail fund.

19 And also, previous councils have said, Well,
20 we'll also take \$1 million a year from ECHO and go
21 out cultural, historical and outdoor activity fund,
22 and put that over to the trails. So that's how
23 we -- that's how that -- all this money got in a
24 big, huge pile, \$50 million worth.

25 And now we said, Okay. Let's go make some

1 trails. And that's what's happened.

2 Yes, ma'am.

3 MS. BACILLIOUS: How much is it --

4 MR. DAVIS: I need your name.

5 MS. BACILLIOUS: I'm sorry. Pat Bacillious
6 (phonetic).

7 I understand that Volusia is part of many,
8 many, many counties that are supported or have
9 joined into ICLEI, I-C-L-E-I, which is part of
10 Agenda 21 from the United Nations. How much of
11 this turmoil and all, is being supported --

12 MR. DAVIS: None.

13 MS. BACILLIOUS: -- by that?

14 MR. DAVIS: ICLEI, last year's council -- or
15 not last year, but the previous council before I
16 got there -- I actually was kind of listening to
17 all that -- the ICLEI conversations.

18 Council voted against support and taking
19 support from it. I'm well-versed on Agenda 21. I
20 have been discussing Agenda 21 with staff members
21 and everything.

22 And as a matter of fact, I was very concerned
23 that the Farmton project was going to be an Agenda
24 21. Let me put your minds to rest, it's not.
25 That's all privately owned. The County doesn't own

1 it. We will never own Farmton. That project is
2 owned by the Miami Corporation, and they make
3 Massey Ferguson tractors. That's what Farm- --
4 Miami Corporation does. They own that 60,000
5 some-odd acres.

6 Now, they're going to be real nice to us and
7 they are donating 30 -- almost half of the land to
8 you guys. They're not putting our name on it,
9 they're putting you guys on it. They're leaving
10 the land in conservation. They're not going to
11 build a house on it. They're not going put a road
12 through it. They're not going to disturb a
13 glorious little turtle or a Scrub Jay or anything.
14 They're going to leave the land au naturel, but
15 then they're going to turn to you and say, Go
16 ahead. You want to walk through it, enjoy it.

17 So it's going to be your property to go
18 meander, enjoy, walk through little trails -- foot
19 trails, not bike trails -- foot trails and do their
20 thing. So, no, like I said, has that come up.

21 ICLEI. We're not a part of it, don't
22 prescribe to it, any of the theories or revelations
23 or anything. I fight it all the time. We've been
24 arguing about it.

25 As a matter of fact, the State of Florida told

1 us we could not -- excuse me -- force density in
2 zoning areas by just rezoning something and saying
3 we want this to be zoned. So the residential
4 density will be up astronomical, right next to the
5 train. They said, You can't do that. You can't
6 force -- you can't force density.

7 So -- but, no, we -- we don't prescribe to
8 their theories. And whenever stuff comes up like
9 that, I'm usually the biggest mouth on the couch
10 that says, Stop. Quit. Cease. Desist.

11 MS. BACILLIOUS: Okay.

12 MR. DAVIS: So we really haven't seen anything
13 come up like that, so I feel pretty good about
14 that.

15 MS. BACILLIOUS: Okay.

16 MR. DAVIS: Y'all want me to finish this? We
17 got about 12 people left, or we could just kind of
18 chitchat for about the next 15 minutes and then
19 everybody can have them.

20 UNIDENTIFIED MALE SPEAKER: You just said
21 something.

22 Byron Peavy.

23 How do we get this to cease and assist
24 (verbatim) or whatever you call it, to stop this,
25 until we get the right people voted into office?

1 UNIDENTIFIED FEMALE SPEAKER: Uh-huh.

2 MR. PEAUVY: (Indiscernible) we got to go to an
3 attorney or something? Because that makes sense to
4 me. And this would stop her 15 feet, our 30 feet
5 and everything like that.

6 UNIDENTIFIED FEMALE SPEAKER: Yep.

7 MR. PEAUVY: Because all we need is a few more
8 people that are like us in the council, right?

9 MR. DAVIS: I don't know. I'll have to talk
10 to you after this.

11 MR. PEAUVY: Okay. Thank you.

12 MR. DAVIS: Because there's a Sunshine issue
13 that --

14 MR. PEAUVY: I see.

15 MR. DAVIS: Yes, sir.

16 MR. KERRIGAN: Yeah. Harry Kerrigan.

17 When you're discussing the insurance program
18 on that list there, you mentioned that the trail is
19 county property.

20 MR. DAVIS: Yeah.

21 MR. KERRIGAN: At some point you're going to
22 put survey stakes in the ground to delineate where
23 that county property --

24 MR. DAVIS: It's being done as you speak.

25 MR. KERRIGAN: Okay. Who's paying to resurvey

1 my land?

2 MR. DAVIS: We are surveying -- we're using
3 the -- we're using the plats as they exist from the
4 county --

5 MR. KERRIGAN: Right. But they --

6 MR. DAVIS: -- appraiser's office.

7 MR. KERRIGAN: But they're taking my property,
8 which is reducing my property, which means I'm
9 going to have to get a new survey.

10 MR. DAVIS: Actually, your survey is being
11 done -- you know, they've got a new system out
12 there that the county property appraiser is using.
13 It's the Amanda System or something. It's really
14 cool. It goes over and says, you're supposed to
15 have 14 acres. Type in 14 acres, boom. It shows
16 where your property lines are. It shows exactly
17 what's on your property in color photo.

18 UNIDENTIFIED FEMALE SPEAKER: Yeah.

19 MR. DAVIS: It's gorgeous. And it's updated,
20 like, every three months. And it has grid
21 coordinates and everything. We -- we don't need to
22 resurvey. You don't need to resurvey.

