Test test Smyrna Beach new Smyrna beach [ Please stand by for live captions to begin ]
[ Please stand by for live captions to begin ]
.
>> Just to give everybody due notice, we're going to start the public comments in four minutes.
we've already got 12, which takes us over the half an hour, we've already got probably 50 for item 2.
and I want to let -- I hope that this is being heard down in the training room, where we have an overflow crowd, just want to ask for your cooperation that we'd like to give everybody a chance to speak.
we -- the council wants to hear from you.
if you can get in groups of five and elect somebody to speak for your group, if you're all for, all against, whatever your topic is.
that will help us to get through it.
we want to -- again, we want to hear from everybody.
and we will bring the -- be bringing people up from downstairs.
so three minutes and we'll get started.
thank you.
thank .
>> Okay, it's 9:30, we're going to start the public participation and I'll call three names so that you can be ready to come up, the first is John Nicholson, following John will be Gary Cruz and Suzanne Shriver, if Suzanne and Gary want to take their position,well let John come up and start, is John here John Nicholson, you've never missed a county council meeting.
>> Out in the rotunda.
>> Can he speak from down there?
>> I can bring him up.
>> Okay, then, we'll have --
yes. Gary Cruz, we'll have you go first. And then, Suzanne.
And just for all of the speaker, when you come up, just to save time, just tell us where you're from so we know what city, town, you are from.
Good morning, Mr. Cruz.
>> Good morning. Good morning.
My name is Gary Cruz I'm from the great City of deberry that has the greatest tax rate in for -- just a reminder, we had an election of Volusia County and that was from the chair, this commission, this council right here, there were two opposing --
excuse me, I have to lick my fingers, two opposing views on the direction of this county.
One was status quo. One was change. Status quo received 42% of the vote. Change received 57% of the vote. And now, I don't know about you guys but where I come from, that's a mandate. That's the people talking, that's the real loud speaking going on. I feel good, nobody is looking at their computer, I got your attention, what does this mean? A landslide vote and the people, we the people, all of those hundreds of people downstairs are trying to tell you that we'll no longer accept the business as usual. Those days are gone. Gone, gone. Now, we the people, we may not have the money, or the -- what -- yeah, you know, deep pockets, deep pockets, but we have proven that we know how to run a grassroots campaign, we have proven we know how to get the voters out. Now, you have given me three minutes to give my case. What you have to November 2022 to let the people, all of those hundreds of people outside, let them know if you've heard them, if you've listened to them, if you realize that always, no longer well.
We'll be fair, we'll be fair, and we will be listening to everything that you do, will be recorded in your votes and you'll get report card, so we'll know how to vote next time. We know there are individuals, this is unfortunate but we know they're individuals who are no locker in office that continue to try to influence how you vote. Oh, mercy, how you vote.
We the people are just asking you, please, to listen to the people, don't listen to the people that rejected by the voters, and kicked out by the electorate in shame, you have huge decisions to make and they start here today. So we're asking you to do the right thing and keep track of the people.
No matter which way you go, we'll be here to help you, and help remined you, show you the report card. What you do in the next two years will determine whether you're sitting in those seats in 2023. And I hope you're sitting in those seats.
Because I am too old and to grouchy to run for public office. So do your job.
Protect the people. And we'll all be okay. Thank you for the time and I've got 25 seconds left. How about that? Thank you.
>> Thank you, Mr. Cruz.
[ APPLAUSE ]
And John Nicholson? Are you taking your 25 seconds back?
>> I've got my water.
>> Good morning, John.
>> Good morning, I apologize for being late, they wouldn't let me up the stairs. John Nicholson, Daytona beach side, two thingsings I'm going to eliminate one of the 58 items, say very quickly, I'm absolutely for the rentals, however, all right, whatever you do affects the entire county. All right.
And not just those two areas.
Remember, we'll arrive at the sea will be affected. Daytona Beach has many areas within our city that are county, all of those as well. And secondly, you all don't realize that you've benefitted tremendously from the stay of Daytona Beach.
All right. Not only the airport, not only the businesses, but we have tourism there that is by far the largest of any other city, I know previously, they said that we would compare our tourism with DeBary and I'm not, not even close. All right. Tourism in Daytona Beach is extremely important, however, the City of Daytona Beach doesn't think so.
All right. It has ignored the last 10-15 years, it is developing beyond what you're thinking of. All right, they're pushing downtown, they're pushing L PGA, SXF it sounds terrible but there are 40 empty properties on the ocean, you can't imagine how many 40 in the City of our size. Only five miles long. So it means there are two or three empty properties for every single block. All right. We are having a meeting on the 19th, I wish Heather would attend on sea breeze, there is a Marriott sans going up -- renaissance going up on sea breeze, there's a lot of changes that have passed in the last five years, and there have been 20 properties renovated.
On A1A. There are 15 in the process right now. There's a lot of things that are going so I'm going to ask you again, there are several properties that you all own. And I'm asking you to renovate those up to the standards that the renaissance and the new owner of the plaza is going to create in their properties. That includes that little dolphin park, next to the parking garage, and the Ocean Center, I hate to say it but your landscaping the pits.
Once you go past the front, it has not changed, there's dead plants and whatnot, there's a lot you can do. And it helps you all as well. The taxes that tourism brings to you all, is tremendous. And you have a stake in this. And you cannot lose that money. So I'm asking you to use your time to fix up everything that you own on the beach side, thank you.
>> Thank you, John. Suzanne?
>> Good morning, Suzanne Shriver, or or MON beach.
Volusia County partnered with north Florida land trust for fund raising and to date, we've rated $7,000. And when we last met with staff, it was suggested to raise funds and we are. This shows the good faith effort in the community to work with the county for the purchase. We have hand out 300 defend the loop signs so far, nearly 100 of the signs are handed out on beach street from Granada boulevard to the forest. And we have another 100 coming, putting us at a total of 400. By this weekend. Interest is widespread through Ormond by the sea, Ormond beach, Holley hill, and Port Orange, that's where many signs have been placed. And next weekend, we're planning a public sign pickup on the west side of the county, our petition currently has 66,855 signatures.
And the public support has been tremendous for this project.
There should be no doubt that the public wants this. And support grows every day and will continue to grow. Thank you for your time.
>> Thank you. And next, Rachael Hutchinson followed by Jeremiah Jasmin and I'm going to remind everybody, three minutes, or we have more people to speak during this half hour than can befit in, in everybody takes three minutes, so good morning.
>> Thank you for the opportunity to speak. Iment am a lifelong resident of Volusia County and a proud homeowner of by the sea.
To reiterate my stance on this top inning -- topic, all Americans should have the right to live in peace and do as they please with hear the property provided that they do not infringe on the rights of others. After 32 years of calling Ormond beach my home.
Do as I please with my home. My personal interest in this is that we travel for his job, we do not want our home left unoccupied for undetermined amounts of time. We also do not want to commit to our home being rented for extended periods of time, we want to come back in between our travels and have regular access to our home. And using our personal residence as a vacation rental would grant my family and that opportunity.
IFTS a teacher at Ormond beach elementary before leaving to home school my three boys, I learn a thing or two about management. And managing things that are important to me. And my home is definitely important to me. I have procedures and cage guards ready to be utilized in order to seamlessly and effectively transition our home into a vacation rental asset in Ormond by the sea. Those who have paved the way by successfully owning and operating vacation rentals in Volusia County. And there are those around the country and all over the world that are effectively operating vacation rentals. Vacation rentals are a staple in our culture, the additional diversity, personalization, practicality and privacy that they provide have become invaluable, particularly during these times.
I want to briefly touch on being a firsthand witness to this topic as hi the opportunity to observe several vacation rental homes that were previously operating in Ormond by the sea.
And the homes were impeccablely maintained and kept in press pristine condition. The visitors were kind and cordial, never once did I feel anything uncomfortable. Not once did a neighbor share any concern about their existence whatsoever.
Further more, that seems to be the overall feeling in Ormond.
And if potential visitors don't have the opportunity to utilize vacation rentals in Volusia County, I believe there will be many who will choose alternative locations, if the home owners do not have the opportunity to utilize their properties as vacation rentals, I believe that there are many who will go to locations where they can. I say this because it is a very real option for my family. If we are unable to proceed with our plans as we hoped to. I always want our families roots to be in Volusia County. To not have that as a logical financial option, would be extremely saddening. Please, allow vacation rentals in our county so that we as homeowners can benefit from them. So that our cherished local small owners can benefit from them, and so that our county and its entirety can benefit from the added revenue that they will undoubtedly provide.
>> Thank you, well-spoken, Jeremiah Jasmin followed by Steve Gutere.
>> Gunter.
>> Okay.
>> Thank you. Jeremiah jasmine with Orlando beach, I've talked to many of you, you've all seen my e-mails and I appreciate you taking the time to talk to me.
I'd like to pose a few just hypotheticals a few of you have heard this. I'd like you to suppose for a moment that the neighbor to my right is a full time resident. And every week, for 52 weeks, he chooses to have six new people, six people in the family come to visit him, and in and out every week, for 52 weeks. Different family, coming in and going every week.
Should you as the Government or me as his neighbor be able to dictate to him who can come stay with him and for how long they are welcome to stay?
The same holds true for my house, you as the Government or my neighbor shouldn't dictate how many people I get to invite to my house, the people I inVOO VIET to my house bring something to Volusia County society, tax revenue, to goes into all of your districts, all over you, all of your constituents will benefit from a tax revenue from my house, and shouldn't you be looking for reasons to help the small businesses succeed? The people that come to my house, they go out, they go out to eat, they help restaurants, they help the restaurants keep employees employed, they help businesses keep employeed employ,s that good for all of us, it's good for all of your constituents.
And shouldn't Government be looking for the least restrictive means to handle a problem? You don't need to take a bah SKOOKca to an issue that needs a scalpel. There are issues that the opposition will talk to you about that are already -- we already have a scalpel in place for this.
They're going to tell you about garbage, it's not a problem, but they're going to say it.
There's a SKAP scalpel in place for that. They're going to talk about noise, there's an ordinance for that as well.
They're going to talk about parking, again, there's an ordinance. Do we need to take a Bazooka to my property rights for an issue that needs a scalpel. We don't want that.
Currently, the law as it's written suggests that we are only allowed to rent our place for 30 days at a time. Okay.
First of all, who in the world can afford to rent any place for 30 days? Who has the time or the money? Most people don't.
Most Americans I know, most of my friends don't. Under the current law, and I want you to really listen and think about this. Under the current law, if I were to rent my house from March 1st to March 30th. 30 days right? Then I'm not breaking the law, I'm a good member of society, I'm bringing something of value to the Volusia County. But if I were to commit the cardinal sin of rental my house from March 1st to March 29th, now I'm a blight on society, and I should be punish. Should be fined. I should be brought into a Government bureaucracy full of unelected bureaucrats that were appointed as judge, jury and executioner to determine my fate as a homeowner? It doesn't make sense in any universe. This law needs to be changed, restore our rights, thank you very much.
>> Thank you.
>> Steve? And followed by Krista Goodrich. Is Krista here? Great.
>> Good morning. Thank you for sitting there and listening to all of us, ordinary citizens today. Quite a remarkable thing, only in America, right?
Thank you for your patience.
And your time. I may be the strangest person to speak to you today, I don't have a dog in this fight. I own a property, in new Smyrna it sits empty 90 percent of the time, why am I here? We finally bought over here after living in Orlando for 30 years and not wanting to be any part of it and we bought because of the quality of life has gone up in New Smyrna Beach, frankly, 15, 18 years ago, there's a whole bunch of dive bars and a couple of decent restaurants, not anymore than that. Now, it's got a cute little downtown, and it's got plenty of great restaurants. So it's the quality of life brought on by vacationers. That has allowed these new businesses to open and become a force, and let's be honest, it's become very main stream for families to vacation -- rent vacation properties online, very easy to do that. So that explosion has cause more and more people to build businesses. And now, here's another little fact, I own a restaurant and catering company and I employee 110 people. And if I had built my restaurant based on what was being enforced or what laws were in place at the time, I know somebody took away the density, not even the density, just the use of the density that's already been approved during the week, well, I have 110 employees that would slowly lose their jobs until I eventually lost my business. And I believe that's what's going to happen, maybe not in Daytona, but in the other smaller communities that depend on this, U think you'll see a massive loss of jobs and at that point, were nice eating places going away and nice shopping places going away, I no longer necessarily want to be here and go back to the old days, so.
Thank you. I appreciate your time today. Have a great day.
>> Thank you. Krista Goodrich?
Followed by Tony Kuzenza, if you would get ready, Tony.
>> Take this off?
>> Yes.
>> Okay. So good morning, my name is Krista Goodrich. Some of you may recognize me from the Daytona Beach news journal, where several of my businesses have been focused five times over the last year. And I own five businesses in Volusia County, I own a property management company, and I also own the world's most famous brewery that opened on Main StreetStreet. Hop cycles, east cycle Daytona Beach and the pub. I have every single one of my businesses has been funded from the income from short-term rentals, I bought a vacation house, with were going to use it for our family. We decided to throw it out on AIRBNB, I graduateded with one of the guys that created AIRBNB, we attract such quality people and had so much fun meeting people from all over the world, that came to stay with us, that we decided to buy more and more and eventually it made sense for me to move to Daytona Beach. Daytona Beach was a place that I hated going to growing up. Why? Because it was dirty. It was gross. And it was DLAB -- dilapidated, but I saw potential for Daytona Beach to grow with vacation rentals so I actively started participating like many people.
It wasn't aloud over the last 50 years we've been offering it.
So we started to get shut down and I started to take my dollars and invest them in other communities such as forest Meyers beach. And if enough of my dollars go to other areas, it will make sense to move my businesses to other areas.
Volusia County desperatety needs small business, we have a lot of big business, I'm not against the hotels, but if we're going to have beautiful, small, incremental growth in our community that we can handle, vacation rentals is the what I to go. Why? We have one industry, one major industry in Volusia and that's tourism. If we don't welcome our tourists, we will lose them to Cocoa beach that welcome people who want to rent a home. ADA, I don't know if anyone from the hotel is going to bring it up, but it's wildly important to me. You're going to hear stories maybe that we don't have the same rules and regulations, which we're happy to have rules and regulations but you may hear that we can't accommodate ADA, I've had multiple family Us through the years that have stayed at my home, it's the only place that they can comfortably fit their disabled child in a house with all of their equipment. And I don't know if any of you have disabled children, but to take that option away from them is just unfair. Now, lastly, we're here in peace, we like all businesses, I don't want to bash anyone. But I do want you to know something. We didn't go out and take pictures of bad hotel, ones that are regulated and falling apart with drugs and all kinds of stuff going on outside, but this was circulated amongst the hotel industry, telling them to bring pictures of the bad things we're doing such as having garbage piles and lots of cars in the driveway, I want to quote, go out and take pictures of evidence of rats, even dead rats, that have been run over in the street to try to make us look bad. Guys, we need your vote, we need you to vote for vacation rentals.
>> Thank you. Tony, followed by Cindy Walker.
>> Tony. Good morning, Cindy --
I known a one bedroom -- I've been in real estate there since 1990, and actually, here to talk about rentals specifically there, which is in the city limits, when we sell a condo there, we do provide the potential rental income in a TOR rum called a perform that that has the expenses as well and since the property was built in 1986, we've allowed the weekly rentals. They said our zoning which hasn't changed, only allows 30 day minimum rentals.
So we have a large majority of owners and renters that are senior sseniors and the 30 day minimum rentals, mainly at homes is not a good atmosphere for families, so I'm just trying to -- I have a few copies of this showing what the vacation rental ripple effect is back before the COVID epidemic, it was roughly 27 billion in sales. The direct spending amounts are nearly 46 million a day. And it provides about 115,000 jobs. On average, the visitors staying in our vacation rental homes spend about 1.9 million every hour, which is 32,000 per minute. So we would just appreciate, I think, to help us come out of and recover out of this COVID pandemic situation, we just need to have our zoning and rentals allowed weekly again. Thank you very much.
>> Is Tony here? Tony, if you would come up? Followed by Wilma McCary.
>> My name is Tony -- I've got to get to my cheat sheet here, I get so nervous, you might forget your own name. I'm a full time resident of silver sands on New Smyrna Beach. And I was born and raised in Florida, a native Floridian, and beach rentals have been a fact of life my entire life. Okay. And for that reason, when my hundreded and I bought our -- husband and I bought our home in silver sands over 22 years ago, we were careful to research the zoning and one of the things that we were concern about, were short-term rentals. And the zoning at that time and to this day, has been minimum of 30 days. And that's why, we have snow birds that come on our street every year. They're a part of our community. And the short-term rental animal is a whole different animal. Okay.
And in 2011 and 14, the Florida legislature passed legislation that prohibits local communities from regulating short-term rentals. Volusia County lucked out. We had preexisting code that dated back to like 2004, and basically, we were grandfathered in. So we have been able to maintain local control. Local communities, if you change the code, as I understand it, from reading the county attorney's opinion, we lose that local control. It goes away, we fall under the state umbrella. We will be able to regulate things like garbage, noise, that kind of thing, but we have no say about frequency, duration, location. So what does that mean? Well, that means that for people who live in agricultural areas, and I'm looking at you, Mr. Robins because I looked up where you live, I know you live in an agricultural area, okay. Your neighbor can put up an air BNB and rent it out to 18 fraternity brothers having a reunion during bike week. That's not the kind of neighbor I want to live next door to. Okay. I did not work as a registered nurse in this community for a number of years, pay off my house, so that I could live next door to a party pad. You lose the ability to regulate that. Mr. Johnson, you were in law enforcement, early on for a long time. Would you want to live next door to spring break? Do you remember what Daytona was like during spring break? These people rent these houses and they turn them into cash cows, unlicensed, hotels, motels, and bars. In Phoenix, they have had a terrible time with what they call party pads.
Okay. The party pads, they actually sell tickets for people to come and drink and party. Is that the end of my time?
>> Yes.
>> Okay. I'll be back, don't worry, I'm staying for the agenda item, I've been on this for a week.
(Laughing) thank you all.
[ APPLAUSE ]
>> next, we have Wilma McCarron.
>> Me. Most people call me Willie, I'm an owner of a two bedroom condo in New Smyrna Beach, and I'm the Vice President of the condominium association board. We are a resort residential planned unit development committee, our PUD in your terms, a way -- when we put in these restrictions on short-term rentals, they end up doing crazy things, things like what has affected us. Beginning in 1986, when our building was first completed, owners had the option to do short-term rentals under our declaration, which specifically permitted such rentals. That practice continued for over 35 years. I and others rented our units for four days or a week primarily in the summertime. When we had families coming for vacation.
We were -- we did it when we were not present if we were there in the winter and going to be away, we could rent. Often rentals were down to accommodate family members and friends who would come to and want to stay near us, but obviously, in my two bedroom condo, couldn't accommodate eight people. These kinds of rentals continued, rentals are handled through our on site office. And we have staff available to take care of any problems, 24/7. They can be called. To handle any such problems. Staff also ensures that we meet the standards for rentals and city licensing requirements. There have been no complaints to our office. It is not a party place. In August of 2018, we received a notice from the City of New Smyrna Beach. Ordering to we immediately cease such short-term rentals and threatening that if we continued to do so, there would be $250 a day fines. Since that time, we have tried to resolve this problem with the city. We've hired an attorney and thought about lawsuits but then COVID hit and between lockdowns and financial issues, we have not done that. Also, what happened is that some people had to sell their units. Like me, they had bought a unit thinking that they could bring in some extra money to help with the expenses. And no longer could they do that.
Also, the revenues that we received from managing these rentals were lost to us. And we had to raise our assessments. I know that our problem is with the City of New Smyrna Beach and not with this board. What I am hoping is that you will go forward to avoid these kinds of silly things happening because of restrictions on short-term rentals that are not properly done, please make sure that you cover not only us, but everybody who might be considered and find themselves in our situation.
Thank you.
>> Thank you very much. And that concludes our time for public participation. I have two more that Kelly McGee who said she could speak during the second public participation, and then, Michael Shannon, we'll are you speak during the -- during the item number that's coming right up. So with that, let's take a 30-second break to collect ourselves and we'll go right into this morning's regular Volusia County council meeting, thank you. .
>> While we're waiting for the council to come back, if you will turn off cell phones so that we can conduct our business, uninterrupted. And find your seat, and we will get started in 15 seconds. Thank you for being here, with that, we will begin the March 2nd, 2021 Volusia County council regular meeting. And if you would stand for the invocation by pastor Terry Medlin of the Lake Helen united Methodist church, and then, just remain standing for the pledge of allegiance, please. And what I meant to say was pastor Lowry.
>> I'm the stunt guy when somebody doesn't show. Let's pray, Lord, thank you very much for a beautiful day, the opportunity to serve you in this capacity. And I thank you for all of those who have taken an interest in the day and have come out and we just pray you give them a safe trip home later on today, just guide us, give us the wisdom to make decisions that will be honoring to you in Jesus' name, amen.
Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.
.
>> Krista, would you call the roll?
>> Mr. Robins?
>> Here.
>> Ms. Wheeler?
>> Here.
>> Ms. Girtman?
>> Here.
>> Mr. Johnson?
>> Here.
>> Dr. Lowry?
>> Here.
>> Ms. Post.
>> Here.
>> Mr. Brower?
>> Here. Councilwoman Post, I see your name, did you want to say something before we start the consent agenda.
>> Well, in regards to consent.
>> Okay.
>> I wanted to just for discussion, G golf and R Romeo.
>> What letter?
>> G and R.
>> I have two others from councilwoman Wheeler, is there any others? Anybody would like to discuss? Comment on? Okay, with that, if there's not, can I get a motion to approve the consent agenda?
>> Motion to approve. Wheeler.
>> Second.
>> Seconded by Lowry, motioned by Wheeler, all in favor, say aye.
>> Aye.
>> Any opposed? Motion passes 7-
7-0. Unanimous. Number F.
Councilwoman Billie Wheeler?
>> Thank you. I'm looking for staff with -- here we go. This is one of the good things, again, I like to highlight these items. This is a donation of 19,000 from the friends of the marine science center, and Ginger, do we have our friends here?
>> We do have our friends here, but they're trying to get in the chamber, apparently, they're --
>> Okay. Chad is going to get --
>> He's going to get them, okay.
>> But in the meantime, Ginger, environmental director management, thank you for pulling this item, this is a donation from our friends of the marine science center group, a nonprofit that helps us at the science senter and their donation will match a $15,000 that is currently in our budget to create a new exhibit called life on the ledge and it replaces two exhibits that we have now that are aging, and it's going to be a really beautiful brand new museum quality exhibit there at the science center, so we had wanted to thank our friends members, and perhaps we will be able to do that, but they're not here at this very second, so.
>> Would you recognize them when they come in?
>> Yes. I can do F if you'd like to do that? While we wait.
>> G, you're doing it.
>> Yes, G, sorry. G. Is also me. G is a grant from the U.S.
Fish and Wildlife Service to replace lighting fixtures at our cardinal drive off beach parking lot. They're actually currently visible from the beach at night because it's at that -- that ramp, and so, this grant would be 100% grant to pay too replace those fixtures with fixtures that will be sea turtle lighting compliant. And wouldn't have to be turned off during the nesting season, which is what happens now at that parking lot. So really, great grant that we got, it pays for the entire project cost.
>> And so that's why I wanted it brought up was simply to point out that we are in your division is researching grants like that, and that you are doing a really good things for the beach access, so thank you.
>> Thank you.
>> Here we go, yeah. Okay, so back to item F.
>> [ LAUGHTER ]
>> We have Arlene Deegan, who's the president of our friends of the marine science center and Susie Bradley, who is one of our board members.
>> Good morning.
>> As she said, Susie and I are from the friends of the marine science center, for those who aren't familiar with us, the friends group is a nonprofit organization, we're manned strictly by volunteers and our goal is to raise money to support the efforts of the marine science center. And even during the most difficult times, our supporters and our donors have continued to reach out and show their appreciation and enthusiasm and the work at the center is so important, we would like to propose that you accept a $19,000 donation that donation will be used to support the project called life on the ledge. Which is an educational exhibit at the center. Thanks.
>> And I would ask any council member that's willing to accept $19,000, please stand up and applaud.
>> Approve, approve.
>> [ APPLAUSE ]
>> thank you.
>> It's our pleasure. The effort that our donors come through is very humbling, it really is. So thank you.
>> Thank you very much.
>> Thank you for your continuous work.
>> Photos.
>> Yes. .
>> And three, two, one, cheese.
No blinking. And smile under your masks. And three, two, one. One more time with the flash on. And three, two, one.
Okay. Good to go.
>> Thank you.
>> Thank you.
>> Thank you very much.
>> Okay, and letter R, councilwoman Post?
>> Yeah, so we don't need to too much information, tad, but I wanted to stress and point out that the work being done at Strickland range, one or two sentences.