23 MS. MCCLLENEN: So where's this open to the --

24 UNIDENTIFIED MALE SPEAKER: So --

25 MS. MCCLLENEN: -- public for us to look at?

1 MR. DAVIS: You can go down to the property
2 appraiser, say I want to see my Amanda listing on
3 my property. They'll pull up the plot and say,
4 Here it is. Boom, there's a picture. It's
5 actually quite --

6 UNIDENTIFIED MALE SPEAKER: Okay. So if -- if
7 I'm going to sell my property --

8 MR. DAVIS: Yes.

9 UNIDENTIFIED MALE SPEAKER: -- where would I
10 get a -- a certified copy, then?

11 MR. DAVIS: Well, if you're going to sell your
12 property --

13 UNIDENTIFIED MALE SPEAKER: On paper.

14 MR. DAVIS: -- you'll have to go like you do
15 with a normal sale.

16 MS. CUSACK: Yep.

17 MR. DAVIS: You have to get -- whoever buys
18 the property should get it --

19 MS. CUSACK: Surveyed.

20 MR. DAVIS: -- get it surveyed and taken care
21 of the normal way. You know. I mean, there's just
22 the way that you do real estate.

23 You know, I want to buy 40 acres. Where's my
24 40 acres? You got to get a survey. You go out,
25 put the stakes in the ground and say from there, to

1 there, to there, to there. But you pay -- you have
2 to pay them whatever dollars to do it. That's just
3 a survey. I mean, but they would --

4 UNIDENTIFIED MALE SPEAKER: Are those stakes
5 going to be delineated so I -- I know where they
6 are? You know, so I can visually see them.

7 MR. DAVIS: Yeah. Yeah. They'll be red.

8 UNIDENTIFIED MALE SPEAKER: Okay.

9 MR. DAVIS: They'll be red stakes. As a
10 matter of fact, I think I just saw one down the
11 road --

12 UNIDENTIFIED MALE SPEAKER: Okay.

13 MR. DAVIS: -- sticking out of the woods.
14 It's about that -- it's got orange tape on it.

15 UNIDENTIFIED MALE SPEAKER: I've got about a
16 hundred feet of brush behind me, so -- and my
17 original stake is under a palm tree.

18 MR. DAVIS: Well, at least you know where it
19 is.

20 UNIDENTIFIED MALE SPEAKER: Yeah.

21 MR. DAVIS: And you -- that palm tree is the
22 property line.

23 Yes. Let me get the young lady in the blue
24 and then come back up top.

25 UNIDENTIFIED FEMALE SPEAKER: (Indiscernible.)

1 What did you just call what we could get at
2 the property appraiser's office?

3 MS. CUSACK: Oh, the -- it -- you get your
4 property appraised. You get your -- your stakes,
5 your land, your plots, plats.

6 (Simultaneous speaking.)

7 MR. DAVIS: -- Amanda program is the one they
8 use to do that.

9 UNIDENTIFIED FEMALE SPEAKER: What is it?

10 MR. DAVIS: Amanda.

11 UNIDENTIFIED FEMALE SPEAKER: Amanda?

12 MR. DAVIS: Yeah, like the girl.

13 UNIDENTIFIED FEMALE SPEAKER: Oh.

14 MR. DAVIS: What is a line of con- -- no.

15 What is the timeline on construction. Okay.

16 Timeline on construction is advertising -- pardon
17 me.

18 Advertising for construction bids for this
19 particular area that starts at 415 to Guise Road
20 segment is expected to take place within the next
21 60 days, and the construction to be completed by
22 the beginning of the spring 2015.

23 UNIDENTIFIED FEMALE SPEAKER: Could you repeat
24 that, please?

25 MR. DAVIS: They're doing bids now.

1 UNIDENTIFIED FEMALE SPEAKER: Uh-huh.

2 MR. DAVIS: In 60 days they'll have the
3 construction guys ready to go. And in theory, they
4 will have the trail completed by 2015, all the way
5 down to Guise Road.

6 MS. MANCHE: I -- Sheryl Manche.

7 I think the main concern is the 13 homeowners
8 that they're taking the land from, the Murphy Land
9 Act. When are they planning on doing the
10 construction at that spot and moving on?

11 MR. DAVIS: Well, they just do it, you know.

12 Are they this side or that side of Guise Road?

13 UNIDENTIFIED MALE SPEAKER: This side.

14 UNIDENTIFIED FEMALE SPEAKER: This side.

15 MR. DAVIS: You're on this side of Guise Road.

16 UNIDENTIFIED MALE SPEAKER: This side of
17 Guise.

18 MR. DAVIS: All right. The way the trail
19 program works, they take each section, they build
20 it, they plow it, they put the limestone down, they
21 build the base. You construction guys will
22 understand all this.

23 Then they put the asphalt down, and then they
24 put the markers on it, and they go to the next
25 section. It's a continual, moving-down-the-road

1 kind of thing.

2 MS. MANCHE: Sheryl Manche.

3 So do you mean that they're only going to work
4 on the bridge for right now, 'cause that's the
5 trail?

6 MR. DAVIS: Well --

7 MS. MANCHE: And then when they're done with
8 that, then they'll...

9 MR. DAVIS: When the bridge is completed --
10 completely done -- in theory, it's like this.
11 Okay. We don't need to build a bridge to nowhere.
12 And you don't need to lay down a bridge or plan on
13 a bridge and then start building it and then build
14 the trail over here. And that's what would end up
15 happening.

16 They're -- they're continuing over the road,
17 415. They just finished over there. So we're
18 coming up, go over the road, they're going to head
19 south, head west, east, whatever direction.

20 UNIDENTIFIED MALE SPEAKER: East.

21 MR. DAVIS: Headed east. A new direction.

22 But we've got to finish the bridge first;
23 otherwise, the trail may not -- oh, my goodness,
24 heaven help us, the trail may not match up to the
25 bridge. I might have to walk my bicycle 20 feet

1 somewhere. That's nothing. But it's got to match
2 up. So they just keep going a nice long motion.

3 UNIDENTIFIED FEMALE SPEAKER: He's fixin' to
4 ask the same thing I am.

5 MR. DAVIS: Ladies first.

6 UNIDENTIFIED FEMALE SPEAKER: Go Mary.

7 UNIDENTIFIED FEMALE SPEAKER: He's fixin' to
8 ask the same thing I am.

9 MR. DAVIS: All right. You get to ask it.
10 Come on up.

11 MR. CAUSSEAU: All right. Don Causseaux.

12 I have the -- the plan of the bridge overpass
13 right here. When I read it, y'all's original plan
14 on the site, there was no survey done for gophers,
15 the Scrub Jay or wetlands, just for this space
16 here. I know we're going to have some of that down
17 the road.

18 UNIDENTIFIED MALE SPEAKER: Uh-huh.

19 MR. CAUSSEAU: There's none of that in there.
20 I didn't find any in this one, which is the bridge
21 that goes over 442.

22 MS. CUSACK: It's in there.

23 MR. CAUSSEAU: There's another issue with
24 the -- Gerald keeps talking about, through our
25 section, we got to have a ditch. We got to have a

1 ditch. We got to have a ditch. And that's why
2 they're wanting to take up to 34 -- 35 feet.

3 MR. DAVIS: Yeah, I know. I was part of that
4 argument.

5 MR. CAUSSEUX: Here is Florida Statutes that
6 says if a ditch is going to be built, then it needs
7 to go through certain procedures, and I haven't
8 seen anything that's been done. I've got it
9 highlighted here.

10 On this -- the 442 bridge, there's several
11 thousand feet, through the trail way, where there's
12 no ditches. There's just a strip of asphalt.

13 MR. DAVIS: You're right.

14 MR. CAUSSEUX: There's DOT code that says if
15 it's just a trail way --

16 MR. DAVIS: Right.

17 MR. CAUSSEUX: -- not for transportation, but
18 just a trail way, like a bike trail, it doesn't
19 have to have any drainage. This is the one.
20 There's another one.

21 The -- the repaving on Doyle Road, Mansion
22 Boulevard to Deltona Boulevard, there's several
23 hundred feet through there where there's no
24 drainage. And it goes from the road up to a wall.

25 Why do they keep pushing and saying, We got to

1 have to a ditch. We got to have a ditch.

2 If the ditch was never designed and us
3 homeowners haven't dug one for the last 40, 50
4 years, for one reason or another.

5 UNIDENTIFIED FEMALE SPEAKER: Uh-huh.

6 MR. CAUSSEAU: If there's nothing in the
7 works, why does he keep saying we got to have a
8 ditch?

9 UNIDENTIFIED MALE SPEAKER: That, I don't
10 know.

11 MR. CAUSSEAU: I'd like to have him answer
12 it.

13 (Simultaneous speaking.)

14 MR. DAVIS: You're asking the question, but I
15 don't -- I'm not an engineer.

16 MR. CAUSSEAU: I always wanted to be one.

17 Also, the people that did not show up, that
18 were asked to, they're all salaried employees.
19 There's no overtime issue. They could have come
20 and left early tomorrow whatever they wanted to do.
21 They opted not to show up because they knew what
22 was going to happen tonight.

23 MR. DAVIS: They're just questions. That's
24 all these are.

25 I asked Mr. Brinton why we have to take all

1 this -- Oh, because there's ditches.

2 I said, What ditch?

3 He said, All the ditches you've got to have in
4 there.

5 I said, Why's it have to have a ditch?

6 MR. CAUSSEAU: It's not required.

7 MR. DAVIS: It has to pass DOT code.

8 MR. CAUSSEAU: It's not required.

9 MR. DAVIS: Okay. Well, I mean --

10 (Simultaneous speaking.)

11 MR. DAVIS: I can only relay to you the
12 information I'm getting. But these are the answers
13 that I'm -- I'm getting -- or I'm told.

14 Believe me, I'm -- I'm the guy that fought to
15 say no.

16 MR. CAUSSEAU: Oh, I understand. I'm just
17 hoping he listens to this.

18 MR. DAVIS: Well, he may, may not.

19 Yes, ma'am.

20 MS. CAUSSEAU: Dawn Causseaux. I just --

21 MR. DAVIS: Dawn.

22 MS. CAUSSEAU: -- want to let everybody know
23 that the -- some of us have offered to pay and
24 actually have individual surveys done and other
25 plans drawn up to try to come to some sort of

1 compromise regarding the trail. We're -- we're not
2 opposed to a trail, it's just the fact that you're
3 taking our land and then you're not compensating
4 us.

5 UNIDENTIFIED FEMALE SPEAKER: That's right.

6 MS. CAUSSEAU: And you're going to wind up in
7 some people's front -- front -- at their front
8 doors.

9 So -- but Mr. Brinton and Ms. Northey have no
10 interest in working with us whatsoever, and that's
11 why no one that represents their side is here. But
12 these two people represent us. They're for us.
13 And that's why they're here.

14 SHERYL MANCHE: Sheryl Manche.

15 I need to ask a question. I -- I know I asked
16 it on here.

17 MR. DAVIS: You already did, yeah.

18 SHERYL MANCHE: But -- but if we were -- and
19 it's not that we want to put any, or not that we
20 feel like we should have to give up part of our
21 land because it's paid for.

22 But why can the County not compromise? You
23 have -- you're trying to take 35 feet from this
24 side of the road. Why can't you just take 15 feet
25 and then take 15 feet from the other side and move

1 the center line of the road over?

2 Why does it have to be all this and not any of
3 this, when the Murphy Land Act specifically says
4 200 feet from the center line of the road from this
5 side and then this side? Why can they not
6 compromise anything at all?

7 MR. DAVIS: I tried.

8 UNIDENTIFIED FEMALE SPEAKER: Not you.

9 MR. DAVIS: I know. I tried. And trust me,
10 it was like hitting my head on a brick wall. I was
11 in the chambers. We were at that meeting. And I
12 said, Really, you only need 15 foot.