>> Sure, this item is in addition to the existing task assignment that we have for our consultant who's doing work on the intersection of Strickland range with Williamson, we had split that out from the remainer of the road project, we don't have all of the money in hand at this point in time, so we thought it would be great to accelerate that portion of it, adding signal, we are not constructing the Sig gnat at that point in time, but this would put in the infrastructure necessary when the traffic warrants it with the development of potentially on the west side and that area. So praying for the future.
>> Thank you for your work on improving the infrastructure, thank you.
>> Thank you. And W, by councilwoman Billie Wheeler.
>> >> Yes, I don't know who is here to speak on that. This is another one of our wonderful water projects that we're doing, as we keep reading in the newspaper, more and more situations with water quality.
U Volusia is out there working, and we have consistently been doing that. So this is one of the good things.
>> Yes. Thank you. Council member Wheeler, Ben Bartlett, road and bridge director, pleased to come before you and say we have another grant for the Areal storm water that's in the lagoon, originally we came forward with a DEP grant of $900,000, and we're adding to that with a $450,000 grant from the St. Johns water management district. So we're anticipating a construction cost of approximately 1.88 million, we are finalizing the design of that as we speak and permitting and we hope to be going into product construction pretty soon, so we have gotten a fair bit of money for this project, so we're looking to move forward with it.
>> Thank you.
>> Thank you. Thank you. I just thought that it was extremely important to highlight.
>> Thank you.
>> Thank you. And with that, we're going to go to move to item 2A, which is a proclamation and I believe we might have to be bringing people up from downstairs, are you all set?
You're all set, okay. Good morning, Mr. Chairman, members of council, community information director, I'm going to get my mask caught in my ear piece here, that's okay. So today, we have the distinct pleasure of honoring black history month. Which was celebrated across the nation in February. And we have a distinguished group of black leaders here today in the audience. And we have developed a special proclamation in their honor. I would like our honorees along with the Donna gray banks, and others, to come forward as your board here, and Mr. Brower, our county chair will read the proclamation. And Mr. Brower is going to it slightly different than Mr. Captain wrote for me. I want to save a little suspension so I'm going to read the proclamation, and then I'm going to tell you who the one is for that I'm holding in my hands.
This is whereas, black history month was founded as Negro history -- for the race and whereas the week long celebration was expanded in the 1970s to black history month, and officially, proclaimed by president Gerald Ford in 1976 and whereas, at a time of deep divisions in our country, black history month serves as a powerful reminder that accomplishments that black Americans have made to the development of this country, and whereas, the coupe of Volusia joins the recognition of black history months, Deland, Daytona Beach, which have chosen to honor a number of its black citizens as part of a banner recognition program, and whereas, the banner recognition program was started in 2019 by a group of Deland citizens led by the greater union life center and has now been expanded to the City of Daytona Beach through the leadership of the midtown community development corporation. And whereas, each year, these committees will select prominent black figures who have made positive contributions benefitting their respective communities, the state or nation, and which will IP conspire the next --
enconspire the next generation of young people to do the same, and whereas, the county of Volusia is proud to honor the history and contributions of the black Americans from our county, now, therefore, we the county council of Volusia County, Florida, do hereby proclaim February 2021 as black history month. And it is my distinct pleasure today to be able to hand this beautiful proclamation to one of the members of our very own council. The honorable Barb Girtman for sharing her skills, time and efforts to ensure a quality of life for those living the African-American experience in Volusia County, dated this day, this second day of March, AD2021, and look at how beautiful this is.
[ APPLAUSE ]
And in a moment, I'm going to ask Barb to take the honor of reading all of the other names of those that are being honored, we have many of these to give out this morning.
Congratulations. Thank you for your hard work.
>> I wasn't even going to reference myself because I want you to know this is not about me, this is about you and this community and the efforts that you have put in. So what I will ask is that Dona banks and Mr. Mario Davis -- on that table, to help us acknowledge our guests and hand out those proclamations as I read the names, what I would like to do is I'm going to start with acknowledging the honorees from the Daytona side, many of them have passed on and they are not here. Of course. But I don't know if there's anybody here to represent them. But I want to still be able to read their name and acknowledge them and put them on the record. So first, for our east Volusia honorees, we have Dr. Mary McCLOED Bethune who needs no explanation or definition of who she is, and what she has been to our community. As president of the Bethune university, civil rights advocate and so much more.
Honorable Yvonne scarlet gotten was the first black mayor of Daytona Beach. And Dr. Evelyn stocking cross Lynn was the first black female to practice medicine in Volusia County. Ms.
Mini Wiggins Campbell was the owner of the Campbell hotel, one of the first black hotels and also, where blacks could only stay when they visited Daytona Beach. Rosemarie Brian, an educator, she founded the Rosemarie Brian center children's center. Marry Evelyn Bonner, was the longest serving principal, Lee Rosa H. Smith was also an educator, and principal.
And cotour Thompson was an entrepreneur and Realtor, I like that. And Dr. Richard V. Moore, Sr., was the third president of Bethune cookman university. And the honorable Charles W. Cherry, Sr., was the city commissioner and a state NAACP president and entrepreneur. Howard Thurman, a theologian, civil rights leader, and educator. Jackie Robinson, of course, the first black to play major league baseball.
Herbert Thompson, is a community leader and a philanthropist, Merrill Charles Lloyd, a Veteran, and entrepreneur.
Samuel James rip Collins, Jr., educator and coach. The honorable James E. -- first black city commissioner, educator and activist. I think for Daytona, what you'll recognize is how many educators, right, and how critical that is to our community. Now, for the west side honorees. And I believe what you'll find on this slide, you will find educators as well as very -- a lot of community advocacy because that's what I think west side really needs is more input into our community from our community, what you'll also find on this list is ages, right, we have such an encollusion of young -- inclusion of young, we have young people who are contributing to our community as well as people up in their later years who will not say older, but our more mature people. She has a children -- sisters build.
Dr. Tiffany grant is an education TOR, also, community advocate, reverend Reggie Williams is here, he's a community leader. And has given back so much to our community.
Mr. Mario Davis, we'll let himself give the proclamation, an entrepreneur, also, community advocate and leader in many way, also executive of the Grady union life center. Mr. Tom Busch, Deland high school in the Deland high school hall of fame and civil rights leader.
Mr. Charles Williams, Vietnam Veteran and community advocate.
Hill YAN Robinson, community leader. Civil rights leader.
Mr. Richard Lee Hopkins, Deland MLK committee founder. Ms. Joan lane, civil rights advocate, educator and so much more. Ms.
JO JO O'Neill, you hear her on the radio. A radio personality, she also started kick asthma, the kick asthma campaign, she's a founder for that as well as a humanity advocate. Ms. Mary Allen is director of the African-American museum here in Deland. And so much more. Ms.
Felicia Benzo has the catalyst program, a mentoring program that mentors students throughout Volusia County. I believe she's had more than 300 children mentored and more than 80 mentormentored volunteers throughout our community. And I believe I've known her for ten years so she's put in a lot of work on that level of volunteering her services to make a difference in our community and with our youth. Mr. And Mrs. Gray Johnson, philanthropists, the honorable Hubert grimes. The first black circuit judge in Volusia. The honorable William Anderson is the first black police chief for the City of Deland. Did we miss anyone? I don't think so. But I want you to know that I'm honored to have been selected and I'm honored to serve all of our communities.
We as a community have this time and opportunity to value, to decide how we're going to value and invest and respect our past, our PRUN present and our future, and I ask that we choose to move forward with awareness, with kindness, and with acceptance.
And I thank you all for your contribution, I thank you the county council for allowing us to recognize the hard work and the need for this to be a time of awakening, awareness SXR reconciliation in the community.
And I thank all of you for investing in that.
[ APPLAUSE ]
.
>> Thank you, Ms. Girtman, we'll have everyone gather for a picture in front here and you want to put your masks on, we'll have everyone to gather here and we'll get a nice portrait.
.
[ APPLAUSE ]
.
>> And just before we close this item, we just ask Mr. Mario Davis and Ms. Donna gray banks to make a few comments.
>> Good morning, chair Brower and other council member, thank you very much on behalf of the greater union life center, a local 501C3 organization that was committed to push this endeavor forward. And I have to give a very huge shout-out to Ms. Danny Roberts, who was the one who came up with this idea for us three years ago. We launched in Deland, it was not mentioned but recognized but the City of Lake Helen has adopted this program and we'll be starting this next year, as well. The goal is to move this throughout the county, so all 16 municipalities will come on board with this initiative. And we thank the county council for coming forward this year and being a part of this and of course, incredible shout-out to councilwoman Wheeler and councilwoman Girtman, who essentially have these launched in their districts and the other council member that I do intend to reach out to you as well, to look at various location that we can begin this program as well.
Thank you very much on what have of the committee members, and also, Mr. Al Bowie, the chair, not able to make it today, but a lot of work went into this behind the scenes. There is a plethora of individuals who we can recognize and it's often difficult, everyone is nominated but we have many years to come of doing this program, so we thank you all again. But also, I want to thank our sponsors, Aspen health, Stetson university, Bethune cookman university and the City of Deland and now the county of Volusia for assisting us, so thank you very much.
>> Good morning, good morning.
Council chair, Jeff Brower, my name is Donna gray banks and I'm the CEO of the midtown community organization and when this guy.
(Laughing) says, Donna, come on board, come on, we can do this, I said, you know, it is something that we should have done a long time ago. So thank you to ULC, the greater union life center and Mr. Mario Davis for bringing it to our attention that we need to recognize, you know, the people who have laid the path for us, and without that path, we would not be walking, and for the City of Daytona Beach. The problem is, that a lot of those people have passed on, so we had to start posthumously and we'll be for a little while before we can recognize our younger people.
Thank you very much for coming on board, Lake Helen, I love the fact that they're going to be there with us, so thank you, everybody. Thank you.
>> Thank you.
[ APPLAUSE ]
[ APPLAUSE ]
>> before everybody goes, I believe I'm looking at Dr. Prim rose -- most of you can't see this, but I want to point it out that she's wearing a mask that says, stronger together. I want to acknowledge and I think I can do this for every one of my colleagues here, that you have had to stand together as a community to walk hand in hand to secure the same rights that every American should have.
You've done it with dignity, and with grace, and peacefully, and we applaud that. But today, I would like again to speak for this council and say that we join you, because we are stronger together absolutely.
Whatever the race, whatever the sex. Whatever the religion, and I hope that in 2021, we can speak for the rest of Volusia County and take it out from there. We all need to stand together and to live and love one another with the same respect that we do for the people in our own community. We are one big community. I applaud you for what you have done and thank you for coming here and I love your mask.
Thank you.
[ APPLAUSE ]
.
>> With that, we're going to move to item 2, Kevin, you're all done? And I don't know if you need a minute to escort people up from downstairs, you do? Okay. We're going to have a changing of the guard. While he's doing that, I'm going to --
before I call on Clay, I'm going to embarrass somebody else in the audience. While we're just waiting for this change, I would like Ms. Shriver to stand up and show the sign that is going out across Volusia County and you can talk to this woman if you would like one, just show it around. Then, also, I'm assuming that the people downstairs with hear and everyone here can hear, so far, we have nearly 100 or over 100 -- we have 73 requests to speak.
This council wants to hear from our constituents. There are no issues with that. With 73 --
pardon me? With 73 people, talking for three minutes, I'm going to tell you what our schedule is today. We have to be at a meeting across the street at 1:00. That's a meeting for the council. That we have no choice in. But we're going to make it possible for everybody who wants to speak to speak. Even if we have to have a break and come back. So here's what I'm going to ask you to do, especially for the people coming from downstairs. If you can get in groups of five, if you're afraid of public speaking, like most Americans are, elect somebody from your group of five to speak for you.
Not requiring that. But I'm just trying to give an opportunity for everybody to speak before it gets dark today.
And so, if you can get together, if you would like to do that, that would help. If you can say what you have to say, in 30 seconds or a minute, that will give somebody else a chance to speak to. Kevin, you are chomping at the bit to say
something.
>> ( Inaudible ).
>> What do you mean? Clay?
Thank you.
>> Good morning. Claire Ervin, director of resource management, before you today is a seeking of direction from the county council regarding our current regulations as they pertain to short-term rentals or as we classify them in the zone, hotels and motels. Today, you'll have a presentation by mice, Ryan and Russ brown to go over the history, background, what we're doing, and what your options are to take it from this point forward.
What I'd like to do is quickly just kind of go over the background of what the regulations say, and how we're enforcing them. So at the last meeting, your statement to us, was, we have some concerns. Our current zoning regulations are putting people at odds with each other. And we want it to stop.
We want y'all to bring it back, give us some options and let's see what we can do so that hopefully we can come up with the solution that will be amenable to all of those parties involved. In order to do that, we have to first, give you the background information, not only from our local regulations, but also what pre-emptingses we have the state. In 2010, many of the regulations came down from the state, that we were facing some issues at a local level. And so first of all, let's talk about what we do here in Volusia County. And Volusia County, we have a definition that's hotel-motel, it's been in the original zoning ordinance since 1988 and modified in 2004 to include that 30-day -- excuse me, month long-term, so it addresses duration and freak --
frequency. A use that's occupying a structure. And that's a critical thing.
Because just because you have a structure that resembles a house, a town home or anything else, the use dictates how it should be construed as to what it's being used for. So why is that important? Well, the way our zoning ordinance is written, if you don't have a use that is specifically allowed either by right, or special exception, you cannot have that use in that zoning district. So what has happened is that hotel-motels are commercial use. So when we look at the residential zoning districts, we see that would have negative impacts on resident, uses, so this buy forKated system -- by --
bifurcated system. If you're not one or the other, you can't be in both. There are some uses that allow for special exceptions and actually, there's some zoning districts that allow for a multiple Tuesday of uses but in the simple fact, is if you have single family, urban type of zoning classification, you're not going to have a hotel-motel, and this has been in place, again, since 1988.
And was modified in 2004. And those this is important, it helps us understand how we're implementing in these zoning districts above you. This basically says that what are the commercial zoning districts.
And these are the areas where we can have hotels and motels, by right, or by special exception.
As you can see, they go from the airport property all the way to the southwest activity center commerce center. We also have the general -- special exception and working on a special land use with a PUD, you can could have a hotel, motel use on that as well. When we get complaints about this, and realizing something, what we are done with our zoning ordinance is identified this as a specific use that's not allowed in a residential district. So we get complaints. And that's the only way we can respond to these, our code enforcement system is not proactive, we are not actively engaged in researching or basically trying to find out if there's any code violations occurring, so when we got a complaint, we have to respond.
We do respond to anonymous complaints. And what you're seeing is that we have to go through and as anyone who is involved with any kind of code enforcement, we have to build competent and substantial Eid in order to you're -- figure out, does a violation exist, if we can't make it remedy, what are the options, and then our unfortunate goal, or unfortunate outcome, can we -- if we are not able to come in compliance. The number one goal of all code enforcement is compliance. It's not to be punitive. It's not to try and create any kind of problems with the property owner, and our number one way of addressing that is to identify how you can bring your property into compliance. It gets harder when you have a use that's specifically not allowed in that zoning district. This gives you kind of a reference of what has happened, the reason we're using 2007 as the system, that's the system, that's our software that does our tracking and building permits, and code compliance, etcetera. This is just reflecting since that time.
There were other compliants that we have had obviously responded to, because this has been on the books since 1988. And what I want you to take away from these statistics is that TWE -- we did receive 860 complaints, we investigated, we issued notice of violations to 347 of those property owners. And at that same point, we had 86 terms --
cases referred to our code enforcement board, so that means we basically had 860 complaints but we had 10% wind up in front of the code enforcement board, those that were not in violation, and no complaint, no followup. Those that were in violation, we met with the property owners and identified really the only solution you have is to rent the property for beyond 30 days. Beyond the month.
>> Mr. Chair? Before we go on, I have a quick question about that. The numbers.
>> Chair recognizes councilwoman Post.
>> I didn't want us to get too far and have to come back. The 860 complaints received regarding possible short-term rental and the notice of -- do we have any of those that are repetitive or of the same residence, this all 860 separate residences.
>> These could include repeat offendoffenders.
>> So we're not sure if it's five or -- 840.
>> If some of the council needs, I can get that for you, hopefully by the end of the day.
>> Okay. If it's -- I don't know how long we're going to be here, probably a little while, if it's feasible, to try and get that in the interim, while we're discussing it, it would be great, if not,s that fine, just curious, thank you.
>> Very good. So again, our number one option was to try and come up with a remedy so it could work with the property owner to see if there's a way to work within our zoning ordinance, to make sure they're consistent with what the requirements are and still avoid having to go through the code enforcement process. There's been concern identified about what is, you know, on the books and how is it play with the state pre-emptings impacts or ordinance. This has been tested, what we have on books is to provide two court cases, the judges determined we did have preexisting standards in place that regulated short-term rental of single family, multifamily, etcetera, so therefore, we're in a situation where we have rules right now, in place, the big issue is that because of the preIRMENT from the state, less restrict or more, is ham strung, we can't do that, because at that point, the state kicks in, and so therefore, what we're showing you is that we've had to go through court, to defend a rule that's been in place since 1988, and yes, we understand that there's a need for, you know, some understanding and coming to a common place but we have serious hamstring opportunities that we cannot realize. Again, this is just kind of giving some background as to why this is such a lightning rod issue now. As we referenced, this has been on the books for a while, but greater and greater publicties of short-term rentals, it's not unique to our county, it's throughout the state of Florida, and throughout the entire United States. And yes, we did receive some serious complaints back about a year or so ago. Of folks saying you need to enforce your codes, we met with them and we said, we'll enforce the codes but the only way we can is if you register a complaint because otherwise, we're not acthively seeking people. That has started in the Bethune beach area. And ORMD by the sea area, again, these areas were identifiedment we referenced this petition that we received, we also note that there's a another petition that's been circulated that may have upwards of 1,000 signatures in support of allowing for short-term rentals is, so I want to make sure that everyone understands, we're trying to sit there and balance out between the interests of these go different groups and so, now, we're at a point where the codes are locked in place, basically, where we change them and lose that. And then, otherwise, we will be facing continuation of the code enforcement as you've seen it, or as Russ takes you through the discussion plate -- later on, what your options are, I'm going to let Ryan get up and explain the financial impacts with these short-term rentals.
>> Good morning, Chair, honorable council members, Ryan, chief financial officer. And before you, you have the -- in this slide, you have as much information as we can release from the financial perspective on short-term rentals, well, hotels, versus nontells hotel --
ho nonhotels. And from a tax collection standpoint, we do not consider on the revenue side the short-term rentals to be in that same definition that the code uses, this is hotels versus what you think a hotel would be traditionally speaking and nonhotels, that's the break down you have listed here. Since 2019, December, so a year and three months ago, we have been collecting directly from AIRBNB and BRB and all of the affiliated websites through an agreement approved by the council, any rentals, whether they're 30 day or less or 30 days or more, if they go through those websites, we are collecting the revenues at this point. Because of those agreements. And AIRBNB and BRBO do not limit what they send us based on the duration. It is a complete agreement. They are included, those websites, are included in the nonhotel numbers, you see listed on these slides. And in addition, in the nonhotel numbers would be individual tax filing, our revenue division, our previous our revenue division, our treasury and billing division, collects from individual RERNTs as well as -- renters as well as these website, when we enAKed the websites, the individual filers no longer had to file with us, if they were exclusively renting through one of these websites, so these numbers do reflect no cross over there. No one was expected to pay taxes twice, obviously. It is broken Don by advertising authority, that is the most granular data we have from AIRBNB and BRBO, that was a hard-thought concession from those groups, originally, they did not want to even provide that level of breakdown, we had to have that because we have to distribute the taxes that way.
But originally, if we didn't fight for that concession, they wanted to only report a county-wide number. So we don't have any numbers on the cities, we don't have any numbers on incorporated versus unincorporated, these numbers are county-wide numbers. They are not exclusively related to the decision on unincorporated short-term rentals. There is a growth in the nonhotel side for 2020 and the decline in the hotel side for 2020. Related to coronavirus. But also, we do recognize that with the direct contribution, by AIRBNB and BRBO, we have the enforcement efforts to try to get individuals to comply, prior to those agreements, we do recognize that there's a distinct possibility of an increase related to those agreements, so that might explain part of why the nonhotel side is increasing.
The last thing that I would note is I said it before, but I'll say it again, this number is anything that goes through those websites, so this is up to 6 months rental after six months, you're no longer subject to tourist development tax or convention development tax and these numbers represent the convention development tax, specifically, the tourist development tax would be on top of that, add those together for 2020 for total rentals, $18 million. Versus 22 million for 2019. And I will turn it over to Russ for the legal side.
>> Ryan, before you go, you may have a coup of questions, representative Girtman?
>> Thank you, Chair, my question was really of Clay. So I think that if we can ask our questions as -- before each one leaves, might be a little better.
>> Didn't see your name when he was speaking.
>> In aaccordance to that.
>> Heather Post, did you have a question?
>> I have a question for Ryan, very quickly, if you don't mind.
So I just want to be clear, it sounded like you were saying we -- we with have been receiving the tax moneys from AIRBNB for all short-term rentals that go through.
>> That has websites.
>> Those websites, whether they are one day, 30 days, six months, whatever it is, we are receiving those moneys. We are taking the money.
>> The fruit of something? Help me out here, Ben. Law enforcement, the -- I'm on my own, thanks.
>> These numbers reflect the incorporated and unincorporated area, the statute requires the remaining of that tax, of course, when we get that, to revenue from AIRBNB, BRBO, it doesn't break down where they are so, we can't verify whether some are incorporated or inincorporated.
inincorporated.
>> On something that we are saying is illegal?
>> The statute places the burden for that, it treats it as taxable activity, we're receiving the revenue from it, but we do not have -- we're not provided the details of where that property is located. It could be incorporated area or unincorporated area.
>> I understand what you're saying, but so my question would still stand, really.
>> It's a state taxable activity but a violation of our zoning ordinance.
ordinance.
>> The individual hotels and users will still be in compliance regarding state law regarding taxes as well.
>> Right.
>> So.
>> I understand that they're in compliance, but I still don't understand how the county can be taking money from people for something that we are saying they are doing illegally.
>> the state, two separate things, state imposes that burden, we have to way of verifying based on the data that we're given. On where that property is located. Because of how the state has regulated this. But it's still a state taxable activity but our zoning code under state law still exists, as recognized grandfathered.
>> Okay.
>> Had we been given that data and privy to having access, that's a different story, but we don't have that ability.
>> So we're just receiving it from the state and not through AIRBNB?
>> We receive our revenue directly from AIRBNB, but they do not provide us any information other than the total amount from Halifax advertising authority, the total amount for southeast and here's the total amount, they do not give us individual properties nor do they aggregate it by city, unincorporated or any other statistics that would be useful for this discussion right now.
>> Okay. I understand what you're saying, and thanks, Ben, it's the fruit of the poison, thank you. I understand we're not getting any information but I don't know how we're able to do that as a county, that sounds a little not appropriate.
>> The state law requires the payment of the tax, we are not in a position to reject --
>> To reject T the money they're flowing at us.
>> We don't have the information to do that.
>> All right. I hear you, I guess we're at a stalemate.
Okay.
Okay.
>> Barbara, you're okay to the end?
>> No, I'm okay to get -- if there's somebody else has a question of Ryan.
>> Okay.
>> I don't see anybody else.
>> I have a question of Clay.
The data from the complaints, do we know where that has complaints are, do we have a break down of those complaints, and where they were, and what they were. So especially, the 86 that went to code enforcement, what were the issues?
>> All of these are related to a use not allowed in that zoning district tied to short-term rentals. So in other words, any time that we have someone --
>> Renting under 31 days is what --
>> Yes, ma'am.
>> That's typically what that complaint was.
>> yes, ma'am.
>> It wasn't for, you know, violence or whatever.
>> Those would go to the sheriff's office and not --
>> Okay, okay, so we don't -- we don't have.
>> Right.
>> Any of that, okay.
>> Yeah, these are reflecting only those code violations tied to someone operating a use that's not allowed in that zoning district.
>> Okay. All right. So but noise, that goes to the sheriff as well?
>> It's two different ways of handling it.