13 And I was out there at Mr. Davis's house.

14 UNIDENTIFIED MALE SPEAKER: They did it.

15 MR. DAVIS: And I -- we had a tape measure
16 out. And I said, Well, here's the end of the road.
17 Fifteen more feet is right here. Thirty -- or
18 (indiscernible) another twenty feet brought it
19 right up to the fence line. There's plenty of room
20 there without taking out the -- without taking out
21 the front yard.

22 SHERYL MANCHE: But they don't -- they don't
23 want to take anything from the left side --

24 MR. DAVIS: I know.

25 MS. MANCHE: -- at all. I don't understand

1 that.

2 MR. DAVIS: Well, that's the --

3 SHERYL MANCHE: What? Did the homeowner pay
4 them off or something and --

5 MR. DAVIS: No. That's the golf course across
6 the street.

7 SHERYL MANCHE: So. They've got plenty of
8 land. They're not -- for animals or anything, just
9 like --

10 MR. DAVIS: I know it. The golf course is
11 right there at the side of the road. I understand
12 that.

13 Now, when it goes past all this area. This
14 goes through Farmton. Farmton gave them the land.
15 Miami Corporation gave them the land. That's --
16 doesn't seem to be a problem there with that.

17 But my only concern is the 13 people that live
18 right there on that little purple line there, which
19 really I'm not happy with the way this happened.

20 But like I said, not much I can about it.
21 We're -- we're trying to work with -- to mutually
22 work with everybody concerned so that we can make
23 it happen and nobody get hurt. And I don't know if
24 you want --

25 MR. O'NEILL: Yeah, but they're going to

1 take -- they're going to take 30 feet, plus the 28
2 they get on the side of the road.

3 SHERYL MANCHE: George Lacette.

4 MR. O'NEILL: George O'Neill. George.

5 SHERYL MANCHE: George O'Neill.

6 MR. O'NEILL: They -- they had 28 feet from my
7 driveway to the wall -- road. They're going to
8 take 30 feet. The engineer says 30 feet. He's
9 going to take trees down. What's he going to do
10 with the wells? You said you're going to go around
11 it? How you going to go around wells?

12 MR. DAVIS: Yeah. No. Yeah, your -- your
13 house has the well.

14 MR. O'NEILL: I have a well. I'd have to keep
15 the garage door open to come in the house because
16 this bicycle deed -- (indiscernible). And I'm not
17 against the bike trail.

18 MR. DAVIS: No.

19 MR. O'NEILL: It's the way he's doing it.

20 MR. DAVIS: Well -- yes, ma'am.

21 MS. ALTICE: Yeah. Janet Altice.

22 You said how much -- how many millions are
23 allotted for this trail?

24 SHERYL MANCHE: Fifty million.

25 MS. ALTICE: How much is being used?

1 UNIDENTIFIED MALE SPEAKER: All 50 million.

2 MS. ALTICE: No, you said --

3 SHERYL MANCHE: Well, use -- okay. They call
4 it the built design. We have construction costs,
5 then you have design costs.

6 MS. ALTICE: Because you mentioned --

7 SHERYL MANCHE: Construction costs are -- just
8 the bridge alone -- I -- I couldn't do the whole
9 trail but, \$1.9 million.

10 MS. ALTICE: Okay. But you mentioned there
11 was some -- on -- on -- on one issue there was some
12 money left over.

13 SHERYL MANCHE: Yeah. Three million.

14 MS. ALTICE: Okay. Then why can't that money
15 be taken and given -- given to the property owners
16 for the land they're taking?

17 UNIDENTIFIED MALE SPEAKER: Because they said
18 they own the land.

19 MR. DAVIS: Oh, I have an answer.

20 SHERYL MANCHE: Oh good.

21 What is your name, sir?

22 MR. DAVIS: My name is swindler.

23 Let me explain to you how government contracts
24 work. You're going to love it. Probably.

25 MS. CUSACK: Just love it.

1 MR. DAVIS: Yeah. It really -- it makes -- I
2 mean, it makes my hair spin around.

3 UNIDENTIFIED FEMALE SPEAKER: Yeah.

4 (Simultaneous speaking.)

5 MR. DAVIS: Here, I will -- I was a computer
6 technician. I really was. I -- I was one of the
7 first people who custom built computers, years and
8 years ago, back in the 90s. I used to make
9 computers for people. You know, everything in it.
10 It was great. You'd come to me.

11 And if you were a private individual and you
12 said, I want a computer. Great. \$400, I could
13 build you a computer. Monitor, another 250. Seven
14 bills, you're out the door rocking and rolling.
15 Have a nice day.

16 UNIDENTIFIED FEMALE SPEAKER: Right.

17 MR. DAVIS: Now, I go to the same guy, Hi.
18 I'm from the county government. I need a computer.
19 That's going to cost you \$40,000. Then you'll have
20 to buy a monitor. They put a zero on the back of
21 everything, and it moves everything.

22 And -- and I'll tell you, how many times do I
23 argue, a Web site is costing us how much? I build
24 Web sites. I own four. The maximum amount I spent
25 for any -- any Web site, 12 bucks for the name.

1 You can look me up on jasonpdavis.com. You
2 can go to davisforvolusia.com. You can even go to
3 onevolusia.com, and that -- I own those for 12
4 bucks a piece. Two years hosting is \$121. So for
5 a total of \$400, I've got three Web sites to
6 create, design, whatever I want.

7 I get bills just for the hosting and the Web
8 site name \$70,000, \$125 000. (Indiscernible).
9 We've got to buy a new Web site. They -- man, they
10 put the zeros on.

11 When people see the government come, they
12 start adding up the bucks. That's how you get \$3
13 million -- well...

14 What -- what do you do for a living, sir?

15 UNIDENTIFIED MALE SPEAKER: I'm a general
16 contractor.

17 MR. DAVIS: You're a general contractor.
18 Perfect -- perfect victim here. Build -- build me
19 a house. How much would it cost?

20 UNIDENTIFIED MALE SPEAKER: \$200 a square
21 foot.

22 MR. DAVIS: \$200 a square foot. I rent from
23 the sheriff's department \$1565 per square foot a
24 building this size. That's what we rent. We don't
25 own it. We rent it. So, yeah, we get screwed.

1 But we don't have a lot of people in our staff
2 that are dealing with these things. They -- they
3 see these numbers all the time, so it just -- it's
4 nothing to them but a number.

5 UNIDENTIFIED FEMALE SPEAKER: Uh-huh.

6 MR. DAVIS: That's why when I have to see it,
7 I have a heart attack and a stroke. They've had to
8 resuscitate me twice. You know? Good thing I have
9 a nurse on the staff, on the -- on the dais, to
10 keep me alive. That's why we lose millions of
11 dollars all the time. Money just goes.

12 People are so used to seeing a million-dollar
13 bill. The first time I had to sign a piece of
14 paper giving away a million dollars, it took me ten
15 minutes to get over it. I had never signed a check
16 for a million bucks before in my life. That was a
17 unique day. And now I see them all the time. It's
18 the cost of doing government business.

19 Not a good reason. But if I don't sign it
20 because my board members said, Sign the paper, we
21 need to spend the money, I have to sign it. I'm
22 under obligation and law to sign this stuff. I
23 don't like it.

24 This young lady in the pink has been very
25 patient. She will throw her phone at me if I don't

1 call on her next.

2 Name please.

3 MS. MCCLLENEN: Candy McClenen.

4 I have a couple things. I -- my child's
5 running a 105 temperature at home so I have to
6 leave, so --

7 MR. DAVIS: No.

8 MS. MCCLLENEN: -- I'm going to cover all my
9 questions real quick.

10 MR. DAVIS: Take care of your children first.

11 MS. MCCLLENEN: First of all, back to the 13.
12 I don't know where the 13 keeps coming from because
13 there are 13 --

14 MR. DAVIS: The 13 people are the 13
15 properties right there in red on that map.

16 MS. MCCLLENEN: But there's other properties
17 being affected.

18 MR. DAVIS: There are other properties. But
19 these are front-yard losses.

20 MS. MCCLLENEN: But if you come in my back yard
21 15 feet, you're now affecting my well.

22 MR. DAVIS: That's right. We sent a letter.

23 MS. MCCLLENEN: Make that 14, 15, 16 --

24 MR. DAVIS: Yeah.

25 MS. MCCLLENEN: -- for -- it's -- it's

1 affecting us, too, so I don't know. I keep hearing
2 13.

3 MR. DAVIS: Well, the 13 that you keep
4 hearing, are these 13 properties because literally,
5 in a couple of cases -- here's the guy's garage
6 door, and here's the end of the trail.

7 MS. MCCLLENEN: And I understand that. I'm
8 just trying to --

9 (Simultaneous speaking.)

10 MS. MCCLLENEN: -- the little black bubbles and
11 the recorders that it's a lot more than 13 people.

12 MR. DAVIS: Oh, yeah. There -- there are
13 several people out here.

14 MS. MCCLLENEN: Now --

15 MR. DAVIS: Everybody from 415 down.

16 (Simultaneous speaking.)

17 MS. MCCLLENEN: So I can get to my little
18 munchkin.

19 MR. CAUSSEAU: I'd like to clarify that a
20 little bit.

21 Don Causseaux.

22 The reason why it says 13, is those are the
23 ones that they're using the Murphy Deed
24 Reservation.

25 MR. DAVIS: Yes.

1 MR. CAUSSEAU: The other ones, they're saying
2 they have authority on the abandoned railroad bed,
3 which is a whole different issue.

4 MS. MCCLEENEN: But if you come 15 feet onto my
5 property, that's my property that I also pay taxes
6 on, so they're going to have to Murphy Land Act me
7 or whatever.

8 (Simultaneous speaking.)

9 MR. CAUSSEAU: Murphy Deed is from the center
10 of the roadway. Maytown Road. It's a hundred feet
11 from the center line on either side.

12 Us original 13 got together because we were
13 notified about the Murphy Deed release and
14 that's -- that's --

15 MS. MCCLEENEN: So are they going to pay me
16 on -- on the eminent domain or whatever?

17 MR. CAUSSEAU: If it's the abandoned railroad
18 bed, no.

19 UNIDENTIFIED FEMALE SPEAKER: Oh.

20 MR. DAVIS: They -- they bought the -- they --
21 the County bought the abandoned railroad bed
22 because the railroad, the FEC, held the title since
23 1820 something, however long they've had the train
24 there. And then they removed the train --

25 MS. MCCLEENEN: I'll -- I'll research and --

1 and get into that a little bit more.

2 (Simultaneous speaking.)

3 UNIDENTIFIED MALE SPEAKER: 1889.

4 MR. DAVIS: 1889. Thank you.

5 MS. MCCLENEN: Now, if my fence is -- if my
6 fence is affected --

7 MR. DAVIS: It will be moved at no cost to
8 you. It will be replaced at no cost to you.

9 MS. MCCLENEN: Okay. You guys said -- next
10 question. I'm going to go quick. You guys said
11 doggy pooppy baggies. Okay. We're in the country.

12 MR. DAVIS: Uh-huh.

13 MS. MCCLENEN: My daughter has sheep. There's
14 plenty of people here that have already left that
15 have horses. I know at the last thing that they
16 said that those aren't going to be allowed. How
17 are we going to keep horses and -- and stuff like
18 that off the property -- I mean, off the bike
19 trail? Are you guys really not going to let people
20 take a horse down that thing?