>> Okay.
>> So, yes.
>> Okay. All right. Thank you.
>> Uh-huh.
>> Russ brown, senior assistant county attorney, I'm going to be talking about Florida chapter 509 with the vacation rentals and where the state repreERPTs, you have the current part of the statute that's found in 509.0327B where as long as a county of local Government has had a rule on the books prior to June 1st, 2011, that either prohibited or regulated the duration or frequency of short-term rentals, that law is still valid. And so, for you, and on the book, of Volusia County, the last time that this definition as we regulate the short-term rentals was modified was in 2004, and that added the month clause, so that's why our regulation is valid under the state's statute. So with the state statute, as we mentioned, it limited your ability of what you can or can't do because once you mess with it, even if you wanted to make it less restrictive, we become beholden to the state stat substitute, so we're no longer preERPTed and no longer regulate the duration or frequency of short-term rentals, so if you decide to change the definition and to allow this use, and those residential zoning categortegories, it would be -- and we'll get to it here --
we would be regulating the secondary effects, and we'll talk about that. So our hands are tied. In terms of even if you wanted to come up with something that's kind of less restrictive as a mentioned, not to be repet TIF, but we --
repetitive, but we did k no longer regulate the duration of frequency -- the duplexes and town home, short-term rentals would be allowed, less than 30 days, this slide shows the different categories and the code that would permit that type of use and those types of categories.
>> So we talked about regulating secondary effects, you have laws on the books, the secondary effects for parking, lighting, and noise, as Ms. Girtman mentioned. And solid waste trash, those are on the books, currently, you could do some additional secondary effects, which those types of things are life safety, there's Flagler ordinance has a local point of contact that somebody should be on the hook if they get called, those types of things, and issues, as long as it's not related to frequency or duration, you could right now regulate those things. And that being said, there are -- there's a current bill, pending in front of the legislature, both in the house and the senate, both versions are very similar, which is a little different than years past. That could limit that ability to regulate those additional secondary effects, like a point of contact, a fee, a fee -- I should say that licensing of vacation rentals is limited to the state. And so, when you charge a fee or registration, it kind of sounds like licensing so you have to be careful of that. The current bill at the house and the senate would stop that, you no longer have the ability to do that.
Those types of Flagler ordinances, if you will. Those types of conditions that are being considered. It does allow you to keep your grandfathering clause, the current version of both bills. And but it also says that if you want to --
there's a condition in the current version, who knows what's going to get passed. But it says you can keep your grandfathering, even if you wanted to do less restrictive stuffer you can be grandfathered, so there's some wiggle room in the current version that's in the senate and the house in Tallahassee, put we won't know until the end of the legislative session, what the current bill is, if it pass, it's been here before, who knows if it's going to happen now, but that's the bill that's been contemplated. So if you decide to direct staff to change the definition of hotel-motel in our current zoning codes and to allow this type of use in those residential zoning categories that we mentioned, believe you're all provided a potential proposed amendment to that definition, so the process that we would follow is, it would go to the planning land development review committee, at their March 18th meeting, so we would have to meet the requisite notes and come back to you, it requires two reed readings because it's a change in land use, so we would come back to you for a reading at the April 6th county council meeting and then at the second meeting, would be April 20th, for once that happens, and it would be in effect. At the April 20th meeting.
And so also, looking forward to direction, should you decide on how you want to continue to suspend the enforcement of the current provision while that's -- if you decide to go that way while that's proceeding. And so, that's it. And I'm happy to take any questions you may have.
>> Council? Any questions? I want to -- I want to make it clear, what we're doing today, and what we're not doing, we're not passing an ordinance. We are keeping it in process. If the council votes to continue it, then as you said, it goes to the LDRC, it gives the public three more opportunities to discuss this and to have input into it. But we're not passing or failing an ordinance today.
We're in a lengthy process.
What I will ask for in a minute, we have several council people that would like to speak and we are going to open up to the public. So what I will ask for is a motion and a second to keep this in the process so that everyone has three different venues, attempts to be able to speak on it, and influence it, and then at the end, I'm going to ask for something else that I've discussed with staff and that is that one of the key things that I see going through this process, is that we have an opportunity to actually bring people together. In America, we often have to compromise. You should never have to compromise your principles. Our opinions, we compromise. Or we should at times when we're led to. I want to bring people together.
Because I believe there's a resolution to this. There are no neighborhood should be forced to have radical change. No neighborhood should assume that nothing ever changes. So in those two things, is where we come together. I had talked yesterday with county staff about forming a committee from people from both sides. Those that are for short-term rentals and those that are not for short-term rentals. Because one of the things as Russ just pointed out that we would be able to do, unless the state out laws it, all of this is moot, is to further regulate secondary effects. And Russ, I should have -- I should have asked you this, but if under the state law, everybody has to --
short-term rental to be legal has to licensed with the state, if they're not licensed with the state, can we shut them down? .
>> That would be up to the state, sir.
>> Only the state can shut them down.
>> They would be the one regulating, it's a state license.
>> So we would have to contact the state and let them know that we have a -- an illegal operation here.
>> Yes, sir, it's kind of --
similar to your CLCA, when you get contractor licensing violations reported, it's a similar process where you report to it to the state and the state decides how to handle it.
>> Thank you.
>> Mr. Chairman? While Mr.
Brown was up there, if I could?
We attached, if someone can put it on the screen for council's reference, on page 2-5, a template ordinance that what a change could look like if council did want us to move forward today. Russ, would you mind, Mr. Chairman, if it's okay with you, just walk through what that change could look like and that's -- if you do ask us to proceed, we'd be looking to proceed in this manner or in a different manner.
>> Yes, sir, so you were provided the proposed recommendation, should you decide today to amend the definition of hotel-motel, and so the proposed ordinance, and I believe you have in front of you, it adds a sentence at the end of definition, for purposes of this definition, the term hotel-motel, does not include single family-- offered for rent and residential zoning classifications. So you still have your definition of hotel-motel for commercial use where permitted. This definition would no longer apply to the residential categores and allow the rental short-term rental.
>> Mr. Bower, I have a question for you.
>> Can we take Barb first?
>> Thank you, chair. My question is about the proposed state legislation. And should we make a decision to go forward and then April 30th, they make a decision that counters what we make? Their decision is going to supercede ours, correct? So there may be an opportunity or a benefit to, you know, what happens on April 30th, with the legislature. Is that -- is that --
>> Yes, ma'am, if your question is whatever -- whatever the state does, it would pre-empt our potential actions, right, they would trump us. Yes, ma'am.
ma'am.
>> Ben?
>> I had basically, that was one of my questions was, you know, if we do it now, we're active, no maker what the state does then, we don't have a leg to TO stand on, but if we do give up our ability to regulate, who collects the money, and where does it go? The tax money from it, you know? Because historically, when the state gets into it, they put their hand out and that's the last we see of the majority of it and that's a big issue.
>> Whether you make a change here or not, would not affect whether we receive the tax. If the state pre-empts or doesn't pre-empt, unless they were to change the tourist development tax statute, the conventional tax statue, which I'm not aware of any changes proposed in those areas, we would still collect the revenues.
>> Councilwoman Post?
>> I still can't get over the concept of that we're collecting money -- but yet, we're collecting money from the companies and we're totally okay with taking money from the companies but yet, we're telling the individual homeowner, no, no, that's illegal and you can't do it?
I have a serious, serious problem with that. And I understand you're telling me that there's nothing we can do about that, but I have a --
that's a -- I have a serious problem with that. In regards to the legislation, that's been brought up by a number of citizens to all of us, I think, but the point there is this is brought up every year, and I know as long as I've been in office, the fifth year, it's like it's brought up every year and we can assume that if -- in some way it does not go through this time, that certainly, we will -- lit be revisited again next year and probably the year after and the year after. But so I think that there might be some benefit in trying to figure out -- because I'm looking --
can you put back on the screen, Megan, the date on the final decision? I think it was April 20th. Was the last meeting.
And who was that with? Was that our meeting?
>> The second hearing, April 20th was if you passed it then, it would be in effect.
>> So I'm wondering if in fact we did move forward with that option and then, I'm wondering if we can even discuss the potential of holding that for one additional meeting? To --
before making a final decision on everything as a whole? So that would leave us into -- I don't know the first week in May? Which would be after a determination would be immediate by the -- made by the state?
Correct.
>> The elective session is over April 30th.
>> That's waiving one additional meeting to figure out what the deal is with the state, so I just want us to keep that in mind if we can, you know, if we do look forward -- towards this, just postponing it for one additional meeting after that.
>> My understanding and Michael Dyer can clear it up if I'm incorrect, is that our obligation is to give public notice, certain number of days before the meet, we can certainly change the meeting one meeting out, correct?
>> Uh-huh.
>> Mr. Chair, assistant county Torren,- attorney, yes, you are require for the second reading to have at least five days public notice, the two meetings must be at least ten days apart, minimum. And one of those meetings should be after 5:00 p.m. unless the majority plus one of the council chooses to hold one of those meetings at a time other than 5:00 p.m. After 5:00 p.m.
>> Thank you, Ben Johnson?
>> Mr. Brower, I like your idea about putting the committee down and trying to see if they can find some common ground. And I would move to postpone this until after the state acts, as they still the committee has to have time to come up with some solutions and ideas and we Don know what the state -- don't know what the state is going to do, so my advice is to postpone that and put the committees together to work together and bring us something back so if we're going to make or change this thing, that everybody has a chance to look at each other and maybe find common ground, they may not. But at least give that chance, and we put this off until after the state acts, and then we take it back up again.
[ APPLAUSE ]
And that is a motion.
motion.
>> Ben Johnson has made a Meigs motion, is there a second.
>> Second, Wheeler.
>> And Billie, did you want to say something?
>> No, I was going to make a motion if you hadn't made a motion, I was going a --
agreeing.
>> Well, let's vote on that.
Before we get to all of the public comments, because it might make it moot and go ahead, Mr. Dyer?
>> You would need to allow public input prior to the vote.
>> Okay. Good. One of the things that I would add, Ben, that Michael and I discussed yesterday, it takes time to form a committee. He -- there was an idea to actually speed that up by having the county create a separate web page that we could begin that right now with people pro, and, you know, for or against talking, discussing, because one of the things that I've noticed, I've got a book here, with all of the e-mails, that we have had so far.
There's --
>> I don't believe you'll have a shortage of applicants.
>> That's about 600 of them.
380 were for short-term rentals, 174 were against short-term rentals. I've read every one, I think every council member up here has, but in those, this massive volume of e-mails, are incredible ideas, by people in our community, that do want a resolution and are trying to bring something together. I see you were shaking your head no, you didn't like that idea of a website? To allow people to --
okay.
>> No, I don't think you'll have any -- I don't think people have any shortage of applications.
>> Probably. And probably have to do it where we each appoint somebody, like any other citizens advisory committee, but that -- you're right, that brings people together to talk, one of the things that's happening right now is nobody is talking. There's screaming, there's name calling and it's --
it's dangerous. Councilwoman Post.
>> This is one of the more emotional issues since I've been on this council and one of the more emotional issues that we've ever seen on this council so we can't rush in to any kind of judgment on what we do, we're going to make a mistake, slow down some, and as I said before, wait to see what the state does.
Where can we go, because we need direction, can we regulate how many cars, how many people in the house, can we regulate hours, can we put it into an ordinance where we have criminal sanction, if we have to do something, so we can do it in I a logical way that we can take and give teeth to it if it passes so we can protect our neighborhoods or if not, I'm not saying which way I'm going on this, I'm torn, I'm very torn on this thing CHLTH but I think we need to slow down. Can do it right.
[ APPLAUSE ]
.
>> Councilwoman Post. Also, I would like to say something to the audience, please, don't clap, because we don't want people booing either and we can lose control of the meeting, so I just as soon -- I appreciate the support, but I wouldn't want somebody else saying something up here and having a bunch of boos, so I would ask all of you to please refrain from any kind of emotion like that, thank you.
>> Councilwoman Post?
>> So I'm going to suggest if in fact we do go to committee, instead of reinventing the wheel, that we also direct staff to research around the state, because there are other jurisdictions around the state that currently have ordinances in place. And they have these restrictions and then we can, you know, if they do have them, we can determine, you know, if it's -- I know Flagler has things but there's, especially on the west coast and NUP the panhandle, and find out what issues they've had WEM this and if it's working, if it's not working, so we're not reinventing the wheel and not wasting a lot of time.
>> Okay. Well, we're going to start public comment. I just add one other -- one other thought that you might choose to comment on. And that is that if we postpone this, what really what we're asking for today is to keep it in a long process, that can go as councilwoman Post suggested until after April.
But it keeps it in process. And the reason I think that is critically important is because there are people losing their homes today and some people can say that well, they didn't do their due diligence, they didn't do their homework and it's simply not true, because it had been legal for decades to have short-term rentals. It had been legal for decades and up until recently, driven by complaint that was shut down. But it --
it was in fact legal, people built their homes and so I have to consider everybody. Not just the people that will heckle in the back of the room. So we will open it up to comment. I'm going to ask you that you would be as brief as possible. Say what you need to say. And as Ben Johnson had requested, hold your applause, hold your boos until the end so we can give all 70-some people a chance to say the -- there's been somebody here that is not for this that's been wait for a long time, apparently, has to leave, Jonathon Abraham. Are you here?
And Michael and Sean will be next.
>> I represent the ownership for the plaza ownership in Daytona, I believe it's a very iconic property to Volusia County itself, being that it was the first year-round reSORTt in the state of Florida back in 1888, the hotel and the motel industry is currently taking a killing in the United States. Due to this coronavirus pandemic that we're undergoing. There are hotels under receivership that are closing up shop that PPP loans didn't even cover, so what's happening is Volusia County currently has 18,000 rooms of hotels in this county that pay tax dollars, that employ people.
These people that employed, they spend, they have living accommodations, they go out, they eat, they shop, they pay their taxes. The hotel owners pay their taxes. So when something of this nature comes along, you have to really think of the time that we're currently in. And the time that we're currently in is there are hotels in the entire country closing up shop. And I think that the majority who sits on this council can remember exactly the last recession, depression that we had here in the United States. Where you would drive down the Atlantic avenue and see neglected properties closed, right and left. So when you put your thought process and of course the decision is all your, you have to understand Volusia County to me, it's a beautiful place. It's a beautiful place to live. It's a beautiful place to invest. And it's a beautiful place that has untapped opportunity in the state of Florida. The state of Florida as a whole respects its citizens, is very business-friendly, and supports economic growth. And this is why it's currently a head in this KUN country, when you come along and say AIRBNB, I have nothing against air B and BBs, but I have a big problem if they're going to take away from Joe who work at the front desk or the housekeeping or own that property, that have been there for years and years and years paying their taxes. Supporting, employee growth. Having locals working for them. So I ask you, 12,000 on the Halifax room nights -- hotel rooms, 18,000 total in the Volusia County, about 51-55,000 employees.
Employees. AIRBNB, how much do you employ? If you buy a property for air B and B right now, how much do you employ?
What, the owner? That's the only opportunity? And by the way, if it's an AIRBNB, it's not a first time home buyer, I can tell you that right now, if it's an AIRBNB, it's not a first time home buyer. It is not their primary residence. Because if it's their primary residence, under the federally mandated, they would not be allowed to lease it or rent it out. So that means that it's an investment.
>> Thank you. The bell is not working. Thank you very much.
>> Thank you very much.
>> Michael Shannon? Followed by Peter van --
>> ( Inaudible ).
>> Thank you.
[ LAUGHTER ]
>> Thank you, sir, Michael Shannon, I'm from Ormond beach, me and my wife don't let the accent fool you, we've lived in Florida all of our lives. And we sold our home at 35 years to buy our dream condo. In Ormond beach, we were assured under the county ordinances that we weren't be living in a motel type environment that they would only be able to rent no l more than 30 days. Now, we have bought our condo. And everybody that rents, knew when they bought their home and built their home, y'all said when the ordinance was put in place, they knew what it was. And I don't think anybody can deny that our mall communities are going --
small communities are going to be changed in a drastic way if we start letting people rent weekly. It's going to be like living in a hotel. If you happen to have a condo, and it's our retirement, and we -- we would not have bought it there if we knew that that was going to be the case. I hear -- I want to thank Ms. Post, because she really keeps us up to date on our local Ormond beach forum and lets us know about when the meetings are and that kind of thing. I see on that site people say, well, the AIRBNB, people do it anyway, they don't enforce it, why not just change it? Well, I've been in law enforcement my whole life and that's not a reason to change something. Because people are going to do it anyway. I also hear, we're going to lose our hope, we have people coming here in drove, we have people who rent in my condo complex, none of them having any PRB problem renting the whole year. This is about making two and three times the money on your property if you can rent it by the week.
And most of them people that are investment renters, they moved out, they're representing that are place here, they're not --
renting their place here, they're not here to vote, us people that live here, 12 months a year, when these changes start coming into place, we're going to be the ones voting, so I want to thank y'all for your attention, I appreciate it.
Thank you.
>> I'm a Veteran and I live in Bethune, and I'm not a property -- just a property owner, I reside there and there's a difference. And thank you for the opportunity to express my concerns with regarding short-term rentals in Bethune beach, my relationship with Bethune beach began in the area in 1989 when I was recruited by the Boston whaler, a VP of engineering for 7 years from 89 to 96. And the back on short-term rentals I recollect was in effect as far back as 19 T. The transition successfully and continued to prosper. In the effort one the Florida state governor's innovation, I've been three hopes and family homes in Bethune, first on turtle mountain, and six years ago we bought property on river road with the intent of building our dream home. Four years ago we built a retirement home on river road where I currently side with my wife Kathy, a Volusia County teacher, teacher of the year award who taught in public school for many years, these products provided high paying jobs to architects, landscapers, and now, as a result of the moratorium, on the 30 day minimum, I'm putting on hold an addition adding a painting studio to our home in Bethune.
We built our handicapped accessible home in Bethune, a place to grow home, live safely in a single family neighborhood for as long as we're able, not to invest in short-term rental real estate. If that was our intent, we would not illegally disrupt other people's rights by renting out property short-term rental short-term. A clear understanding that short-term rentals were limited to a 30-day minimum. -- responsible to be aware of ordinances when purchasing property in Volusia County. And why are they allowed to plead ignorance? The reasons are obvious where 30 day minimum exists. They include increased vandalism, and increased crime, and lower property values, and impact on sewage and emergency services, and loss of neighborhood culture, and more and more nonresidents owning rental properties. We have personally witnessedwitnessed poorly maintained property, public inTOKS case, trash overflowing, and local beach access overcrowded, heavy traffic, people constantly driving fast on turtle mountain.
Loud vehicles at all hours, overcrowded hopes beyond capacity, would you want this next door to you? I did review your February 16th council meeting. And the council provides several procedural steps that clearly outline in an inner office memo, please revoke the moratorium, DP and please allow and please follow the rule of law, especially your own, thank you.
>> Thank you. CT Allen and then, novel Boeing and I'm going to ask everybody please be respectful of everybody else's time. And Sharon bucks bond will be next, so CT Allen, and NOEFL Boeing.
>> I won't be long, I have spoken with you all already. A few things from the beginning, as far as the complaint driven with the code enforcement board, I received my first complaint, we've been renting our house for 27 years and never a complaint.
Even the code enforcement people told us we've never had a complaint on your house, by them saying it's complaint driven, our house landed on a list, look, there's a license plate in our driveway, and that was out of state. And now, it was a simple phone call. But it took several phone calls and several e-mails to let them know my son is a professional wake border, he had people in from Alabama, people in from South Florida, we were there. So they took it off, but it's a very intimidating letter so I wanted to address that that the complaint driven situation, really escalated last may or whenever, when all of this imploded. So I do have an issue with that, that we have never had a complaint on our house, we practice good neighbor rules, it's only families, there's no parties or events, our neighbors love us. But the other issue is we go back and forth from our home. We're very sensitive O our neighbors, like I said with good neighbor rules, so that's -- TSA pretty much what I have to say, I've said a lot of things in e-mails, you've already received them so I won't takeup anymore time.
>> Where are you from.
>> We're in Bethune beach.
>> As everybody comes up, tell us what city that you're in.
Novel Boeing?
>> Good morning, council members. My name is novel Bowie I'm and a full time resident in New Smyrna Beach, I'm in budget and policy at the U.S.
Department of Transportation in Washington, D.C. And in reviewing the e-mails, and documents submitted to the council, I was struck by the almost complete lack of fact yule data considered for your consideration. And many of the arguments made in support or opposition to short-term rental rules were base upon emotions and anecdotal experiences, a petition does not provide policy makers with necessary basis required to make critical decisions. Sound policy decisions must be based on detailed analyses, not emotional and idealogical arguments, a literature review reflects there have been multiple cost benefit studies on short-term rentals.
And the findings of a 2019 study by the XIK policy institute found, quo, economic costs AIRBNB imposes likely outweigh the benefits. And in reaching this conclusion, the study said, quote, rising housing costs are a key problem for American families, and evidence suggests that the presence of AIRBNB raises housing costs. It goes on to say, that the best documented potential cost of AIRBNB expansion is reduced supply of housing and property shifts from serving local residents to serving AIRBNB travelers, which hurts local residents by raising housing prices, a 2019 article in the Harvard business review came to a similar finding. As you know, affordable housing is already an issue in Volusia County.
Another important finding was that the potential benefit of increased tourism is smaller than advertise, two surveys mention in the record indicate that 2-4% of travelers who chose AIRBNB hadcancelled that their their trip if an AIRBNB had not been available. If you did, it would be doing so without any sound analysis supporting your decision. And an important decision should not be based purely on people's opinions orren FLUNSal access of public officials,ly remind you that often policy decisions made with good intentions result in unintended consequences due to a lack of due diligence. Your constituents deserve better.
Your decision are going to effect thousands of people, thank you for my opportunity comment. Thank you.
>> Sharon Buksbawn -- Billie, you should be reading these.
Sharon?
>> Yes, thank you. Sharon --
I'm a full time legally homesteaded resident of Bethune Beach. Prior to moving here, we were property owners in ponds inlet on property in Seminole county and a very large preschool in Seminole county.
And I will I've had three-year-olds behave better than some of your constituents.
When DWE decided to move to Volusia as full time residents, we consciously chose Bethune Beach. Not for its convenience.
But for the same restrictions that we enjoyed and appreciated in ponds inlet, we thought we were making an educated decision based on research of county ordinance, not in realist state pitches. We understood that buying by a council park would entail dealing with parties and events and that's fine since that was our expectation.
Although at the time, we had sheriff coverage for our tax moneys. We were happy to become Volusia County voters and taxpayers. Never dreaming that our elected officials would condone people purchasing property for illegal purposes.
We are a pool that you would entertain the request from people who are not even Volusia County voters. People who pad petitions with unverified signatures, people who intimidate county workers who now have to do their job with escorts.
I hope that you will choose not choose money, business and greed above quality of life. Even if this does not affect any of you personally in your personal lives. But garbage, noise, parking, rats, blatant problems that we witness every single day in our walks throughout our community. With all of the garbage, and the alcohol bottles that are on the sidewalks, throughout the week, it is obvious that these renters use the home kitchens which is why they rent homes. They do not frequent the restaurants and the businesses in the community.
They are not adding to the cover coffers of Volusia County.
Thank you for your time. Thank you, Gary Hollenbeck?
>> I live in Ormond by the sea, I live in a nice neighborhood with homes that are worth $450-500,000. And in the last three years, we've had three illegal short-term rental rentals. Two of them are own by investors, it was a horror show.
One of them advertises that they can sleep 12. On weekends, there were 20-plus kids that would chip in and it would be a party house. Parties of loud music, all day long, and all night out by the pool, and it got to the point where they were actually jumping off of the roof O of the house into the pool.