21 MR. DAVIS: No. No. I said --

22 UNIDENTIFIED FEMALE SPEAKER: Motor.

23 MR. DAVIS: -- motorized vehicles.

24 MS. MCCLENEN: But at the last meeting, at
25 the -- at the break, the little redhead that walked

1 away from me, she said no --

2 UNIDENTIFIED FEMALE SPEAKER: Pat Northey.

3 MS. MCCLLENEN: -- no horses at all and that it
4 was going to be written in.

5 MS. CUSACK: Little redhead.

6 MR. DAVIS: It's not written in there.

7 MS. MCCLLENEN: I mean, it's going to be -- I'm
8 going to laugh out my back yard watching you guys
9 trying to keep four wheelers off of it, you know,
10 let alone the horses and stuff, 'cause -- I mean,
11 it's really going to be sad when kids --

12 MR. DAVIS: Are -- are we going to -- are we
13 going to remove a fence and put a fence up on your
14 property?

15 MS. MCCLLENEN: I have a fence.

16 MR. DAVIS: Do we have to move the fence to
17 put the trail through?

18 MS. MCCLLENEN: If you guys are going to take
19 that 15 feet of my back yard, yeah.

20 MR. DAVIS: Okay. Well, there's not going to
21 be a motorcycle getting on there, at least, we know
22 that.

23 MS. MCCLLENEN: On what?

24 MR. DAVIS: On your side of the trail. For
25 the trail to go through, we utilize that

1 15 feet --

2 MS. CUSACK: But she's saying horses.

3 MR. DAVIS: -- there -- you're going to have a
4 fence there. Nobody's going to get on there.

5 MS. MCCLLENEN: Not -- not on my property.

6 MR. DAVIS: Okay.

7 MS. MCCLLENEN: But what I'm saying is -- I
8 mean, what if a bad accident happens out there with
9 kids, I mean that's a whole nother thing. It's
10 coming, though. Watch.

11 MR. DAVIS: Listen.

12 MS. MCCLLENEN: I know you're on our side. I'm
13 not arguing with you.

14 MR. DAVIS: No, no. And I understand that.
15 And I --

16 MS. MCCLLENEN: But I'm just saying just --
17 just watch, you know, because that -- that is going
18 to happen. So the -- the animals may be allowed;
19 we're not sure.

20 MR. DAVIS: I have not seen anything that says
21 "no horse."

22 MS. MCCLLENEN: As in zoning, is this going
23 change any of our zoning --

24 MR. DAVIS: No.

25 MS. MCCLLENEN: -- at all?

1 MR. DAVIS: No.

2 MS. MANCHE: No. You can talk to me on that
3 one.

4 (Simultaneous speaking.)

5 MS. MCCLEENEN: What was that?

6 SHERYL MANCHE: Sheryl Manche.

7 You can talk to me on that one.

8 MR. DAVIS: There should be no zoning changes.

9 MS. MANCHE: We helped -- we helped write the
10 zoning laws. That's what we were doing last year
11 fighting this.

12 MS. MCCLEENEN: So the zoning should -- should
13 stay the same?

14 SHERYL MANCHE: They -- they would have to go
15 through --

16 MR. DAVIS: PLDRG --

17 SHERYL MANCHE: Okay.

18 MR. DAVIS: -- for a change of --

19 MS. MANCHE: We --

20 MR. DAVIS: -- come to the county council for
21 two reasons. Trust me. When I see a
22 Maytown-Osteen Road coming out of here, trust me,
23 my hair goes up. I'm like, Okay. What the hell's
24 going on here. I'm watching. And if I see
25 somebody come in and say, Well, we're going to

1 rezone these properties res- -- residential instead
2 of agricultural.

3 No, no, no, no, no, no. It doesn't work that
4 way. You can't do that.

5 Zoning changes are only by necessity and need,
6 and they are basically complaint-driven.

7 UNIDENTIFIED FEMALE SPEAKER: Yeah.

8 MR. DAVIS: So unless anybody out here is
9 going to complain about you having a horse, I don't
10 think there's going to be a zoning change.

11 Sheryl and I redid the zoning, and we did so.

12 (Simultaneous speaking.)

13 MR. DAVIS: -- figured out. So don't worry
14 about the zoning. I -- it's just not going to
15 happen.

16 MS. MCCLENEN: All right. My daughter has
17 club sheep, so I'm just wondering, and my business.

18 Now, what hours are they planning on doing
19 this construction?

20 MR. DAVIS: Normal business hours.

21 MS. MCCLENEN: Monday through Friday, no
22 weekends?

23 MR. DAVIS: No weekends.

24 MS. MCCLENEN: Nine to five, something like
25 that?

1 MR. DAVIS: As per county ordinance.

2 MS. MCCLEENEN: All right. So what I need to
3 do is go down and get this Amanda survey and find
4 out what's going on and --

5 MR. DAVIS: Yeah.

6 MS. MCCLEENEN: -- then contact you and --

7 MR. DAVIS: Right.

8 MS. MCCLEENEN: Okay. Thank you.

9 MR. DAVIS: Okay. You have a good night.
10 You've got my number.

11 (Simultaneous speaking.)

12 UNIDENTIFIED MALE SPEAKER: Before we kick
13 everybody out of here.

14 (Simultaneous speaking.)

15 MR. DAVIS: Name?

16 MS. PEAVY: Catherine Peavy.

17 UNIDENTIFIED MALE SPEAKER: Catherine Peavy.

18 MS. PEAVY: As she -- she just left -- Candy
19 left.

20 There is a problem with notification. Because
21 just -- it -- I don't feel even as threatened, like
22 the 13 homeowners, but all the other people that
23 are affected have not received notices. That's --
24 that is not right.

25 MR. DAVIS: Hold on. I'm reading some sort of

1 information on that, please.

2 Who is notified in Osteen as to the trail, how
3 it is going to affect them? Referenced the trail
4 bed -- the abandoned trail bed and/or Murphy Deeds.
5 So they're just going to make sure that everybody's
6 notified. And if not, then we need to tell them,
7 notify the people. We'll deal with that as we go
8 along.

9 SHERYL MANCHE: All right. Let me ask you a
10 question real quick --

11 Sheryl Manche.

12 -- about the notification. I went round and
13 round with your office about this one. They said I
14 think you violated the law because this is a --
15 changing from a county road to a -- I mean, a state
16 road to a county road. You're supposed to be
17 required certified 30-day notice.

18 They said, No. That's only when we do it.
19 This was just a resolution to see if we would do
20 it. And from the resolution, then it would be
21 done. And then they said, we only have to give
22 reasonable notice.

23 There is a section this big and subsection
24 what reasonable notice means.

25 How can we put a request in to the county

1 council to get that changed to a more specific,
2 reasonable notice, instead of whatever.

3 MR. DAVIS: You write it up. You write it to
4 the council through one of -- one of your high --
5 right here -- you've got a couple of
6 representatives here. We discuss it. We get it on
7 the agenda. We go through the process. It goes
8 through legal, make sure it's all legal, then bring
9 it to the council, put it on the agenda.

10 Her or I can put it on the agenda. We'll put
11 it on the agenda. It will be discussed one time.
12 Then it will go off for one month. The second
13 reading is the finalized reading.

14 SHERYL MANCHE: So I guess I should do this
15 after November because they're using this as a ploy
16 to put it off as long as possible, at the end of
17 it, it's too late. They tell us. And then when we
18 react, it's too late.

19 MR. DAVIS: You're too late.

20 MS. CUMMINGS: Uh-huh.

21 SHERYL MANCHE: So we should wait till after
22 November?

23 MR. DAVIS: For?

24 SHERYL MANCHE: For that request to have it
25 changed. 'Cause they've -- they've worked up a

1 really good system.

2 MR. DAVIS: They've been doing it for a couple
3 weeks, right?

4 SHERYL MANCHE: Yeah.

5 MR. DAVIS: Yes, ma'am.

6 MS. CAUSSEAUX: Dawn Causseaux. I've got a
7 couple of questions.

8 MR. DAVIS: Ask them.

9 MS. CAUSSEAUX: First of all, I -- and you --
10 don't -- don't take it the wrong way, at all. I'm
11 just trying to understand why this whole process is
12 exempt from Florida State Statutes as far as due
13 process, and as far as Statute 253.82, regarding
14 relinquishing all landowners that have been paying
15 taxes since 1971 and are relinquishing those --
16 that land back to the homeowners. Why is -- why is
17 that ignored? I -- I want -- I don't understand.

18 MR. DAVIS: It's like --

19 MS. CAUSSEAUX: I'd like to be able to
20 understand why Volusia County is exempt from that.

21 MR. DAVIS: I don't believe we are exempt from
22 that. Okay? That's why we're here. We hear.

23 MS. CAUSSEAUX: I understand. It's just the
24 way that everything has fallen.

25 MR. DAVIS: Yeah.

1 (Simultaneous speaking.)

2 MS. CAUSSEAUX: The chips have fallen.

3 MR. DAVIS: There's been a problem in Volusia
4 County for the past 30 years. It's going to take a
5 lot longer than one or two years to correct it.

6 MS. CAUSSEAUX: So 19- -- so we -- we
7 requested our tax certificate or tax history, tax
8 certificates dating back to 1971, as it stated in
9 Statute 253.82, to show that taxes have been paid
10 on this property since 1971; therefore,
11 relinquishing the -- the property back to the
12 homeowners.

13 We've been waiting two months for this. And
14 we've requested time and time again. And we get no
15 response. Kind of makes you wonder, are you
16 holding onto it until you break ground and all?
17 Because we can prove it that it has been paid.
18 It's public record. Why aren't we getting it?

19 MS. CUSACK: Who -- who did you apply to?

20 MR. CAUSSEAUX: Mr. Miller.

21 MR. DAVIS: In the -- Morgan's office?

22 MR. CAUSSEAUX: I spoke to him on the phone.
23 He -- he called me back on the phone.

24 The 2013, I -- he said, Well, I'm going to
25 have to run it through my higher-ups because I know

1 we're going to be sued on this issue.

2 I said, It's my personal -- it's public
3 record. It should be in a day or two. Send it to
4 me.

5 I might have to run it by my supervisors.

6 I waited two months. I re e-mailed him about
7 two or three weeks ago, Why haven't I gotten this?
8 This is my information. It's public information.
9 It's a simple request. I've gotten no response
10 whatsoever. And it's all been CC'd to two other
11 people within the division. I believe it would be
12 the chief or manager or whatever, and then I guess
13 somebody in the archives. I don't know. But two
14 other people. I -- I sent it all to them, and I
15 still haven't gotten a response.

16 MS. CUSACK: Jason, maybe you want to make
17 sure that we follow up with that.

18 UNIDENTIFIED MALE SPEAKER: This is just my
19 2013 taxes, where it's supposed to be correct,
20 because the railroad --

21 (Simultaneous speaking.)

22 MR. DAVIS: I'd make sure Monday, that
23 that's -- put a note on that, and see if we can
24 find out what's going on. Mr. Miller's name.

25 UNIDENTIFIED FEMALE SPEAKER: Do you have the

1 other two names?

2 UNIDENTIFIED MALE SPEAKER: Yes, ma'am.

3 MR. CAUSSEAU: No, but I can e-mail you the
4 the two I was requesting.

5 MR. DAVIS: Send me the e-mails. I'm going to
6 (indiscernible) check.

7 MS. CUSACK: And CC me on that with him.

8 MR. DAVIS: Ma'am.

9 MS. PEAUVY: Catherine Peavy.

10 MR. DAVIS: Again?

11 MR. PEAUVY: Again.

12 SHERYL MANCHE: Still?

13 MS. PEAUVY: I was still talking.

14 (Simultaneous speaking.)

15 MS. PEAUVY: In regards to notifications, we
16 have not been notified from (indiscernible) the
17 listing were going to have timelines. Are we going
18 to get that, or are we still going to be in the
19 dark on this?

20 (Simultaneous speaking.)