At that time, I called one of the investors, obviously, out of state, in Virginia, and told him what was going on. And he said, it wasn't his problem. So and I called him on many other occasions when there were other problems and he wouldn't answer the phone after that. There were many other problems. It took a year and a half to get this stopped by the code enforcement. I had to come to this place for two hearings to get it done in a year and a half. And visitors had no respect for the county, the neighbors or the laws, the other house owned by eninvestors rented to a group that must have been at a convention, they had matching T-shirts, they must have gone to the convention and invited everybody out in the party, there were 50 people in the yard and in the street.
Billie said that if this was ever passed that there would be strike regulations on them. Who would enforce the regulations?
Ben Johnson can tell you that the deputies can't enforce the regulations there's one regulation on the books now of no short-term rental and it took me one and a half years to get it enforced. This is a quality of life issue. The resident s --
how would you like it if the business, a small hotel was next to your house? My property value will go down and I'll have -- if I have a rental next to my house. Who's going to buy it?
Motels and hotels are for tourists, and neighborhoods are if residents. What about the family owned motels you'll be putting out of business? That's their livelihood. Your job is to represent the residents of the county. You should be making residents aware of this.
One out of 20 neighbors I told about this knew it. Nobody else even knew about what was going on. Residents -- this should be on a ballot and the residents should be voting for this. And any of you that own rental property in Volusia County should recuse themselves from saying anything this be. The current laws have been on the books for 20 years and why the rush to judgment? Why are these investors getting rich off of the quality of my life in you're voting on letting a whole industry take over our neighborhoods. Thank you for listening.
>> Thank you. Barbara? Follow by Douglas card.
>> Hi. I'm Barbara. 6200 south Atlantic avenue. Bethune. And I am here obviously since this is a private home, I am against changing your current ordinance and your language. Thank you for all of the information that you have provided because obviously, it's complicated, it's very complicated. And the due diligence that I compel the council to exercise to me is critical with this. You have mentioned that and your concern s are just right on. I do not want this to get down to an economic financial lucrative taxable income to the county.
Without recognizing the residents. The voters, the taxpayers, I know they're all paying taxes as well. And I am a new resident here. I quickly went over your thriving communities and your main objective was to engage an infrastructure and regulatory actions that protect and enhance the experience of residents and visitors. I do compel you to ask that question with every decision you make, to just ask, are we regulating actions that protect and enhance the experience for our residents?
This -- I did not realize you might be relinquishing your regulatory control, I think that has to be really strikely -- the due diligence there -- it's just pricely, you have to do it.
Your idea of checking where state control has come in, I think that please, follow that.
That committee, to find out the impact to relinquishing your control over to the state. I'm sure there's financial -- the code enforcement, I have read all of these e-mails, it bothers me that it has to be complaint driven and that is interpreted as harassment and targeting, I think there's something wrong in that logic. I also have heard of one e-mail like a victory --
actually from the president of the VRHA, like a victory with the rug by win with respect, well, obviously, many people have skin in the game here. And they're lobbying efforts and their deep pockets to be able to be more vocal than one private resident. I just hope that you don't get swayed by that, because they are getting a financial profit at our expense.
And they are not living within the county. This is their secondary and it's mainly a business investment. So please do your due diligence, thank you.
>> Thank you. Douglas card and then John rap hold.
>> Douglas card -- south Atlantic avenue, Bethune, councilwoman Heather, thank you for pointing out the illegal commerce that I think as council should need to address. In the hard, hard way. Because that is illegal on the interstate, so you may want to continue what that. I appreciate as a former council member myself the decision you guys have to make.
I ask you to do that with data that's current, 2007, respect to -- out of date data. We need to make sure we have current information. I'm not going to waste too much more of your time, but the big 100 pound gorilla in the room is the real estate industry. You have a lot of realist state agents, promoting rental income properties, supplement your purchase by renting, that's where your DOOEFL evil doer Es are doing, and the hotel industry, the hotels are in the basement as a result of COVID.
And so forth. So with that being said, I don't want to the waste too much more of your time. But due diligence, thank you.
>> Thank you. John? Are you here? And followed by Ricky Shrader?
Shrader?
>> Hello, I'm John, I live in Bethune Beach for -- for 18 years. And this has been a big problem in our area with the short-term rentals. And sir you just said something a little while ago that it's been legal, it's been illegal and most of them -- these people, they never knew it was 30 days or longer, they accepted it because they did not know what the ordinance was CH it's been 30 day for years and years, this lady that sat right here, that she's been doing it for 27er YOO years, she's been doing it 27 years illegal, and finally the people have stood up, you know, and they're fighting against this.
Because they didn't know, and they saider oh, code enforcement can't do this. This gentleman waited a year and a half to get it done. The same thing. These this house, these people just moved in three months ago, and every week, it's like this.
There's 12 cars here, this is a five-bedroom five bath with a swimming pool. This is like this every week. This is one by me. Right here. That Mr. Shrader lived, this is a five bedroom, five and a half bath, and with a six car garage.
You don't think that they can get all of these cars off there with a six car garage and a driveway? They can't, there's 20 people in this house, and I asked the sheriff here, you know, in if this was legal, there's an ordinance where you can't park on the road, the right-of-way, the right is the grass, most people's property goes to the telephone pole. But they choose to do this and you call the police, and they say, this is a code enforcement issue, it's not a code enforcement issue, this is a sheriff's issue, this is TRA, everywhere, people put the trash out of this house, they clean I at 10:00, but the trash gets picked up at 7:30 in the morning, this is number 14, time that I've called you. And they have to send a pickup truck to pick this trash up, or it will sit there for a week and that was where our rat problem that we were having was coming from.
And, you know, and Mr. Feller, Mr. Feller, when he opened with you last week, he said, to you, that he opened -- he grew up building duplexes in Seminole county. And he's only been if Volusia County where in Bethune Beach for two years, that's what he did with the two properties, his mothers and his girlfriend.
He says it's his wife, it's not his wife, it's his girlfriend, he said that he came in there, build the duplexes, we turned him in, he's got cars parking in the middle of the yard because he does not want to obstruct his driveway, from him coming out of there. Now, if you're going to let them do all of this, you know, and say that it's okay, because they're all coming in here saying that they have land rights. I want a 50 foot swimming pool in the front of my yard because I own that land.
And that's what I want. Is a 50 foot swimming pool in there.
And this moratorium, you need to stop it.
>> Thank you.
>> He has his duplex rented right now.
>> Ricky Shrader? And Melissa --
>> Can I have these put on the record, please?
>> Yes. You certainly may.
>> All right.
>> My name is Ricky Shrader, I'm and 66 years old. And I fell in love with Bethune beach in my mid 20s, I was a carpenter, I went down there and I didn't even look at the ocean and the river, there's no way, didn't enter PI mind, I ended up building a home across the street. I've lived there 28 years, I've become a builder.
All right, I've built down there for 34 years, I've built down there. And I've built homes. I love my community. It is a beautiful place. Beautiful place. It's like three foot football fields wide, the LENG of three football fields, two and a quarter miles long, and it's got a beautiful ocean on one side, river on the one side, with some of the best fishing you've ever seen in your life, it dead ends, I used to go to the beach, busy now, I stand in the middle of turner mountain road, I'm going to stand here until I see a car come, just to thank God how lucky I was. And when I seen what you all did, last Thursday, it made me sick to my stomach and my neighbors sick to my stomach, this is our home, none of you live there, our -- Mr. Robinens, you represent, no disrespect and in the 20 miles a way, this is our home. Where are you telling us how to live in our home? Why are you doing the? You know, I'm going to tell you ail a little something from the Bible.
Solomon, this is my conclusion, step by step, I came to this result after researching and every direction. One tenth of one percent of men I interviewed can be said to be wise but not one woman. I don't mean that to insult you, that's the word of God. That means that here, this probably not one person, maybe zero to one, that's the word of God, that's not me. Throw lemons at me later, that's the word of God. Why would God create me this way? I'm going to tell you something else here.
The greaters commandment, the most important one, is this.
Answered Jesus. Hero Israel, the Lord our God, the Lord is one, love the Lord, your God with all of your heart, soul, with all of WROUR mind, your strength, the second the s this.
Love your neighbor as you love yourself. There is no commandment greater than these, so if we cannot make a decision with wisdom, you realize that God made one out of 2000 people wise, and in this room, there's nobody here probably. There's not. So love your neighbor as you love yourself. Now, I quit gamble when I was a kid, because I got in big trouble. But you know what? I would bet every damn thing I own that every one of you, if you lived in Bethune Beach, we wouldn't even be having this. The people are sick. You know why I'm here?
You know why I'm here?
>> Thank you. Loretta Garcia.
>> If you do this, we either vote the people of Bethune Beach for our community.
>> Thank you.
>> Or we live. Yeah, thank you, why didn't you abide by the rules.
>> Loretta Garcia.
>> 13 seconds over, but.
>> Teddy.
>> Why are we doing this?
>> Thank you.
>> We shouldn't be doing this.
>> Good afternoon.
>> Sorry.
>> ( Inaudible ).
>> Good afternoon, I'm coming from Orlando. I probably -- my testimony is going to be the smallest one here. I'm going to tell you a little bit about myself. A PCT, in a hospital in the emergency department at night and on my days off, I work as a housekeeper for the short-term -- I can provide with my full time job for me and my kids. And we have got side jobs, helps me, I'm sorry I'm nervous, I'm not a public speaker.
>> You're doing fine.
>> I love my job. I love what I do. I take care of the sickness. And I love that job.
I continue with my education, in the meanwhile, I have to look for something else that provides for me and my family. And that housekeeper job, that the family gave me, gave me a bit of my night that I can go to bed and know that I'm going to have some extra income to provide for my family. I do believe that everybody can benefit from this.
In a healthy, beautiful, and prosperous way. That's all I have to say to you guys, thank you.
>> Thank you very much.
Melissa, is it -- is that close?
And then Steven Graham?
>> I guess it's still morning, good morning.
>> Good morning.
>> Thank you for letting me speak. So I live in -- I lived in Bethune Beach for 29 years.
And I moved there when I was pregnant and I had a two-year-old. And they had a little daycare next to the park.
They had a beautiful park down the street. It was a really small house but we thought that the neighborhood was wonderful.
They had a great elementary school with truly a family place, just a little neighborhood, even the places on the beach side, were mostly families that lived there year-round, they didn't rent out. And of course, there weren't as many buildings nor as many houses on the beach then.
And I lived there because of the neighborhood. And we had many Easter egg hunts in the park.
We always go to together on the weekends. And everything has gone along and then, of course, you know I've seen all of these changes that have happened. And really nervous, sorry.
>> you're doing fine.
>> And so, a few years ago, the people were starting to buy properties and then they were starting to rent them out. And it does change the flavor of the neighborhood. If you have a 30-day rental, they become part of your neighborhood. If you have a different person in a house every single day, renting, you don't know who they are. I just have a little waiting -- in front of my house, and I let me kids go out, you can't do that if you have a neighbor across the street renting AIRBNB every night for $40 a night. So they're going to undercut any other commercial property that is allowed in the area. Because why would somebody spend $180 if they could spend $40 for an apartment? Which they had downstairs. And when they moved in, they knew there was a 30-day limit. Yet, they continued to rent it out for $40 a night.
Every single night because you could see it on the AIRBNB site.
So we let it go for a long time.
And I will say I never had a problem. My kids are out of the house. If I had had a small kid, I might have had more of a problem. And then, we started talking about it, the neighbors and we said, you know, we should try to do something about this, this isn't legal. And then we were told, well, then you have to get proof. And you have to get like the rental agreement, or you have to get -- you have to show all of this stuff and we can't do one thing until you do that. So we worked hard to do that and it's hard because it's your neighbor. You don't want to -- you don't want to -- I didn't hate them. In fact I never had a problem but I didn't have small kids then. And it was really, really hard to do.
It took a lot of effort, all of those people working there, don't have time to do that. Nor do they have time to come to this meeting. Thank you for your time.
>> Thank you. Is Michelle MurrayMurray? Michael Murray, in the room? And then, Stephen Graham?
And Glenn Reider.
>> Michael Murray, live in Titusville but I'm in support of a family member who own a property in NUM New Smyrna Beach, it's been an education for me to sit and listen to the people speak their minds on these subjects today. It's obviously, there's a lot of strong feelings the local property owners are very concerned about quality of life issues. Though, I can't help feeling that those concerns are not necessarily involving the issue of short-term rentals.
But more issues of law enforcement. It seems to me that a little more vigorous enforcement of the law could a tremendouses -- address those concerns to good effect. The hospitality has made a case for unfair competition for -- from the short-term rentals. With individual ownership, I can only say that these are changing times, it's a changing economy.
Much as we've seen improvements in community communication from the Internet change other industries, the hospitality industry is going to have to under go some changes as well.
I do think that the grandfathering of the ordinance that counters the state's positionposition, imposes an enforcement burden upon the county. Looking at the number of complaints that had to be addressed, I'm wondering just how much it costs to enforce the short-term rental rental component of this ordinance and those -- that enforcement issue could go away completely if the ordinance were done away with. Finally, all of the issues could be dealt with once and for all, I think, with more vigorous law enforcement and this ordinance, if rescinded, would go away forever and wouldn't have to address it again. Thank you.
>> Thank you. Steven Graham.
Glenn Reider. Sheryl west.
>> Well, think think that the county attorney took some of my thunder away. My name is Stephen Graham, and my wife and I own a home on England -- I'm sorry, I'm dry. My mouth is dry. We own a home on Ingram road. And we built a home in the Bethune beach because it was a single family residential community. And we're opposed against any changes to the R9 single family residential code, it's OU understanding that the code was adopt as a compromise to permit rental businesses from a minimum of 30 day, make no mistake, vacation rentals are a business. When reading the ordinance, the proposed ordinance, I noticed that it states for the purposes of this definition the term hotel-motel does not include single family manufacture, modular, mobile, two-family, town homes or multifamily dwellings offered for rent in residential zoning classificationclassifications, this statement appears to be in conflict with the intent of Florida law. On the proposed ordinance, a single family residence coded R9 own by an individual or a corporation for the sole purpose of renting short-term rental for profit still be considered a singment family residence? It's a business. A business. Defines public lodging establishment as transit public lodging establishments and no transit public establishments in nonpublic establishments vacation rentals are trance YENLT -- trance YENLT. What the state considers to be a public lodging establishment. Is it possible the rush to change the residential code is to avoid being blocked into an ordinance after the state assumes control of a short-term rental? During the upcoming season. And yesterday's newspaper, 1,000 people sign a petition in order to change to less than 30 days.
Obviously, this was online petition. And any person on the Internet can sign that petition.
Can you be sure that those signing that petition were from Volusia County? Florida? If United States? We don't know.
It's an online petition. It doesn't really carry in weight, does it? If the council wants to be fair, they will allow the communities like Bethune Beach to vote on what they want for that are community. Thank you for your time.
>> Thank you, Steven. Glenn Reider?
>> Good afternoon, chairman and council, I appreciate that many of you have an open mind. And very thoughtful about all of this. My name is Glenn Reider and I live in Bethune Beach, during my ten years here, my wife and I have had problems with short-term rentals and no pronging with long-term renters, some here, insist there's no differencedifference, in my experience, a group of teenagers or a group of loud bikers, they're not going to rent for a month, they're welcome to stay in our hotels, but not in our neighborhoods.
And I have three reasons.
Safety. I know who my long-term neighbors are. And I trust them. But short-term rentals are strangers constantly moving in and out, I I don't know if I can trust them, in an emergency.
Or with my grandchildren.
Short-term renters in my neighborhood have been loud and disruptive, when my wife and I were shopping for a home about ten year ago, ( Inaudible ) we chose Bethune because it was quiet and peaceful. But short-term RERNS have disturbed us after midnight with loud music, fireworks, motorcycles circling the intersection near our home. And too many cars parked illegally, short-term renters dug a six-foot hole in the sand by the public walk over, to the beach near our home. Left it overnight, disregarding the danger that the children and adults, hotels at least hire security to guard against this kind of disruptive behavior, AIRBNB, not so much.
The garbage they create often types goes uncorrected, when I take a wake at night, I see rats scurrying about. This issue a conflict between business interests and the individual home owners. And this is difficult, but I -- you're going to have to decide, either with the business interest or with the interests of families. In our neighborhoods. Thank you.
>> Thank you. Did you want to interject something?
>> No, it's okay.
[ LAUGHTER ]
>> Okay. Glenn Reider? Follow by James Stuart is Glenn, it says that he's here. Yes. Is Glenn here? Okay. Sheryl west.
And then James Stuart. Sorry, there's 100 of these.
.
>> Hi. I thought I was a wise woman because someone told me there was free pizza here, but no.
(Laughing) I know you've heard the pros and cons of short-term rental, allowing short-term rental.
Live in Ormond beach. We reresearched the area, we wanted a quiet neighborhood, we vacationed at Myrtle beach and those places, that are all short-term rentals and there's a different atmosphere there. And there's a different sense, even as a renter myself, you go, a week off, you're going to party, you follow the rules and your plight but a lot of people don't follow the rules. I happen to have the short-term rental right across the street on capri. It was the one that was written up in the newspaper where there were a multitude of grown men with motorcycles during motorcycle week. There were more motorcycles than they could fit in their double garage. And the same complaints that everybody says. They were revving their engines at 2:00 and 3:00 or 4:00 in the morning, first night, okay, they'll settle down. But they didn't.
And I know that the police came out. Nothing changed. But I'm thinking, here I own a lot on that street. And if I build, there will be a rental house in front of me, a rent out house on the side of me, but not all the time but it is a dangerous situation. When I think of bringing my grandchildren in.
Many things are run by greed, and everybody wants the money.
And sure, Volusia County would be better off if they could collect more money. But I think that making this decision, if you can make it with your heart, and know that many of us are residents in this area, we want to be safe, we pick this area because it was a safe community.
And now, we're running across problems that people are disrespectful, don't like our community, don't care about the community, and it makes it tough. I would like to have any of you come over to my house when there's a party there and see what it's like. And if you're real good, I'll give you pizza. Thank you very much.
>> Thank you, James Stuart and then Randall green.
>> I had a bunch of points --
James Stuart from Bethune Beach, and I live here. So first, I want to discount a couple of testimonieses, the gentleman that was too busy to stay from the federal government, the Government deficit right now is $23.3 trillion. So I'd be he has tan -- hesitant to take any advice from someone who runs their business like that. The hotel industry, there's 18,000 hotels, but they employ 55,000 people, so that's about a 3 to one, for every single hotel room, they have, that's an inefficient business, 100 person hotel would have 300 employees.
And as we heard from the housekeeping lady here, that was a great speech, but those are --
those jobs are minimum wage jobs for the most part. And the hotel industry is here to pitch, but they have a dog in the fight. And that dog is not in the best interest of Volusia County. Or New Smyrna Beach or Bethune Beach because the last time I check, Marriott is headquartered in Bethesda, Maryland. And those dollars aren't stay local and the jobs are not that hotel vacation rentments don't provide jobs.
Last time I checked, I've had to do three AC units in the ten years that I've owned the home here, and have a housekeeper that comes to my house, and it's the same upkeep and probably more than anyone else. So the issue here is not whether or not short-term rentals are good for the area, the issues here are being a good neighbor. So noise aware software allows people to monitor their home, from 1,000 miles away, or from ten miles away. The same thing with ring doorbell cameras, you can monitor your front yard and you can monitor how many people are in the house, and as, you know, AIRBNB fighting tooth and nail over the party issue, homeowner don't want it, residents don't want it, nobody wants their house to get trashed and nobody wants to be a bad neighbor. The last thing I'll say is, unless someone RW T zoning allows for bed and breakfast, and a short-term rental has a lot more in common with a BNB than it does with a hotel and motel, how we have gone down that road is beyond me. So what's the difference in a hotel or a bed and breakfast and a short-term rental? Well, the BNB supposedly has one-on-one staff, but people who own B & Bs in Volusia County aren't all residents, they don't all live in the B & B, but what they can do is monitor, and so as you guys fill this committee, get the monitoring software in place and make sure there's the ability to enforce the contract of short-term rentals that limits the number of people and the good neighbor policy, no noise, no trash, those kind of things, that'ses -- thanks for your time.
>> Thank you. Randall green?
And Amanda hail.
>> I'm Randall green, I have a home at 7013 south Atlantic avenue in Bethune Beach.
Bethune Beach was designed for a residential area, the houses, many of them are on 50-foot lots, frontages, 50 foot. And so you're right adjacent to --
pretty close proximity to your neighbor. So it makes it very intrusive the you -- if that house next to you is being used a as a party house or a short-term rental. And also, the streets were designed for residential area, there is --
there is no shoulder on the road. It's just a road with, you know, going north and south, and there's no parking and the only parking is in the driveways. SXLT because of lots are so small, there's maybe 20-30 feet from the street to the garage door, which when only allows, you know, one or two cars in the driveway, plus, whatever is in the garage.
There's inadequate parking, which is a major problem with the short-term rentals and as I mentioned about the houses being together. And it's just not designed for a commercial area.
A commercial type business.
Because there's no way, just --
to come with short-term rentals, the inherent problems, there's really no fix for them. Because like the excess noise at night, the people coming, you know, late at night, leaving early in the morning, and the inadequate parking, the trash that's discarded. The late night parties, there's nobody you can call, there's not like a front desk that you can call and not like they have security and the they have the sanitation workers like the commercial properties do. And also, there's -- if there is no short-term rentals in Bethune Beach, we wouldn't lose any tax money or anything like that. Because these people would be checking into hotels.
There's no shortage of hotel rooms in the area. So I guess I'm asking is to enforce the current laws and which is a 30-day minimum. And, you know, you talked about, you know, compromise, well, if you ask most of the homeowners there, a year lease and 30 days. And I think that the -- when we talk about compromise, the people who have short-term rentals, they are thinking from one day to 30 days, compromise somewhere within that area. So that's one other thing. And the other thing is changing the law because so many people are violating the law, would be like changing the speed limits to 80 miles per hour on the expressway so we wouldn't have to write so many traffic tickets. And I guess what I'm asking is just to enforce the existing law, which is 30 days.
>> Thank you.
>> If I had it my way, it would be a year, but I bought the house and 30 days and it's 30 days, that's what it is.
>> Thank you, Amanda hale.
>> Thank you very much for your time.
>> Thank you.
>> Amanda hale, followed by John MankuzalMankuzal.
>> Thank you for the opportunity -- sorry, thank you for the opportunity to be heard. I'm Amanda hale and I live at Ormond by the sea, I have been in another state a landlord, and I'm currently a resident of Ormond beach so I EL FOO I have a little understanding of both sides. But most important thing that I think is running through a lot of these comments, but not really standing out, is the fact that residential zoning does not include motel or transient housing and when you go to shorter and shorter periods, you are putting transient housing in residential neighborhoods. To have their homes, families and -- I'm sorry, I lost my voice.
I'm calmer than I seem. Sorry.
To live in residential neighborhoods for all of the quality of life reasons that other speakers have addressed.
Another point I'd like to bring out, there was a speaking of compromise and ways to bring thing together, let me point out that the current laws and the current -- and the -- I think it's 1988 and 2004, those changes went through this process, compromise was sought.
The compromise has been made.
Between the six month or more rentals and down to 30 days, compromise has already happened and now they're seeking to totally undo it and bring --
it's a fact of changing to residential housing, to residential areas to be commercial -- have commercial interests. What I almost have to call a single house motel.
That's what you put, that's what you're allowing in the residential areas. The home next to me is rented. It's a rental. They're obeying the laws, if hi to pick somebody to have a neighbor, she does her due diligence, she informs and me and communicates and employees someone to -- it's her -- well, it's her -- a family member. To take care of things.
But even so, things slip through cracks and that's for 30 day rentals. If it's one year, a 30-day rental, if you shorten the frequency of those, the number of incidents increase, it's just the numbers. Nobody can be a perfect monitor.
Systems that can be installed in homes can also be overcome. And the microphones, there's a pillow, whatever. Things happen. People do it. And you still have the issue of out of state owners, and are not like the hotel situation. People have not yet been heard from.
Most of us only knew about this ten days ago, we're not organize, we didn't come with shirts and prepared. So thank you for listening to me, and please continue to hear the public. Thank you.
>> John Mankuso and Rob deJOER does FOT mean foyer? Is John here? Very good. And then Rob.
And then Michelle Buchanan.
>> Good afternoon. I'm John Mankuso, I've been a homeowner in New Smyrna Beach for 13 years, full-time for about three now. And I can see that a lot of people are very passionate about bad renters and should be and I know everybody has got a horror story about that which I think everybody on every side of this would be sympathetic to.
But I work in an industry and I'm a business owner in an industry where I've seen bad behavior inspire legislative efforts that have been completely misguided, thrown a blanket over the whole industry rather than either enforcing existing guidelines or just well intended but not successful attempts. And I believe that's kind of what we're looking at with limiting short-term rentals, I don't think whatted bad behavior is necessary, I'm sure there's some correlation but I don't think that it's a direct correlation between duration of time and bad behavior. For example, the hypothetical animal house fraternity, can just as easily rent a place for 30 days as one.
So I just want to encourage everybody to consider any kind of oversight that more directly addressing the issues that really has rather than getting passionate about problems that they have and push ittingting -- pub pushing it towards a guideline that might not address it.
>> Thank you. Michelle, are you here? Okay, what's the name?
Yep. Who's next then Michelle Buchanan, I believe it is. And John Kendall.
>> All right, how are we doing, my no, ma'am is -- name is Rob, and I own a single family home in Bethune and we own it as a second home. In May of 2020, we found it. Our Bethune second home was a perfect place for us to spend beach weekends, host our family and friends and perhaps some day if we choose, share our home with others.
Looking for a beach get away.
We don't currently rent it short-term but we want the right to, the home was in a state of disrepair, had nothing more than some routine maintenance, work completed in the last 30 years, we invested thousands of dollars in the home, sweat equity, into the beach home to bring it up to modern times. And the reality is that there's just not enough people who can afford to live in a beach town and work full time.
Many of the owners in Bethune, like us, work full time jobs, and need to be in a bigger city throughout the week, and the law to allow less than 30 day rentals in my opinion, is out of touch with modern times. Just like taxis were before Uber.
And this could hold Volusia County back from neighboring counties that do, you know, bring up to modern times. So I ask, please modernize the code and allow more young professionals like me and my wife, to be able to afford vacation homes, and invest our hard earned money in Volusia County, thank you.
>> Thank you. Michelle? And then John Kendall.
>> Yes, my name is Michelle buck and I'm here to speak on behalf of the community of barrier island and Ormond by the sea.
And why is it that every --
excuse me. We're a family oriented community that have children and grand children, you're putting these children at risk if you turn our neighborhoods into transient communitieses by allowing short-term rentals to pop up, how would you personally feel if you had a home in a neighborhood, and 20% of the homes in your community were now short-term rentals? Take a moment and look at the second success of Margaritaville in FROUR own neighborhood, 6600 home, they don't allow short-term rentals. Why?
Because they know that people that move in a community want just the community, not a revolving weekly or monthly set of strangers, crammed into in motels that are in house or condos next to them. The people in the vacation rental home alliance strategically buy properties in desired vacation areas and turn them to rentals, they are working with BRBO and AIRBNB, they make a living doing this and they don't care about the neighbors, and they buy the property, and in the end, the neighbors deal with their tenants and the safety and security issues that arise from their tenants, WOOUL be taking away the neighborhoods of many of your Volusia County resident who have happy moved into these neighborhoods many years ago because we wanted to live in a community and not a transient neighborhoods as our council how would any of you feel if this was personally happening to you and you had no power to stop it?
Tell the vacation rental home alliance and the short-term rental industrial and NAR lobbyist that we say no. Thank
you.
>> Thank you. John Kendall?
Mark Colton?
>> Hello, I'm John Kendall, thank you for the opportunity to speak today. My wife Kathi and I follow the rules, in just about everybody. We try to be a 100 percent, she sees to it.
And we chose to not buy ocean front in Bethune, we love the area, we were long-term renters for six or seven year, it took that long to find a home in the tight market, there's plenty of buyers and plenty of money out there for everybody. But we bought a one house back from the beach with a view. And we chose not to rent it, instead of buying a more expensive home, and breaking the law. I you would encourage you to look at the far reaching effects that are involved here that some may have not brought forth. So I'll get into those. One of which is we're spending 50-100,000, let's say, for a home. At lease our home. To convert it from a former rental and make it up to standard. Of a home. And you'll see a lot of that. This mythiccal spotless short-term rental rental that you hear about, mostly doesn't exist. I have ventured to say 70%, if you were to convert to a full time buyer, someone who lives there, like us, you're going to see more money coming in. Let's say it's 100,000, let's take 1,000 homes, that's a hundred million dollars in tax revenue right there, think about that. Just one little thing. I'm retired, business consultant, in a storm while was a chairman of the stormwater board formerly, and I'm a Florida shore bird alliance, and shore bird volunteer, and I don't know if you've seen this, or people have heard of it, we take for granted our resources, one of the reasons we came to Volusia, we love the parks and the beaches, and we love the commitment to people who support those. Staff that you have. This is a willens -- it used to nest in Bethune Beach. And it was there, we had 8 or 10 pairs, three or four years ago nesting in the upper beach, they're gone. They left two years ago.
That's about the time when the short-term rentals and AIRBNB model took over the neighborhood. Something else overlook, there won't be a marine science center anymore if you lose these things, just one, but there's a lot of animals like that and thins that we take for granted. Education is great. The residents know the birds are there. They take care of them. And they don't go near where they are. They're very easily disturbed. People who are short-term rentals will not.
It will be impossible to stop them and they love to go to the upper beach and disturb them, that's why they're gone. Some more things to look at -- we have 1500 signatures in our petition. The others are just a list of e-mails, we don't know who they are, these are people, we had 100% compliance in our neighborhood. We had a -- we walked the streets.
>> Thank you.
>> And everybody signed. A 100% of the people we asked signed our petition against STRs.
>> Thank you, mark Holton. And we're almost to the end of at least of this stack. And then, Brock Neil, following Marc.
>> Members of council, thank you for your time, I live in Ormond by the sea. And I'm a retired U.S. Air Force colonel and a local attorney. When I moved here at Ormond beach, two years ago, retiring from the military, I was very sympathetic to overturning this ban. I thought it was a little bit too restrictive. And I actually talk about maybe representing some folks pro bono to get it overturned. It didn't take long for me to realize how wrong I was. I have two homes directly in front of me, one is owned by a family from New York. And another is owned by a family from Atlanta. The Atlanta home, two months after I closed on my home, rented that home out to so many motorcycles that they couldn't pack them all in the garage, they started parking them in the front lawn and in the foyer to their home. They would line up down the street at 11:00 at night, blasting music as loud and car stereo, on motorcycles, all the way down the street, out on the A1A and stop traffic illegally and take their time, 15-20 minutes, they got everyone organized and pull out and come back at 4:00 in the morning, same show. There's one -- Volusia County sheriff's deputy, for the entire area. On duty. That's it. If they're busy on another call, there isn't anybody coming and when they do come, I'm a former prosecute, to I know what they're talk about it, I DN see it, I can't do anything about it. I had video evidence of it.
That video made it to the newspaper. The new neighbors across the road from me bought the -- the New Yorker, they don't though there were no short-term rentals, 30 college kids. 30. I've had folks proposition my teenage daughter on my front lawn. I've had so much trash out there that the birds land on the trash and fly up and get on my roof with it.
Bring the trash on top of my roof to eat it. Same thing with my neighbor. So they're party houses and, you know, folks that say, o, you know, yeah, we have one neighbor who does short-term rentals and I've never called about them, I think they're doing probably the monthly thing, they're in compliance, but we never have an issue because they're good renters, but the folks who are out of state, that buy these vacation homes, they don't care who rents them. And it's been a nightmare in our neighborhood.
What I will tell you is, you know, as I've told my other neighbor, these folks vote.
These retirees are really upset and I'm happy to represent them.
I'm happy to serve on any commission you want, I'll donate my time, but I'm also going to organization nice them because they vote. And these folks who own the short-term rentals are not, they are not residents here, pay attention to that, because people are really, really suffering quality of life, and the other thing I'll tell you is, as enforcement, dealt with these matters and these homes, all the short-term rental crazy stuff stopped.
There's been rentals, but they're in compliance. Thank you for your time.
>> Thank you. Brock Neil?
Followed by David from Daytona Beach. With a V.
>> Good morning. County council, county staff, I appreciate the opportunity to speak to you guys once again.
And I'm a homeowner in Bethune Beach and also Daytona Beach.
We were overseas for ten years, you guys know my my story, I'm not going to repeat it, we move back and bought our home and we did our dual dew diligence and buying that home. And currently, that home was in a rental program with a big property management company in Bethune Beach. We asked a Realtor if we could rent our home, and they said it was allowed. And then, all of a sudden, we're not allowed. I appreciate your comments earlier representative Post, about the fact that we're paying taxes.
Taxes are being collected from us. I'm licensed by the state of Florida to have a rental home and the how is it illegal?
Bethune Beach has been representing home, specifically for almost 40 years, 40-plus years, actually, is it a dump now? Have property values decreased? As been charged.
The answer to both of these is an unequivocal no. There's absolutely no evidence that vacation rentals are a detriment to any commune for that matter.
-- community for that matter, just the contrary. Some of the nicest communities I've seen have had vacation rentals, I've used them myself. And every one has a vested interest here.
None of us want our homes trashed. We are for rules, we self-police our own self. We also have property rights, Mr. Robins, that you have voiced that you were for. Responsible property rights. We don't want parties in our homes. We don't want 15,000 cars. There are rules that we have towards that.
Mostly arguments against vacation rentals are focused around issues that are TRABTed to day trippers from surrounding areas, not renter, I have lived in Bethune Beach and three rental properties around my property, and I've never had any issues. We enjoy welcoming people to our beautiful beaches, and we can come to a solution if we have constructive love your neighbor as yourself conversations.
We all want the same things, the peaceful place to enjoy for generations that is clean and beautiful. Does this mean that we cut off everyone from the national parks, our beautiful beaches? How about enjoying sunrises or sun sets? On the decks of homes that otherwise people would not be able to take advantage of? This would be incredibly selfish of us all, please do the right thing, help us keep our homes. Help us survive and keep our dreams alive and Volusia County thrive into the future, thank you.
>> Thank you. David -- looks like Vulo --
>> ( Inaudible ).
>> Okay. It does. I'm sorry.
And then followed by Kimberly baits and that's what I have in my list, Carissa?
>> I know you're only allowed three minutes, I hope to be even shorter than that. I'm encouraged by the sheriff's recommendations here. That you all take a look at this. And spend some time studying it, because it is a hugely important issue. And to be honest, the only thing I've heard today that is surprising to me, I don't mean to sound like that one in 2000 wise guy, but is what it is, is when the Chair mentions, this book is full of --
chock-full of interest on both sides and everybody Auth to take into consideration. And I'm all for that, now, I'm a lifelong resident of Daytona Beach, I'm against changing the short-term rental policy, but at the same time, I pride myself on trying to keep an open mind and hearing both sides. And if somebody wants to say to me, circumstances are such, that perhaps you should consider y doing something a little bit different to accommodate or appease your fellow residents because times are hard, I'll at least hear it out and try to understand it. I don't know that I'll be persuaded by it but I would at least pride myself in being able to say, the next time I'm at happy hour with my buddies arguing over politics, that for whatever it was worth, I heard it out, heard what they say. These were the pros and cons. Like I mentioned, I'm a lifelong resident. The changing or altering of the short-term rental prohibition, if you will, and I wrote these words down, to me, represents the extermination of single family residential districts. What it means is that anybody can rent a house anywhere, and if you have this notion of living in a residential neighborhood, that will no longer exist. And let me tell you something. I'm a wise man by the name of bud, asher, 25 years ago asked me to be on the code enforcement board of the City of Daytona Beach and crazy enough to ask me to be the special magistrate. I need to be real quick to tell you, I have no authority to speak on behalf of Daytona Beach and nothing I can say or should be used against them. What I do see, day in and DA I out, and I'm app PI to see -- happy to sigh it is over on the Daytona Beach side, there's a renaissance coming about. And what is that renaissance?
People are taking pride in their homes, they're resurrecting these old Spanish-style homes and absolutely magnificent and inevitably what they're having to do is deal with a problem property, the problem properties all have the same situation you're dealing with here.
Multiple people in a single family home. And all I'm here to tell you is that over the years, Daytona Beach for one reason or another, has allowed this stuff to pile up, now, they want the single family neighborhoods back and they're having a hell of a time getting them. So think long and hard before you tamper with what your predecessors put in place, but having said that, I'll be happy to hear what you found out and anxious to see what the alternatives are. Thank you.
>> Thank you. And then we have Kimberly baits and I'm just letting everyone in the audience, everyone downstairs and in the council know, they won't like this, but maybe because we've been sitting a while, but this is, you know, we ran for this to listen to you, our constituents, we're going to continue in until 12:55 and adjourn for lunch. We have a working lunch across the street which we are required to do by law. And we will come back and anybody that I haven't gotten to, we'll pick up from there, we'll be able to speak.
Kimberly?
>> My name is Kimberly baits, thanks for letting me talk, I'm really nervous. I saw -- I'm one of those people that watch HGTV I run a for sale company, showing the Ormond beach area, I am a graduate of the Ringling --
I heard it was dirty and gross and I had never come in way. We came down, because we saw this show, we loved the area. We bought multiple homes in the areaing I call the Volusia, they told me it was a complaint-based ordinance and as long as I complied with the rules and regulations that kept nice rental laws, I would be fine to rent my homes. I have spent multiple hundred of thousands of dollars buying these homes, I've repaired two of the houses were in absolute TIS array, the worst, the absolutely worst houses on the street. And the worst, and I'm proud to say they are now one of the nicest property on the street. My renters have thanked me.
Yesterday, I spent two hours with the renters that are at one of my houses now for three months, they have been picking up at this assisted living center for the three months they're here, every week, people that are not able to see their families because they can't travel or whatnot, getting them outside of the home, they're just being kind. They Donnell know -- don't know these people.
We talked about how much we loved it. They are people that return, and we do visit these restaurants and we visit these establishments. And we do cater to the people if the area and we try our very, very hardest to be good neighbors. And I do not allow people to party at my house. The people that are partying at my house are families that want too make memories on the beach, that want to do it in a private setting, not a hotel room. They want to make their own dinners sometimes and sometimes they just want to swim in the pool. And these are families, if I rented my house to people that did not take care of it, I would lose my -- I wouldn't -- I care about my house, I'm very proud of the homes I have here in this area, I currently have three right now. And that I don't have a neighbor that dislikes me. I don't have a neighbor that does not enjoy some of my guests, they love having people switch, I don't believe they do,s but I'm so respectful of them and who I rent, I turn down more people than a prove for these homes and I'm diligent and careful about who stays them in.
We take pride in our homes. And we take pride in getting to know the people in our neighbors, and we are not -- I've never had a complaint-based against my property. No one has ever had the legitimate claim saying that we were doing something that we should not are been. I appreciate your guys' time and consideration, thank you.
>> Thank you. Maria Ruiz Hayes and Rick Walker? Elizabeth Sullivan? Is Maria here? Oh.
Don't be nervous, speaking in public is America's number one most feared thing.
[ LAUGHTER ]
>> Isn't it? Hi. Thank you very much for the opportunity to speak to you today. I know someone was kind of talking about anecdotal. But that's what I've got. So our story is a full circle story. We have own our home in Bethune Beach for about six years. But we actually found our house while we were on a long Labor Day weekend staying in an AIRBNB, and we fell in love with the neighborhood. And we were walking and found a house that was up for sale, and we had talked about having a second home. But that place just nailed it for us. That short-term rental that became an unexpected home purchase for us, brought business to New Smyrna Beach and to Volusia County.
And immediately, of course, it brought money to the Realtor, that sold us the home. And the homeowner that we bought it from who turn around and bought another home right in New Smyrna Beach and stayed in the county.
And it also brought home money to this county. Because immediately, as we moved in, our taxes were $7,900, which was over three times when the person was paying that we bought the home from. And in addition to paying that, every year, we paid the tourist development tax.
And we also pay the Florida Department of Revenue tax when we have short-term renters. The paying automatically through AIRBNB, nobody is able to track where it's from, prior to that, that started a couple of years ago, I can't remember, but prior to that, all of us paid directly to this county. We signed up online. You know our address.
And we paid you directly. So you've been taking our money for years. And that money is absolutely tied to our address.
So I would direct you to look at that. Because that money has been collected. Knowing that you're collecting it from an area that apparently now isn't legal. And someone said it never has been, but the fact to you took the money, we thought it was. And the fact that we were staying in the AIRBNB in the neighborhood when WI bought this place, we thought it was.
So all told, it's 12.5%, 6% here, 6.5% to the state. Once we closed on that house, we set about really fixing it up because the person who had it, it was an okay house but it had bare maintenance. For a period of time. We spent $119,000 bringing this house up to where it is today. And the first $37,000, we paid to Ricky Shrader to new Smyrna construction. And Ricky Shrader did a fine job, rebuilding our entire deck upstairs, and putting in new posts and putting in a brand new back porch on our home, which is absolutely beautiful.
>> Thank you.
>> We even turned around and spent $10,000 -- I'm sorry.
Thank you.
>> Thank you very much. You did a great job. Rick Walker?
Elizabeth Sullivan? Bob Davis?
>> Good afternoon. I'm Rick Walker. Bethune Beach. We have been -- my wife and I started with me, born in South Florida, grew up down there, lot of time in the keys. My dad was retired as a chief of Miami-Dade fire department. And followed him into that business and spent 32 years doing that. My son, who's now a paramedic, City of Orlando, kept talking up New Smyrna Beach. My wife and I have been looking over in bell Melbourne, Melbourne beach for 20 year, came here once, oh, wow, this is it. With guarantees that I would be able to short-term rent my place, spent a lot of my retirement money on a well maintained house, another $15,000 to get it ready for short-term rental.
And everything is going great.
System is going to work, I'm going to retire in a year and move in here, got an inlaw suite that I could, you know, put on AIRBNB or rent out, you know, to friends and families and things like that. Then got a notice that I was illegal. I don't understand this. So I did everything I could. To make it legal. Lucky enough to find somebody to rent it, past the six months, which means, hey, you guys get none of that money, that was the rules I was following. We bought this place with that inlaw suite, able to afford it in retirement and bring in enough money to pay taxes and things like that.
Still love New Smyrna Beach.
Want to retire here. You know, after I left the fire department, I've been teaching the next generation of paramedics and the EMTs to come up. My wife has been a schoolteacher for 20-plus years.
And we would like to bring all of that over here and just add to the community. So thank you for your time.
>> Thank you. Elizabeth Sullivan? And then Mr. Davis.
>> Hi. How are you? My name is Elizabeth Sullivan and I have a home in Bethune Beach and I really don't like my circumstances to define who I am but it's important when I'm trying to move forward and then I get stopped cold, which was what happened. When I was renting my place. My husband's family built the house there in the 80s. People passed awayment we ended up with the house. My husband and I were in an accident and he was killed. And I was in the hospital for a month. Right after hurricane Matthew. And with not very good home owners insurance. So I came home in the last four years, that's what I've been doing is putting my house back together. And I took his arts studio and his music studio and our office, we were appraisers, also a teacher, and I turned it into an AIRBNB. And it helped me tremendously. To be able to put the house back together, and stay in my home. With my dog.
And, you know, people are either for or it or against it. But I think that it's really important that we find some kind of compromise and have some regulation, we couldn't regulate something that wasn't legal.
Really. Yes, the taxes were paid on it towards the tourism tax, homestead taxes removed from a portion of my house, I'm doing everything I was supposed to do, and I'd love to be able to continue. But people don't like change. And I mean, we live in a place where turtle mound was -- is, that was the Indians. Look at it now.
You know, Mary Mccloud Bethune started the beach for African-Americans that were not allowed anywhere else because of their color of their skin. And that's changed, too. So things change. And I just hope that you'll really look at this and, you know, try to find harmony for both sides. I also applied for bed and breakfast license this staff was really helpful and I was voted to go for it the first time. And I gave up every amendment that my people wanted in my community and asked for.
But still wasn't good enough and before the second meeting, I just felt very intimidated and bullied, frankly, and the reason I'm here today is because there's more support, it's not just about me. So I just wish we could find harmony and everybody could find a way to make this work. Thank you.
>> Thank you. Bob Davis? And then we'll have time for maybe one more before lunch. Pete Vega.
>> Bob Davis, 2209 south Atlantic avenue Daytona Beach, and first of all, let me commend you all for putting in the time that you're going to put in today. This a very difficult topic. And I appreciate all you do, not only on this topic but what you do for Volusia County.
And let me be clear, and let me state as it is. I run the lodging and hospitality association of Volusia County.
250 members who employ 55,000 people, not like the gentleman said and called it a lie. This is state figure, not my figures.
And I will leave one for each and every one of you at the front desk. 10.2 million visitor a year ago, which will probably be half of that today.
If you ask me how many people reemploy today, I would say a third to a half less. We are not against air B -- AIRBNBs, vacation rentals, they're a good thing in the regulatory zone.
When they go to a residential area where you have worked with your wife and built your home and paid your taxes for 20 years, it's not fair. There's a gentleman in this room, Mr. Gallon, his wife runs Perry's ocean edge, and they live one block off Perry's towards peninsula, they've had four air B in Bs there, they can't eat, they can't sleep, they can't do anything, trash, beer, pools, your principle add palm terrace, tucker Harris who took schools and them a school and moved to Daytona Beach called me four month partly sunnying a, said, Bob, we can't sleep. The neighbors are driving us insane. So you're hearing all of these stories.
And but do they come under fire extinguishers? The federal Government? What they -- ask for hotels? How about the employees that we're not employing right now, that are on furlough? Have you looked at them? Have you understood that if you break the law, with OSHA, it's a 10,000ed fine on having a chemical on a cart? They don't employ the people that we employ, they don't do things and let's talk about the development. One of the hotels that we just listed in the paper, 50 years, is for sale.
Small little hotel next to the Hawaiian inn is for sale, they have to bail out. We're not getting what we used to get.
And the people that sign that petition were not from Daytona Beach. And the gentleman that stood up here who I invited, just invested $18 million in what he's going to put in the Daytona MRA plaza and you're invited March 19th to the the plaza, we're refurbishing and redoing sea breeze boulevard, there's a lot more to be said but Ben, you nailed it, and let me just answer your question.
Okay, if I may. Many years ago, many counties and states sued the AIRBNBs, and we were different communities, different attorneys, and different commissioners. And we were very, very, very late in letting them get away with it. So therefore, this county eventually turned around and sued our AIRBNB, and only one.
>> Thank you.
>> And that's how we got money from AIRBNB, it's not that we were illegal and then we collected --
>> Thank you, Mr. Davis.
>> so that answers your question, we were last on the list in all of the --
>> Thank you.
>> I wanted to explain the law --
>> And Pete Vega, and you'll be our last one, then we'll have to take a break, one hour break for lunch. Pete Vega.
>> Last but not least here.
Good afternoon, I'd like to take my three minutes, not addressing the commissioners but actually addressing the opposition for a short-term rental. We really haven't had a chance to communicate directly which my opinion would eliminate a lot of our issues. We have a lot of in common and I believe there's a lot of common ground. We can all agree we do not want our neighborhoods to have traffic, trash, noise, that you solely blame on vacationers. We can also agree that we want to enjoy our properties and get along with our neighbors and be good to our neighbors, recently, we discovered a man in our area, that I have never met. He lives a half a mile away and walks down to our house and monitors and photographs the cars in our driveway, if the cars he doesn't recognize, he files multiple CLANLTs with county enforcement taking up -- valuable resources, I DOINT understand. Let me share with you for a moment how it is with my immediate neighbors in Bethune Beach. My family and our friends come to the beach as often as we can.
We rent out our home when we're not able to use it, I know our neighbors, they know I us, they know how to reach us if therest an issue at our property, if five years, not one police call.
Not one complaint by our neighbors. And if one of our visitors were ever disrespectful to our neighborhood, they would be removed immediately. We get along with each other. We wave, we say hi, when we see each other. We look out for each other. One of my neighbors has a large family and often has more cars than his driveway will hold, he can park if in our driveway, and he often does for his overflow of cars, we have another neighbor that loves my guacamole, so I make extra and sen it over to him. We don't file a compliant with our county, we walk over and roll it in our neighbor, we're decent to each other and it's nice. We enjoy knowing our neighbors, we had a neighbor stop by recently with a bottle of wine, he went to the same high school as my wife in Titusville. I'm asking you to be decent. Be tolerant, be kind. Communication solves a loft of these problems. So ask yourself, instead of filing a complaint against your neighbor, walk over with a smile, and say, hello, and let them know if you have a concern. Ask for their contact information and let them know you want too be a good neighbor. People want to be good neighbors and people want to have good neighbors. I hope you will take my advice and consider how nice it is to get along with your neighbors, you'll be pleasantly surprised when one of your neighbors wheels in your garbage can or shows up with a bottle of wine or sends over fresh guacamole.
>> Thank you.
>> Thank you, and with that, we will adjourn for lunch. Until 1:00 -- actually, 2:05. Good grief. And you will -- we'll resume from there. Okay.
( Lunch recess taken )