21 MS. PEAUVY: That was a question.

22 SHERYL MANCHE: On the timeline? 2015?

23 MR. DAVIS: I know we -- we took care of that
24 one.

25 MS. CUSACK: You said 60 days and then...

1 UNIDENTIFIED MALE SPEAKER: Yeah, we got that.

2 MS. PEAVY: But for the --

3 UNIDENTIFIED MALE SPEAKER: Will the County
4 put in writing that ingress and egress?

5 I'm looking now.

6 MS. CUSACK: I think that you can request to
7 have that information sent to you.

8 MR. DAVIS: Yeah.

9 MS. CUSACK: Because I don't think that is a
10 part of the agenda --

11 MR. DAVIS: It's not a part.

12 MS. CUSACK: -- that they would normally
13 notify homeowners that will be impacted by --

14 MS. PEAVY: Construction?

15 MS. CUSACK: -- construction.

16 So you -- I think you would have to request
17 that.

18 MS. PEAVY: Who would I request that from?
19 Mr. Brinton, our -- our friend.

20 MR. DAVIS: You would actually contact
21 Community Affairs Office.

22 MS. PEAVY: Community Affairs Office.

23 MR. DAVIS: And he should have -- Dave Byron's
24 office should have the timeline for things that are
25 happening.

1 Yes. David Byron. Yeah. Not -- it's -- it's
2 his first name, but --

3 UNIDENTIFIED MALE SPEAKER: Not B. Byron. I'm
4 B. Byron.

5 MR. DAVIS: D. -- D. Byron, the other guy, is
6 just D., Dave Byron.

7 Are you done?

8 MS. PEAVY: I am finished, yes.

9 MR. DAVIS: She has completed.

10 Yes, sir.

11 MR. PEAVY: Byron Peavy. Speaking of letters.

12 MR. DAVIS: Yes.

13 MR. PEAVY: This 30 feet that they're going to
14 take from us, have they already done it? I mean,
15 do I still own it? Because I haven't got any
16 letters.

17 MR. DAVIS: You own it right now.

18 MR. PEAVY: Yeah. I want to -- so they
19 haven't done anything with it?

20 MS. CUSACK: Well, they said that -- at the
21 council meeting that they -- it has been approved.

22 MR. DAVIS: Yeah, it was approved. I don't
23 know -- I don't know --

24 MS. CUSACK: They have asked for it, and it
25 has been approved at the state level.

1 MR. DAVIS: And I don't know if -- there's
2 been handed over to Morgan's office yet.

3 MR. PEAVY: Well, when am I going to, either
4 way, because I think I should be -- one, it's done
5 illegally. So when it gets done, what do I do?
6 Call the sheriff's department or something?
7 Because there's already all these statutes.

8 I read the statute. I know I'm going to go to
9 jail or I'm going to get fined for it. There's all
10 these statutes that we have. We've done our
11 research.

12 Can I pull it back in front of the council?
13 Do I go to the district attorney or what? Because
14 we have proof that the statute was broken. My land
15 is getting taken illegally, because that's still my
16 land. I don't care what they say, it's my land.

17 UNIDENTIFIED MALE SPEAKER: After this has
18 passed over a little bit longer than it has.

19 MR. PEAVY: But it --

20 UNIDENTIFIED MALE SPEAKER: Everybody here
21 wants to probably try to...

22 UNIDENTIFIED MALE SPEAKER: I'm hungry, too,
23 so let's...

24 MR. DAVIS: All right. Is that it? We good?
25 Everybody got it? We have --

1 MS. CUSACK: Oh, I want...

2 MR. DAVIS: -- our questions -- your questions
3 and our answers.

4 We have 19 copies.

5 UNIDENTIFIED MALE SPEAKER: We've got enough
6 for everybody now.

7 MR. DAVIS: So share with your neighbors.

8 We're not done.

9 MS. CUMMINGS: No.

10 MR. DAVIS: We're still fighting.

11 UNIDENTIFIED MALE SPEAKER: Try it out.

12 (Simultaneous speaking.)

13 UNIDENTIFIED FEMALE SPEAKER: You can issue
14 them now or later.

15 SHERYL MANCHE: Take one and pass it down.

16 MR. DAVIS: Anything you'd like to add Ms. --
17 Ms. Cusack? Closing comments, Madam.

18 MS. CUSACK: My closing comments is --

19 SHERYL MANCHE: Please.

20 MS. CUSACK: -- that the government is not
21 always effective, but it is the government. It's
22 the only democracy that we have.

23 And so I was not in agreement with the fact
24 that he's the first to leave.

25 Since, I came to the community's homes and we

1 had long discussion about this, and I -- I just did
2 not agree.

3 So I want you to know that I -- I believe that
4 you have to be very, very diligent in your
5 requests. And you have to be just as diligent in
6 coming to the council meetings when there are --
7 when you want to know something.

8 For instance, you want to know what's the
9 status of the Murphy Deed, you need to come to the
10 council on March 10th, to -- to ask that, to make
11 sure that they understand you're -- you're still a
12 part of this process. So sometimes it's -- it's
13 like the greasy wheel gets the oil, and -- and you
14 know that.

15 So I just thank you for coming. I look
16 forward to continuing to be a part of this process,
17 and I thank you, as citizens, for your active
18 participation.

19 And if I can ever be of any help, I have cards
20 here, my cards, that you can always call me.

21 Thanks so much for -- for coming and spending
22 the evening with us.

23 UNIDENTIFIED MALE SPEAKER: Thank you for
24 coming.

25 UNIDENTIFIED FEMALE SPEAKER: Thank you.

1 (Applause.)

2 MR. DAVIS: Mr. Byron, there's a pile of my
3 cards, also. If you need to talk to me. I'm
4 there. I will -- I pick up the phone. If I don't
5 answer, I will call you back, usually within 30
6 minutes or less.

7 So thanks again, y'all, for --

8 (Simultaneous speaking.)

9 (Audio recording ends.)

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Dated this 27th day of February, 2014.

LESLIE STILWELL
Court Reporter and Notary Public