(lunch rest until 2: 05:00 p.m.)
-- 2:05 p.m.)(Meeting will resume at 2:05 p.m., Tuesday, March 2, 2021).
.
>>: .
.
.
>>: We're neighbors. Let's get along. And I told them, I said, we -- by the end of the conversation we were shaking hands. I'm a common girl. You get what you get. Our neighbors that are starting these wars have never even met us. They don't even know our history or anything about us.
And I told them, when did you start coming down here? Because a lot of retirees are the ones that are complaining. When did you start coming down. He said oh, it was probably 42. I said funny that's when we started coming down. We wanted to start our family down here, raise our family and become retirees in 20 years. And that's what you're trying to stop. You're trying to stop us doing exactly what you did. Just because you didn't start there as a retiree you retireed there and that's what we wanted to do. And I just fell like our rights are being taken away because we can't go down there and enjoy it when you have people harassing you on the streets. To me it's just not right. You know. So anyway that's my -- thank you for listening.
>>: I want to pick up on the good neighbor subject. We're -- we want to have conversations with the opposition. It's just hard to have conversations when they're screaming and yelling and calling us names. But we're open to it. And I'm open to the chair's suggestion of getting together and having a communication with a mediator, of course, to prevent anything.
I didn't have an agenda to bring up. I was just listening to everybody so I make a disjumbled thing of notes so I will go through that kind of quickly and hopefully it's somewhat coherent.
Clay, I have a single family house. It's not a hotel. I don't have a crowded lobby or a restaurant or bar. I don't have conventions or events. There's no parties authorized at my house under my short-term rental rules.
It's a single-family home. And And I rent to single families and they come and rent my house because they can be all together under one root without the crowds -- under one roof without the crowds around them. The hospitality industry see us as a direct threat and I think they are because they're not keeping up with the times. They're trying to use you to regulate us out of being their competition and I would hope their deeper pocket don't win over government officials.
The secondary issues that we've talked about, trash, traffic, noise, it's already been discussed. There's existing ordinances to take care of those issues and we're happy to discuss those and maybe even some additional secondary issue, remedies to solve the problems and to bring us closer together.
Michael Dyer, taxes. When we bought our house a year and a half ago, we went downstairs and filled out and application and gave them the address of the house. They didn't say oh, you guys are in Metaworld. You can't do -- bets tune beach. I don't pay a homestead tax. I'm paying $45,000 a year in property tax to you. So speaking of taxes, you're taxing me. I need you to represent me because what is taxation without representation.
All right. So the last thing I'll end with is our beachfront homes are mostly afforded by our older generations. Me being one of them now.
So our neighbors in the opposition, your children and grandchildren and nieces and muse are coming to visit you. They're transients. They're here for less than 30 days most likely. You don't want me telling you the duration and time frame that your transient guests can stay at your house. The only difference is that my transient guests guests are contributing taxes.
>> THANK YOU. RHONDA. YOU'RE NOT RHONDA, ARE YOU.
.
>>: I'm Steve. I currently own two homes in the Bethune Beach. I'm retireed commercial general contractor in real estate developer. I don't take infringement of property rights of anybody light.Ly. I owned a conned at surf and rackket club for 15 years and rented a short-term rental that whole point in time. I sold that prior to performing 6060 South Atlantic. I confirmed with the county that I could rent it as Steve before me just mentioned, I was just told to file a new registration because I had to change the address. And so I won't go into depth, but Ms. Post you're very smart, you're very insightful about this whole idea that we're paying taxes for a property and not only am I paying sales taxes but my property manager is also and my homes are not homesteaded.
I purchased 6090 turtle mound which is directly across the street from me. I got tired of looking at the dilapidated literally mold and animal infested house. I tore it down to build a new home. In fact, in the fall of 2019, I hired New Smyrna Beach construction to build that home.
As a Christian, I find it ironic -- no troubleing troubling -- that Mr. Schrader is up here quoting scripture when he contracted with me to build a house that he knows I was gonna use it for.
So here I am in the spring, summer, during worldwide pandemic getting a violation for doing what was allowed for decades and what I had been doing for a good amount of time.
So the county come in -- county comes in and unilaterally and arbitrarily and capriciously changed their ordinance. If there was an ordinance, and I say that because factions carry weight. You've heard that it's nobody's surprise. You've been allowing this for decades. The fact that you allowed it supersedes any ordinance that you might have had in writing, which you didn't really have.
As a result I had no choice. I had been damaged like other -- many, many other homeowners. I filed a federal lawsuit. If you haven't -- everybody this is they have a slam dunk case, right. But if you haven't read that filing, you should. I think it's very, very straightforward and very logical and thank you for the time you've given me.
>> CHAIRMAN BROWER: Thank you. Crystal Anderson Anderson, Bill Redmond, Chris Krista Goodrich.
>>: Let me take this off.
Good afternoon everyone thank you for your time.
My name is crystal Anderson and I have been a Volusia County homeowner for at least 21 years. I own in many cities and I have properties that are zoned for vacation rentals and I also own a real estate and management company that overseesite a few vacation rentals throughout these cities. Sorry I'm getting nervous.
Though I believe that everybody should do the right thing and things should be controlled in an environment that keeps everybody happy because who wants to wake up to noisey neighbors as we do with even my residential friends. And trash and the aggravations that we all go through.
At the end of the day, we are a huge tourist community and we promote that heavily because we are the world's most famous beach.
And we have been dealing with rentals also for two decades throughout the city. We started with a cleaning business, working for real estate and vacation rental owners, and then from there, we managed and have sold many portfolios with our brokerage and many throughout the county working with clients day by day. Also making sure that they know that these are not authorized vacation rentals and what they do from there is really not our ability to control. But we do control the fact that this is a multimillion dollar economy boost and starting with booking your flights and renting your cars and getting here and shopping and booking your reservations to restaurants to tourist attractions and feeding endless amounts families throughout this County, is a huge distribution to so many families that are suffering even right now with what exactly is going on.
The homes are purchased which feeds real estate agents, which feeds our families, title companies, insurance companies. Them purchasing products throughout many stores throughout the city, being able to go many places and people that deserve the right to also be here as long as again they are following the rules.
We also have people that are vendors and contractors and lawn services or et cetera, that are feeding tons and tons of families throughout this whole entire county which I have witnessed day by day. I work with clients old young black white. It didn't matter who they are everybody is coming here almost for the same exact reason.
The properties are kept prestigious. If you go down any street and you spot a vacation rental, especially anything that's been carried in our inventory, they are always up to the utmost and if they're hot would he dent take -- not we don't take them because we want to make sure everything is taken care of. So I want to thank you you again that we take pride in what we do and we ask you to please consider vacation rentals throughout many cities and counties and thank you for your time.
>> THANK YOU VERY MUCH. BILL RED MONDAY.: Krista Goodrich will follow.
>>: Good afternoon, Mr. Chairman and council members.
Bethune Beach property other than, homesteader for the last 34 years. I'm here today to speak in opposition to any changes to the allowances for shirts shirts. In re-- short-term rentals.
There seem to be confusion for the existing ordinance that's been in place since 2004 whether they were allowed or not allowed, they weren't allowed because the ordinance says they aren't. But was it happening? Yes. In the last two years it's become more evident in our neighborhood because of the influx that we've had that's just unbelieveable. The pictures and so forth, I won't bore you with those. The current ordinance is clearing the residential zoning rentals can only be for one renter for no less than 30 days. As the attorney explained to you, if you change the ordinance, then you're gonna probably wind up falling under the Florida states whatever Florida does.
They are altering the residential zoning code would allow -- would be good -- what good would zoning be for us then? If I by into a residential neighborhood and it's single family today and now you go back and allows businesses to come in, then I'm no longer in a residential neighborhood as we know it.
One of the responses I believe is from the County chairman to one of our people is when the short-term rentals were legal, people built and structureed their mortgages around their ability to collect revenues and that's true. They did do that, but this has been in place for 17 years. So it's never been legal. It might have been happening, it might have been been getting away with it but it was never legal.
Under the -- full-time residents given in to such tactics as harassing neighbors, or do not appreciate change to their neighbors next door and they get afraid to even walk down the street because people come out and take picture of them and harass them. And that is unacceptable.
I myself became the point person with the county over a year ago and we put together a presentation and I've received several e-mails and threatening letters, and there's a legislative body should want and need a whole lot more information before you make this kind of decision that will impact many more people and homesteads that are actually aware of what's going on. Thank you for your time.
>> CHAIRMAN BROWER: Thank you, sir. Krista Goodrich.
And then -- not here did somebody say?
Bruce kovic. And followed by Mary gray.
>>: So thank you. My name is Bruce kusic. I want to first say I am not against all short-term rentals. However, I purchased my home in Ormand-by-the-Sea because in that area the policy was 30 days or month. That was a chief criteria for me purchasing that house. I researched it and I shied away from areas that allowed short-term rentals shorts because yes, I did want to live in a neighborhood where people were coming and go, that was a hotel or motel and that had businesses existing within the neighborhood.
I bought a home in a neighborhood for consistency consistency, consistent neighbors. For those who want to rent their houses, actually I will call it for those who want to rent their businesses, short-term, there are plenty of areas in Volusia County where they can do that.
So buy a home or a business where you're allowed to rent it short term. It's that easy. But we can't be changing policy because of the home. The purchase of the home needs to follow the zoning policy. I followed the rules. I ask that everybody else do the same.
So Council, please do not change this policy.
Zoning exists for a reason. It doesn't elimination chaos but it helps reduce chaos. In the most simplest of terms there are residential areas and there are business districts. I'm not against short-term businesses or short-term rentals. Just do it where it's allowed. It's that simple.
I want to just give you this example. I happen to love Publix. I'm in Publix probably three or four times a week. My Publix store, they know me. But I don't want a Publix inside my neighborhood. That's a business and it belongs in a business district.
So what I feel you're considering is opening a can of worms. And you know what happens once that can is opened? You can't go back later and close that can. The worms are out. So my caution, my -- I'm gonna actually beg you, please carefully consider what you're about to do. Because I'm going to go back to this statement "zoning exists for a reason and we need to use it"."
Thank you for listening.
But do.
>> CHAIRMAN BROWER: Thank you.
Mary gray.
>>: Hi. I'm Mary Lynn gray and I'm actually sixth generation Floridian born in Halifax hospital and I would like to speak about against short-term rentals. We're a country of Law and Order. It was with great joy that my husband Mike and I purchased property in Bethune Beach in 2001 to build our retirement home. We didn't wait to retire, though, but we chose to continue working in Sanford. I as a part-time RN and Mike ran his law practice. We didn't want to wait for retirement as coastal living living, fishing and the water were our passion.
We drove to work knowing we could return home to our little slice of paradise every evening. We purchased in an R9 community with no deed restrictions. Looking forward to residing in a safe stable neighborhood to live out our golden years together.
Unfortunately, seven years later Mike died of a fatal brain tumor at age 59. I'm assessing my financial status. I knew I could loss the home. I was advised I would have to earn more money. It never occurred me to open my home to short-term rent renters. It's a violation of our count ordinancessens arespect my neighbors too much to run a hotel out of my home. I decided to work more and spend less. Sadly the County Council appears to be chooseing to allow short-term rentals. Those who have lived here for decades are being ignored in addition all the previously mentioned concerns as a woman alone, I feel that I would not be as safe. There are many single women living here. We feel secure knowing our neighbors. Having someone approach you in the night while walking your dog is very comforting to recognize that person and know they're your neighborhood -- your neighbor. When these changes will bring strangers and party go others some underage we hesitate reportinging these groups of teens to the police for fear of retaliation in the form of damage to our own property. People are buying properties for rental purposes only, while they live in other cities and states. Some manage to reside here but own no property yet still reap the benefits of renting. I'm strongly opposeed to short-term rentals. People purchasing properties for for for the -- then try to violate or change the zoning. You have to obey building ordinances when you build a home. They govern your set backs, the march lands and environmental laws. Are we gonna stop enforcing, though, ordinances too.
There is a huge difference between a resident and a property other than. All property owners have rights. They also have responsibilities and obeying the law is one of them. Thank you.
>> CHAIRMAN BROWER: Perfect time. Tony cozenza. Is Tony here. Is Scott Steagaller here.
>>: They both have left.
>> CHAIRMAN BROWER: Mark len none.
>>: Good afternoon, members of the County Council. Very nice to be before you today. I'm colonel mark len none. My wife and I went to high school in Florida and before I went in the military or after I went in the military, on my first assignment we noticed that people that had been in the military and retireing were getting out and they just stayed in the local community where they are. So my wife and I talked about this and we decided that we needed a place where our daughter to call home while we were still in the military.
So 1977 we bout a lot in Bethune and in 1982 we built a house. It work out okay okay. She wound up being the valedictorian for Bethune high school to we were pretty happen. Back in 77 when we bought the house, we researched the zoning because as I'm sure you're well aware the lots in Bethune are very small, 50-foot wide a lot of them which presents noise issues and other issues that you're hearing about today.
So here is a picture of my -- our Airbnb across the street and you can't see it, but there's a young man standing at the apex of the house with -- his underage, no supervision, and also there are three gallons that are sitting on the balcony up there that -- well, they were having a party. This was not an isolated incident. There has been continuous problems with this house. And for obvious reasons we call it the hell house.
So with the help of code enforcement and the neighbors because everybody in the neighborhood has had it with this house, they code enforcement came out and told them they had to cease and desist. What's interesting about this and is part of this debate is so they were doing nightly rentals. They have since moved to 30-day rentals and we have had zero problems with that house. There's something that goes on between nightly to 30 days and that's a very, very important point.
So I ask you to do the right thing, not with greedy people want you to do, and what the I believe the majority of the homeowners in New Smyrna Beach would like you to do which is don't allow the short-term rentals, both to keep the zoning as it is is. And if you stop to think about it, there's a reason why the zoning in Bethune Beach is the way it is. If you change that you take away our way of life. So if this comes to something -- I'm sorry. I went over my time but I would just say I would prefer to have the Bethune Beach property owners vote on this versus you guys having to make the call call. Thank you.
>> CHAIRMAN BROWER: Thank you. Riley Allen, Kevin Hogan. Is Kevin here as well.
Okay you are in the bullpen.
>>: Good afternoon my name is Riley Allen. We have property at 6713 turtle mound which is Chatham by the sea. It's the very last condominium on the beach in the pristine area, less than a mile from the sea shore and on the east side is the beach and we also own the lot next door to Chatham, where we're building our home. So I wanted to present a couple of issues. I think Mr. Johnson, I really take what you said to heart, that we need to have a conversation, create a committee and have people on both sides talk about it. Jeremiah who I saw is right here, he and I were on the opposite sides of the fence when it comes to this issue. However, we talked with one another recently. He's been very much involved on that side and as a lawyer, but also as a homeowner and I'm involved on this side. I tried to stay out of the 401(k) fray. Because I'm a lawyer I've had a number of people contact me. I'm a 35 plus year litigator in the federal court. The DDAs DDAsed with is something I think really kneeled to be considered because I haven't heard it from anybody that knows the subject matter very well. It's something when you talk about as Mr. Brown said what we're dealing with is effectively a change in land use, quote, a change in land use. The moment you change the use of the land, then you're going to trigger the ADA. I think there's no doubt about it. What we know by definition is that zoning is a determination of how you can use your property versus how you cannot. When we change the use and trigger the ADA that's a whole different animal and it's an animal that will be litigated in in the federal court. I heard the gentleman speak about his litigation. A lot of cases get filed in the federal court but I do know the federal judges are very much in tune with the ADA and they don't mess around. As a lawyer who has handles discharging cases of all kinds, when we're confronted at Chatham by the Sea, we knew we would change and enforce the -- we hired Jill Schwartz, Pete Dunbar who wrote the condominium statute. We have a local government lawyer of more than 30 years. Jonathan who was one of the authors of the 2010 ADA law. We all came to the same conclusion. If we change the use by trying to seek rezoning at Chatham we're triggering the ADA. You then have to comply and that's a very, very expense expensive process. So that's something I think should be part of the conversation and I'm more than willing to do anything I can to help you. I try to tai out of the fray and make it an applicable process to the extent possible and thank you so much for your time. Appreciate it.
>> CHAIRMAN BROWER: Thank you.
Kevin Hogan. Jeremiah Jasper. David baluja. Is David here?
>>: Good afternoon. My name is Kevin Hogan 875 catfish avenue in baby boomer. Both my wife and I have been long term resident there. We're voters. That's our homestead. We chose that area to Mr. Our home 20 years ball zoning of it, the quiet nature, the residential character of it, and -- that's something we still value very much.
I think changing the current restrictions on short-term rentals, the current residential zoning allows for rentals of 30 days or month and that's a compromise which helps maintain residential character of the neighborhood without restricting those who wish to generate additional income. Me and other residents who made our permanent homes in this area rely upon the residential nature and the zoning and those seeking to change that should have been well aware -- these people are supposedly investors. If you're a investor, you need to do the due diligence, so he what the law is -- see what the law is and follow the law. You shouldn't be here saying, well, these people screwed up so we're gonna change it.
And there's a number of other issues, gentleman just before me brought up a very good issue which I had not considered before, but there's also issues of affordable housing for the public service workers and people working the service industry. If you take away long-term rentals, where do those people go. Some of the move to the island because Coronado is a very good school. Those spaces are just going to go with a.
With regards to changing the definition, I've heard before the definition of single-family home, you want to see a lawsuit come at you, I mean the definitions, you know, if anybody reads Webster, I don't see where you're coming up with that. Also I want to correct something I thought I heard before. I thought I heard one of the earlier speakers say something about a bed and breakfast was an accepted practice in R9. I'm not aware of that. As a matter of fact recently there was a PLDRC meeting regarding an issue with that and there were at least 7 homeowners from Bethune Beach spoke against the precedent it would set. It was said it would be a special exception and when the members of the PRDC asked what qualifies for special exception there was no answer it was just because we say so. And I would just ask you please don't change the law as we have it. It's a good law protectors our neighborhood and we want to see it stay that way.
>> CHAIRMAN BROWER: I understand you have to leave so we'll let you go next.
>>: I'm Joann king in Daytona. 6 years ago I purchased a vacation rental. It was registered with the state. I was paying my taxes. My husband a disabled veteran suffering from agent orange enjoyed having people come from all over the places that he can never visit again. And it was his hope that this house would support me when he no longer could and it was a short lived dream because we've gotten closed down and we weren't able to share our house. So today six years ago we purchased a house and today four years ago my husband passed away and he never got to see the dream of his wife being taken care of by the purchase we had. We do not know that vacation rental was not able to be in Daytona when we purchased it.
But anyway I live close to the hard rock and I see what goes on there. I embrace the town because I understand what a resort area is. My house I reside in the house, and I'm cautious. I have nine grandchildren that come all the time. The people That stay with us became family.

When my husband died, I had a military service on my front lawn. Not my neighbors stood beside me, the people that rented my house that became part of my family stood next to me. And honored my husband for his service. I have 100-year-old house, my house has become a landmark.

I have a beautiful garden that kids come play with. I'm very cautious on who stayed at my house because I have grandchildren. I watch, I just went bankrupt on top of that a month ago. I lost my income, I cannot afford things. I have this house to take care of and I watch Margaritaville and they are able to be a short-term rental. Why can they and hear a smalltime person can't support myself.

I tried long-term, six months they went without paying the rent and there was nothing I could do about it to get them out of my house. I have a mortgage. They didn't have to pay anything and they destroyed my house on top of it.

I don't want to write my Alice out to people that don't respect it. People that come from vacations enjoy what I have to offer. And they lead with a sense of what Daytona is really about. I make them spend their money in places. It's a nice place to be and it's a great place to vacation and we should not chase families away.

That's the kind of people that I am bracing my home. I will tell you, I traveled the world on air B&B I was in Egypt for the shutdown and I stayed there. It's 1/3 world country. How is it that Daytona doesn't see that it is able to be a part of this industry by just regulating.

I'm a very good neighbor. I think that I should be able to rent my house the way that I want with people coming and going as I please. Thank you for your consideration.

>>CHAIRMAN BROWER:
Is there a David… Vuk...

>> He spoke earlier with the first round of applicants.

>>CHAIRMAN BROWER:
Jeremiah, you signed up twice.

>> (inaudible)

>>CHAIRMAN BROWER:
Can you do it in… OK. Please. Then, Ralph Grandsworthy and Michael Tate.

>> I cannot begin to tell you honestly how stressful this has been. We bought our house last July. It's been something. Something I wanted for so long. We thought we were doing our due diligence.

We were given in and shown the profits and the rentals the last several years they told us to get a license with the state. We did all those things. We closed July 24. Immediately you we you met with a violation. Not knowing any of this was a problem and it has been a fight night and day.

The stress and the time that I take away from my family to be here every time there is a code violation. Just because a neighbor wants to complain. We made a public request July 17 to August 8 in three weeks .... In three weeks the same neighbor are here. It's the same people that had made 11 complaint emails and we were there ourselves.

It was us there. They did not know our cars. They were filing complaints against us for being at our own property. Then we have to hire an attorney. And we've done nothing wrong to the best of our knowledge. When I hear someone say they are breaking the law, it's illegal, and they bought and looked at the ordinance back hundred years ago.

They are looking at something that says they are in a single-family neighborhood because they are. Our renters are families. That are using our house as a family house. They are not there throwing parties. We have very strict rules about having no parties. We turn people down all the time and if you came to our street, which some of you have, they are beautiful homes and everyone... There is no trash. It's not the way they are describing.

Just from trying to get to know all of my neighbors, I hate how divisive it is. You can't have a conversation with someone who so adamantly against it they will not hear you out. I'm trying to befriend everyone. The neighbors that I've known, I love them. They are in our closest friends and we are in this together but I want to find solutions. It can work for everyone.

I understand their concerns and I want us to find middle ground. I don't know the other side is willing to find middle ground. Like you had made an analogy earlier, there has to be room for everyone where we can meet in the middle.

>> I have 20 seconds let me say one thing. Raleigh is a very reasonable person. If you folks like us on the committee, we can get this done but that's not to say we are going to kick the can down the road. That's what government does. You cannot kick the can down the road and hope the state takes care of our shoe. If were going to do that, the last thing I want to say is need to keep this moratorium them in place.

They will not come to the table in good faith I can tell you that.

>>CHAIRMAN BROWER:
Ralph? Is he here? Nickel Tate? Mary Sink?

>> Good afternoon. My name is Mary sink from Daytona Beach District 3. Thank you for the opportunity to speak with you this afternoon. I'm a cofounder of the organization called Save Daytona Beach Holidays. At the group of Daytona residency and our mission is to provide high-quality affordable rentals especially for families that want to visit.

I have had countless discussions about vacation rentals with neighbors, property owners, community organizations, code enforcement officers, media advisors, city commissioners, and I've even gone to Tallahassee and spoken with our state representatives.

In short, I've been researching, debating, writing and advocating for vacation rentals since 2016. By now, all of us are familiar with the pros and cons of vacation rentals. We've been debating them literally for years.

There are good citizens and well-intentioned advocates on both sides of this debate. The question we are discussing this morning is whether or not to allow vacation rentals in residential areas. That question does not address the real problem.

Let's face reality. Vacation rentals and residential rentals are here now. They have been here for decades. They will continue to be here as long as the market demands them.

The clearing they are not legal does not make them go away. As we have seen, it drives them underground and therein, lies the real problem. The real problem is that as long as vacation rentals or underground, without licensing, inspection, and without regulation, there are no standards.

Vacation rentals are unregulated, and unpredictable. The real solution, which is within the authority of this council to implement, is to develop reasonable, licensing standards and regulations.

A vacation rental license ensures that properties be met at reasonable standards and the property owners except responsible to. They correct any neighborhood issues that occur. A license can be revoked for violations.

That way bad actors are weeded out. Cities all around the world have found the right regulatory recipe that encourages property owner entrepreneurs respect the neighborhoods and provides a wide variety of regulation for visitors. Why can't we do that in Volusia County?

The answer is, we can and we should. Thank you.

>>CHAIRMAN BROWER:
Thank you, Michael Cox, Peter Thompson, Wendy Rohin.

>> Rhonda spoke for me.

>>CHAIRMAN BROWER:
Peter Thompson. Wendy Rowan? Here is Wendy. And John Nicholson.

>> Good afternoon. My name is Wendy Rowan, I lived on angle Road since 2000. I'm glad the opposition is finely included in the discussion. I understand it's been going on for many meetings and none of us were even aware of that. Some of the things you've heard are all coming from one side and they're not all totally accurate.

I heard one person say when I was listening to some of the other meetings, almost everyone down there agrees it's two or three vocal people who don't. It's not just two or three people, there's a lot of people down there, the large majority of the people that are not in favor of this at all.

We hear about the landlord property rights and zoning controls of property rights. That's all zoning is. All types of businesses might be allowed somewhere but they cannot be allowed everywhere. That's why we don't have spot zoning.

So you know what to expect based on the zoning and with a simple search you can find out what your zoning is. Ours is single-family. 30 day rental. Based on the new developments, they have respected this, and they want to be protected from the end expected. Margaritaville is sell faster than they can build. Then they can build and those people are signing on for a lot of restrictions. There is even a huge banner on I 40. It has to be 30 feet long.

No rentals. That developer thinks it's sales and prices are going to be benefit. When people say the housing prices are going to down and we are saving all this, that's not the truth. These other areas are doing great and they are specifically not allowing short-term rentals. And we are talking about compromise.

Probably all of us at some time in our life our children have rented departments. Have you ever tried to rent an apartment for one month? 30 days is a compromise. Because that's not a standard renter time.

It's a one-family area, we hear a lot of these things where it's rent into downstairs. It's been split into two separate areas and no one's bothering about that.

That's another compromise that's been given in any case. If I said, I have a horse, I would like to keep in my yard, I'm paying stable fees every month, I don't have to drive back and forth and I would save the money and that will help me pay my taxes and insurance.

You would laugh me away from the podium. It's kind of the same thing. It is not our responsibility for someone else to pay their bills. If we said we want to go in next to Publix, they cannot go there just because they have high-paying jobs offer.

I really think, some of this needs to be taken in different just, is my dream home. Everyone wants a dream home but you have to pay for yourself.

>>CHAIRMAN BROWER:
Thank you. John Nicholson, Gary Swanson.

>> John Nicholson, Beachside Daytona Beach. In my area, I wouldn't mind it but these are residential neighborhoods. Unfortunately you guys have to clean up a mess that you guys have done. It's complaint driven. In other words, the legal but if no one complains, it's OK.

Staff should never have said that. Statute of said you cannot rent for less than 30 days. They didn't, they said is complaint driven. What does that mean? You can do it, you just can't do it on the side. Now you are stuck with it. These people have been renting for a long time. How do you sit there now and say, I invested in all of this, I put all this money in there, I was told I can do it. It was complaint driven.

In their mind, they were legal. They bought it with the intent of doing this. Guess what? All their neighbors bought with the intent of not allowing them to do it. Who do you side with? They are both correct.

But yet they are both wrong. Things are changing, I understand that. Might neighborhood changes all the time. These poor people, if you live in a residential neighborhood, yes, crime is a problem. If you live in a neighborhood where there is no crime, that's the benefit. If people are coming in and you don't know who they are and they only read for a week, if I had children, child molesters would be right on the top of my list.

If I had trouble sleeping, and I sleep like a log, whose party animals would not bother me. But not everyone can. They expect the boys to go down. If it doesn't, it sets them. And I understand why.

I live right in the middle and I'm sure you've all heard of Oktoberfest, Turkey the Daytona 500. I'm in the center of all of that. I knew it going in. I bought knowing it going in. If they start doing that in the middle of Margaritaville at this late stage, those people should and have the right to be upset. You have both people who have invested a lot in it. They have both reasons on both sides. I have no idea how you're going to do it, but you have to. Thank you.

>>CHAIRMAN BROWER:
Maurice Moore. I did. Come down. I have Maurice Moore down. And then Brian Reed.

>>Thank you. I am Gary Swanson, I live in New Smyrna Beach. First of all, I would like to present you with this petition that all the people – well, a lot of people in Bethune Beach have signed. 162 addresses, 247 people. Just in the last week. These are actual residents and homeowners there. It is not an online petition or anything. There's actual signatures on here. I would like to present that to you.

My big issue is changing the character of the neighborhood. That is why we have zoning, as many people have brought up. Like it or not, nationwide the communities that have restrictions and have zoning laws have the highest property values. Where we lived years ago up in western New York State in a rural area, there was a Township up there that had no zoning at all.

You had businesses next to residences – of course, there were not that many nice ones because nobody would build there. There were trailers and rundown places. That is what happens if you have no zoning, and especially if you have zoning and don't enforce it. That is my thing. 30 days rental, OK, that seems reasonable. I know a lot of people think they can't make money doing that. We have friends that are staying down here now that are renting for three months right on South Atlantic. They had to book that a year in advance.

That is always, people we know who want to come down and want to rent, especially if you have a dog, which everyone does these days. There's restrictions on you can't have a dog, but I don't think it is a problem to try to rent here for 30 days. There's plenty of – and if you want to rent for less than that, actually, I guess you are allowed. It says 30 days or less. You can rent it for a week and then just not rent until the 30 days is up. I am assuming that is how it would work.

There's plenty of short-term rentals you're available in other areas including hotels and motels. As far as complaints, somebody made mention that if we legalize it there probably won't be more complaints. Well yeah, you are still going to have more people if you actually legalize it and bring it out of the shadows, you are going to have more people renting out. You are going to have complaints about noise, illegal parking, trespassing, swimming and their neighbors pools, and so on. Thank you very much.

>>CHAIRMAN BROWER:
Thank you, sir. Maurice Moore. Brian ReTree. Samuel.

>>Good afternoon. My name is Maurice Moore. I am a resident of Bethune Beach and a resident of Volusia County since 2010. Can you hear me OK? I have owned two separate houses. They've always been long-term. I have seen a lot of the actions that go on in this neighborhood where I live. It has indeed gotten pretty ugly.

I am here, by the way, as a private citizen of Volusia County, not in any other capacity. I was pretty angry when I found out you guys were thinking about canceling that ordinance. It is very important that we have that in place because of you have seen, the modus operandi here is everybody has short-term story to complain about. We have all lived through it time and time again. I have personally seen it.

You don't seem to have any of those big complaints on the 30 day plus rentals. We have friends I go out with all the time who don't live here, but they come down and rent here. It is a real problem for you all to address because you have an ordinance you can't change, you have people who are very upset living in fear and not feeling comfortable to go out in their neighborhood because of the actions of people being bad and ugly. It is just not something we want in this neighborhood. We have never had to tolerate it before. It is a big shock to everybody.

The effort that it takes to pick up the phone, dial 911, call somebody to get the Sheriff's Department to come out because of a loud noise entails hours of emotional buildup and frustration during that night. You get woken up, you have loud noises or people yelling at you are cheering, all sorts of madness that goes on. You finally get to the point where you call the cops. And after that you never want to have to deal with that again because it is such an ugly thing to have to be a person to call the police on a fellow man. It is hurtful to be able to be put on that position.

The real answer, you have regulations and you have zones. Use them the way you are supposed to. To keep the people who are here full-time, the residents of these communities happy so they can love their peaceful lives. I will get back the rest of my time. Thank you.

>>CHAIRMAN BROWER:
Thank you. Brian. Brian Ritchie here. Samuel Broomschinkel. Jonathan Abram. Rosaline Feller. Margaret O'Boyle. I'm sorry, I am slaughtering your names. And then Barry Chandler. Is Margaret here? That is Rosaline. Is Barry Chandler here? Annette Massey? You will be next. You have time to worry. (Laughs)

>>Hello. My name is Rosaline Feller. I have been up here before. I had to change things a little bit that I was going to say today. That is mainly because I have heard people say how we don't care for the neighborhood, we don't care for the neighbors, and we don't take them into account by our short-term rentals.

It made me thinking, what is our neighborhood? So I went on the Volusia County website and the Sheriff's Department website, and I found that within walking distance of our home there are six sex offenders. In my ZIP Code, there are 83. When you get vetted to come to our Airbnb, rent our short-term rentals, you have to have an impeccable reputation before you were even allowed in.

The neighbors that they are so glad to say hello to at night, 83 of them I wouldn't have in my house. And not only that, they are talking about being able to, that their lives are being disrupted by disreputable people. They call them derisive names. But I find that I can't enjoy my own home because of the neighbors who come in here, quote Scripture, and then live a totally different way.

I am proud to then, Richard and Vaughn have been able to keep their faith and integrity against the violent threats they have had, but I will tell you this morning, right here in this courthouse a man came up and socked my son in the arm. What kind of person is that? We go over to the little diner and the same man who quotes scriptures calls my son names I wouldn't repeat. I am a very spiritual Catholic woman. I believe in doing what is right. But I have a very uncomfortable feeling in my chest because of the way I see my family being treated. I don't like it. I am tired of being nice about it.

My husband is ill. He loves his son's company. Our son won't let us come to his home because the same people come up on electric bikes and stop right behind you to see if you will fall. If my husband falls it can be a lot of problems. The terrible words that are spoken, we don't want to hear them. Thank you for your time. I am so sorry that I went over. I just want to thank you for everything you are doing.

>>CHAIRMAN BROWER:
Thank you. Annette Massey. Michelle. You are Annette or Michelle? OK. Go ahead. Now that you have stewed.

>>Thank you for allowing me to speak. My name is Annette Massey. I don't do public speaking, I am a Volusia County, Florida, native. I have been a taxpayer for over 20 years. I do caretaking. I make sure the yard has been mowed. I support regional regulation of short-term rentals. I look forward to sitting down with the opposition to figure out ways where we can make it comfortable for everybody without infringing on anybody's property rights. We have always had short-term rentals. They have always been here. It is just that now we have a different modem, a different platform for people to rent them. They have always been here. They just have a different way of accessing them. Let me be clear. A lot of people say the host and the community are greedy, rich, all of that. You don't become rich being a host. You make a modest living. I can tell you, I have met hundreds of hosts. Their single mothers, senior citizens, veterans, mothers of children with disabilities. They are investors, their handicap people. All trying to make a living, all trying to keep their home.

All of them have a story, true. But we contribute to our community. We mainly have families that visit us, professionals. I have rented out to many tourists. I've also given lodging to hurricane victims for free, first responders, and my own mother dealing with cancer. Many hosts give their place freely. The platform I use gives background checks on guests and host alike. The criminal background check is very important. We don't have criminals renting from us. They have to go through a background check. Since I have become a hosted been able to hire cleaners, electricians, landscapers, plumbers, painters. I pay a living wage, not minimum wage. I pay living wage for people who work for me because I feel that is fair.

I also send people to local businesses, restaurants, surf shops, retail places, small business, typically, because I feel like they need the support. That is the thing I am most proud of, that I can have an impact on my community by supporting local business. Most hosts have guidebooks that send people to these places. So we are sending that, we are bringing money and and spreading it around our community.

I just hope that we can figure out a way to come together and have a solution for this. Thank you.

>>CHAIRMAN BROWER:
Thank you. Michelle. Then Jackie Engelman.

>> Thank you for your time. I have my place in Ormand by the sea. It was listed in realtor.com as seven-day renters. It was also in the homeowners documents that we could be rented.

One third of the people rented it. We only have at our condos, three people that live there year-round. They are snow birds or they run today it and when I looked at the zoning, it has a UHI. Urban high intensities.

Some may allow shopping centers. Considering we had to buy the rentals that were already in place along with it, that we were doing the right thing. We got our business license from the state. And we paid our taxes and also got a license. A tax license here. They knew where we lived. It was not a secret.

But, that being said, I care, more than anyone how my home and my condo is treated. I care very much. I rent almost exclusively to families. The way people are traveling is changing. I don't know how you guys trouble, but I only stay in homes now.

I don't go to hotels very much anymore because I like the privacy. I like the quiet. I like to be able to see the little mom and pop places around. I don't like to go to chains. I'm not the only one. Travelers are getting savvy. They want to be in and around the people. They want to get a taste of where they are. I'm a Floridian, I think of Volusia County as any other County as being a tourist destination.

It's advertised that way. It always has been that way. I had someone rent to me, and I said I can't rent to you and he's from Louisiana. People drive past from beautiful beaches. Virginia, Carolinas, Georgia, to get here. They want to be here!

I called because there is a moratorium and I said, do you want to come in? He said, I'm so sorry, we are going to Orange Beach, Alabama. Other states are just waiting for us not to make decisions because they've already made the decisions. They are welcoming with open arms, people that came to Florida.

Once those traditions get broken, once those memories are not there for the next generation, they may not come back.

>>CHAIRMAN BROWER:
Jackie Engelman? Amber Herbert?

>> Hello, my name is Jack Eagleman. I'm a Daytona Beach resident. I feel like as a full-time Volusia County resident I was impacted by vacation rentals. Six months ago, my mom by vacation rental. They maintain the property really well. Eventually my kids would go over and help take care of the property knowing they were working hard to keep the home and running order because one time, they said it was their business to run one day. By not allowing that, you're telling the you there's no such thing as creating the American dream, you either need of million-dollar loan from your father, or working middle-management.

Why should wealthy corporations be the only ones profiting from the tourism industry? Shouldn't that money going to the pockets of the everyday people? Without being funneled into corporation? Many of the renters became like family. We dinner with them, learn about where they came from and many times wind up staying in touch with them. They are the ones that came to my stepdad's funeral. They're the ones that still continue to check in on my children. They come forward birthday parties.

My mom make sure is that she screens the people. They take pride in their property because they live there. Our families are there. The legal is a legacy for us.

I had the opposite experience, after becoming a displaced homemaker after a divorce, I was forced to find a home for me and my children and two dogs within two weeks. I had no job history, and not enough money. I was forced to work in a restaurant. If it was ever finding a vacation rental, we would all be sharing hotel beds living on fast food. During this time I started working in the restaurant scene and was shocked to see how many people were living week to week and how they were forced to cram into hotel rooms and change rooms every two weeks because they cannot stay long term.

Sometimes we have to pack up in the rain and I would go help them move from hotel room to hotel room because they have no money for the first month, second month. These people are trying to protect their jobs, you're making them homeless by paying them a wage they cannot survive on and telling them OK, figure out where to live.

As far as the complaint and parties, who hasn't experienced about Apple? I lived in a great neighborhood. Plenty of designated retirement communities available. Volusia County relies on tourism for our economy. Times are changing. COVID has proven that. The way people the trouble is changing. There has been an issue with spring breakers and figures. A single mother of five, why would what I come to your beach, and be cramped… Short-term rentals should be regulated.

>>CHAIRMAN BROWER:
I'm going to call to people up together. Shannon Church? And Amber Hebert.

>> Hello, how's everyone doing. Last night I had a business meeting in Sarasota, drove at 5 AM. We are considering buying a house, three doors down which has completely been left abandoned falling apart. The house is gorgeous.

I cannot say anything about any of these other people that are complaining because I have not been in their neighborhoods. I know where they live, their neighbors and everyone on this trip for the most part are wonderful people.

You cannot rent out a property for $5000 a week. Two people that are going to come destroy it. People cannot afford that. They are getting the best people in their properties in her neighborhood. I'm not saying that's everywhere, but my family would come down to Marco Island every year and we would drive down to the Caribbean together, stay at a condo. The 42nd week of every year which has created the best memories for me, my cousins, and my family.

This is the same thing. They are creating memories for families for generations. We vacation in Crystal Beach Texas which is not in a speech but because my sister lives in Houston, we went out Seaside.

We usually rent a different house, from my cousin but not only that, we also go and stay at resorts. My sister has four kids, I have two, that's not meant to be at the Ritz Carlton. Which is where a lot of people would like to go vacation.

I think there should be a common ground. No one was there neighborhood Rudy. We live in a very nice neighborhood in Orlando. Our neighbor owns the property and is never there.

His boat dock is falling apart, we have to take care of his yard. He has the money to take care of and he does not maintain it. He's never there. We've been to this house, with Angela and her husband and our kids, and we've been harassed by the neighbors, they've taken pictures of our kids riding bikes. A lot of really strange things that should not be happening regardless.

Were not renting it, we just go and stay with them. I cannot imagine going to Crystal Beach or to any other Airbnb where I'm dropping an outrageous money to stay, but we go to the restaurants. We take our kids. We have wine and have outrageous dinners and we wake up in the morning and go for breakfast or we go and buy fillets and wine the and whatever.

We are contribute into the economy.

>>CHAIRMAN BROWER:
Janet? Laura Papp? And Amber Herbert.

>> Thank you all for staying with us this long time. We do appreciate it. My name is Janet Jazamise. We've owned a condominium by the sea that we've had since 1993. Getting to know the community as one of the permanent residence as when we retired in our 50s.

We have our home in Halifax. We cannot homestead our condo nor do we rent it. We are permanent residents, we were brought here because this is a beautiful community. Or men by the sea

We are the one serving and soup kitchens, homeless shelters, community centers and everyplace else. We are contributing members of this community. I spent hours last night reading all the emails on this topic.

It seems that vacation renter home alliance has had meetings recently with councilmembers, and with staff members while those of us who live here and own condominiums knew nothing about what was going on. We were not told of any meetings. This came up at the last council meeting. It was a non-agenda item and you jumped on it.

Where are the sunshine laws? Why were we not told? Why were decisions made before homeowners were able to speak? I just do not understand that. Emails came from people who like to vacation here. However they do not live here. They do not pay taxes here.

But yet, you are listening to them, and not to us. As who pays her taxes and are the backbone of this community. How many of you live at the beach? How many of you are impacted by condominiums where it looks like a clown car? They can see is supposed to be six people. You know where they are going? They are going to the pool so that owners cannot get in the pool because it's above capacity.

They are taking down the glass which is illegal in this county. Yet, if we go to speak to them, we get cursed out. Maybe you would like to live like that, but that's not joyful at all. I know time is running out but you are referring to people who rent their homes as homeowners, they are not. They are investors. Thank you.

>>CHAIRMAN BROWER:
Laura Pappas? Amber Hebert?

>> Good afternoon, thank you for seeing us. If you're not familiar with the term, sharing economy with the currency of trust, I ask that you please take a moment and watch a Ted talk by Joe Gibby. The essence of the sharing economy, the success of this commerce is the connection of human connection. The level of our town? How better than to do that than to live amongst the locals? Our guest told stories about being created by neighbors in the morning and stopping to chat. Two of our tenants ended up buying properties here. That's how we came to be homeowners here.

Providing such for those who come to visit a point of agreement. We've never had a time defined by change. As a result, the residence has been harmed, we are forbidden to rent a short-term door be more precise, we have since the billing, (inaudible) reason enforcement.

It was profitable to many. What affects me on a deeper level is the feeling of loss about what makes this town special. Local and authentic. Visitors don't have a chance for hospitality to live as locals and truly feel our town in an authentic way. The only choice now our hotel rooms or condo living, and that experience will never produce the same lived experience as onshoring the home with a visitor. I love sharing my home and this time with visitors. It truly saddens me that this town is losing its charm, its authenticity and favor of change and development. The very thing that has made us special and popular for so long is consequently destroyed. It breaks my heart. I would just like to point out that for everybody who is talking about how this has been illegal forever in Florida, the law that was passed by the Florida Senate wasn't 2014 and went retroactive for something that was on the books before 2011.

There are a whole host of people who bought during that time. There was nothing prohibiting this. That law came later. Thank you for your time.

>>CHAIRMAN BROWER:
Thank you. We are down to the final two. Did the Weinstock's ever come back? Richard Feller. Jacqueline Neil. Is Jacqueline still here?

>>Good afternoon, Council. I am Richard Feller. I am body everything that contradicts most everything you heard today. I live, I own, I pay taxes, and I vote in Volusia County. And I have a short-term rental. A lot of the discussions have been about New Smyrna Beach. This is a Volusia County issue. I wanted to address the ADA issue very quickly.

The ADA issue does not have any precedent – I can tell I am losing. It is not have any precedent on personal homes. Maybe and condominiums, but not personal homes. But I would like to say from both sides there has been some very intelligent discussion here. But one thing that is for sure is that there is a heck of a lot of confusion. One side says "I know the law," the other side says "I know the law," and none of us went to law school. We are victims of past ordinances.

Your taxpayers, your voters, we had 100 people here in support of, and people who want this money decision. We don't want this push down the road. We don't want Florida to tell you what to do, but then you are saying to wait 30 days to see what Florida tells you to do. Your residents, your voters, your property orders, they want a decision on this.

Talk about petitions, talk about comments, talk about all these things. I am going to skip forward because I had some other things to say. But I'm going to say this. As I was going through all the comments I thought which one would I find to go? I came across a page that said why should short-term rentals be legal, and someone sent an email. It helps the single mom support her family. We are all trying to live the American dream. Our homes are the single largest purchase will probably ever made. Depending on what stage in life you are in home and something different. Many want different when my kids were little, now they're in their 30s.

During this debate we have spoken about tourism and ordinances. We have spoken about what is best for communities, what is best for Volusia. Not just New Smyrna Beach. If we take a moment to look at this issue from someone else's viewpoint, we usually can see a completely different story. In the end, we are probably still going to disagree, but all of the perspectives that we bring and all of the stories that we tell are important. As our elected leaders, I want to thank you for listening to our stories. But I want you to take action. Do not punt this down. Do not be afraid. You have had over 200 citizens, today to speak to you. Thank you very much.

>>CHAIRMAN BROWER:
Thank you. Jacqueline Neill. Somebody has to be the final speaker. It rests on your shoulders.

>>Good afternoon, Council. It is a pleasure to be here before you. Thank you for your service to our county and for taking the time to listen to each one of us. As you can see, it is a volatile topic. My name is Jackie Neal. I am a homeowner and Bethune Beach. I just want to share a little bit about my family's experience there.

We have never experienced a problem with any renters in our area. There's a lot of them around where our home is. We have rented our home also. We have enjoyed meeting new people and sharing our beautiful beaches and beautiful restaurants and communities with them. Unfortunately, our biggest problem has been with local residents. Our very own neighbors. Many of which they have demonstrated their kindness here.

It is not loving your neighbor. We have been assaulted with vulgar language. I have nine children. Videoing my children on the beach, questioning my children, name-calling, photographing us, harassing, shouting, calling us evil. Untold things. Women with clipboards checking to see if I am one minute late pulling my trashcan in. I was recently diagnosed with stage IV cancer. I was recovering at some and neighbors homes there in Bethune. I had to be accosted by angry neighbors on their bike trying to run me over, accusing me of being a renter and questioning my 12-year-old daughter as to why we are there and what we are doing.

That happened twice, two different people that were loving their neighbor as themselves and allowing me a time to rest there at their home. My husband is having breakfast with someone in their home and the neighbors come and video telling him he can't come there for breakfast, it is illegal for him to be in the home. Just countless stories like that.

We are just normal people trying to live our life and contribute to our community. One other note, the rat issue, I have heard a lot of people talk about it, and my experience it is coming from builders that are clearing lots. Rats live there. When the lot is cleared the rats come out of the lot. I don't think it has anything to do with the trash. I thank you for your time. I pray that you will consider the rights of people that want to short-term rent. Thank you so much.

>>CHAIRMAN BROWER:
Thank you. Thank you, everybody, for a long day, being able to speak your mind. And thank you especially for 99.9% doing it in a respectful manner. That is America, that is what makes us America. Another thing that makes us America, it is foundational to a Republic, is private property. You heard from both sides today on issues of private property.

I started off by saying that no neighborhood should be radically changed, and yet no neighborhood can expect absolutely no change. I happen to think there is a compromise. I agree with the last, with Mr Feller when he spoke that they should not be kicked down the road because everybody deserves an answer for this. We have pitted neighbor against neighbor, and it is time to stop.

The state is going to do with the state is going to do. The only thing that we were asked to do this morning is to decide whether or not we keep this in process or kick the can down the road and let somebody else deal with it. We were elected to deal with issues as they come up. And in the right way. And in the right way is to put it in process, which still takes it several months, at least six weeks down the road if you follow the schedule, and as Councilwoman Post mentioned, we can schedule the last meeting after April when the state has done. But if we can get down the road then we start all over there and nobody has an answer yet.

So I would just remind my fellow Council men and women of that. Again, I thank you for your appeals this morning. We have a vote coming up. Billie Wheeler. Yes, there was a motion on the floor, and emotion or a motion on the floor, by Ben Johnson. Would you restate the motion, please?

>>You've got to be kidding, after all this time.

>>CHAIRMAN BROWER:
What did you have for breakfast?

>>I can remember not what I said but how I said it. My motion was to postpone this until after the state of Florida acts and in the meantime put together a committee so we can see if we can't work out some of these issues. Also, this is not in the motion, but one of the things talking about kicking the can down the road, one of the things is there is some talk in the state ordinance that they might, or the state law, that they might have things in it that can give us more leeway about how we can fix this in the correct manner rather than us taking action today. So I am standing on my motion. I want to settle this thing, but I want to settle it one time for all for the best good of everyone.

>>CHAIRMAN BROWER:
I agree. By keeping it in motion in process it doesn't change any of that. It doesn't prevent us from continuing on dancing with the state says, is my only point. Doctor Lowry.

>>I'm going to support the notion because right now the way it is formatted it is all or nothing. There is no possibility for any kind of adjustment. If the state does go through with it some of the things they are talking about it does give us wiggle room to perhaps bring something out they can be a compromise for both sides. Thank you.

>>CHAIRMAN BROWER:
Councilwoman Post.

>>So I am not in agreement that if we move forward on a decision as part of the process, so we laid out the process before the process that you had to go to this meeting and that meeting, and yada yada, and then that would get us to the end of April, so there would be discussion on it. We could have committee discussed that. That is six weeks away. We could have the community committee or whoever talk in the interim and get that taken care of.

No decision, the final decision would still be up to us again because it would be bringing the ordinance or whatever we come up with back to us at that final time. So we would still have the right to make whatever decision we feel viable at that time, but we wouldn't have been kicking the can down the road. We would have been working toward some sort of something, some sort of solution. And that would also give opportunity to find out exactly what the state has decided. And great, if the state decides everything for us than perfect. If not, we already have a plan in place and things in motion.

We have hopefully come to some sort of resolution either way. So I don't agree.

>>CHAIRMAN BROWER:
Councilwoman Wheeler.

>>I think we need to table it. I guess that is the word I am trying to decide. I just don't think we can move forward when we don't even know what we are moving forward on, to even start it in any of the process. This is a big issue. This is asking to change people's lives. This deserves the time that it takes to do it right. I really think we need to wait until April. That is two months. To make a decision that is really, really going to affect a lot of people in one way or the other. Whether you are for or against. So I am going to stand by my second of the motion of Councilmember Johnson to I guess you said table it.

>>CHAIRMAN BROWER:
Councilman Girtman.

>>Thank you, Chair. My biggest concern after hearing everyone today on both sides of it, I see so much of both sides of it personally. Being a Westside representative, I am very interested in hearing from Volusia on this issue because what to me this sounds like is Bethune Beach is going to make a decision, whatever we come to is going to be based on what is happening there.

What is happening there is not to be representative of what is happening in Volusia wide. So I am really interested in seeing us have this advisory committee that includes more of an input from Volusia County and what those impacts are. I am not getting a true sense. I get a real sense of what is happening and Bethune Beach, but I think this is a much bigger area even for the west side, which has very few hotels and opportunities.

So it is definitely something. And no, I don't want to kick something down the road. I really feel like we have to do our due diligence to give this the best opportunity so when the decision is made it is made in the right way at the right time. Like I said, I am concerned. I want us to definitely move forward with the advisory, I don't know if that is kicking it, kicking the can down the road, or is that part of our process? Definitely want that advisory into get feedback from our community beyond what we have had today because it does sound like there can be some opportunity for collaboration and understanding if it is done in a way that is not true the heated concerns. It is the reality of what is happening in our environment and what our communities and homeowners need. I am a realtor. I get it.

I know the value of being able to have your property rights. But I also know as a homeowner I don't want a transient area next to me either. Given the choice. So it is a hard decision. But I really want to hear from Volusia County and not just one particular area that will be making a decision that affects everyone. Thank you.

>>CHAIRMAN BROWER:
Thank you very much. I think today we heard from a lot of people, but we also heard from a lot of Ormond Beach, Ormond by the sea and Daytona Beach people as well. But I don't disagree with what is being said here. We've got another councilmember that wants to speak. I want to hear as well from people. In my mind that is what I see the process doing. I disagree with the Billie Wheeler that we don't know what we are doing. It is going to PLRDC. They have to make recommendations and it comes back to us. We get to hash it over again several more times. We do know what we are doing. You get the information you are talking about.

Heather, I will let you speak. Then I am going to ask Ben to clarify his motion one more time. Go ahead, Heather.

>>So when we were talking about having the community meeting, my understanding of that was absolutely not just Bethune Beach. Sorry, guys, but it was absolutely to have discussions. Because I know that a lot of these emails, I have had a lot of, I know there are people from Ormond By The Sea as well, in my district, but I have had a lot of people from around the county. My interpretation was that it would absolutely be a community discussion. On the other side of that, I was expecting that in the interim this would be the time also for staff to be doing that research. I think I wrote it down. I wanted us to remember Orange Beach, Alabama, because someone said they were doing that in Orange Beach, Alabama. That would be an excellent time. If it goes through PL RDC, if they are talking about it, if the community committee is talking about that, all of the information comes back to us in the interim. Then we figure out what the state is doing, at that time no time is wasted. We have all the facts. You know what the deal is. We can make a good sound decision.

The other way, I think it is just literally kicking the can down the road. We will be starting fresh in May.

>>CHAIRMAN BROWER:
So Ben, can you remember your motion? Did it actually include the citizen advisory committee? Michael Dyer, do you want to weigh in on that at all? Do you see any issues with that?

>>No, the Council's pleasure, but if the motion passes redirected committee to another motion we can craft the composition or you can ask the staff manager to come back the next meeting where they recommend some options on how to structure that.

>>CHAIRMAN BROWER:
Guess. It was seconded by Wheeler. Did you get that? Alright. Then let's vote on that motion. We will see where we are after that. What you call the roll, please?

>>Mr Chair, sorry, we are clarifying that we are specifically voting on tabling for good?

>>CHAIRMAN BROWER:
We are tabling until the state speaks. Asking the staff to create a CAC.

>>And having staff research, correct? And having staff research the other areas that are doing the same stuff so we are not reinventing the wheel. OK.

>>CHAIRMAN BROWER:
We will deal with that separately.

>>Mr Robbins.

>>Yes.

>>Ms. Wheeler.

>>Ms Girtman.

>>Yes.

>>Mr Johnson.

>>Doctor Lowry.

>>Yes.

>>Ms. Post.

>>Yes. Mr Brower.

>>No.

>>I am thinking if we are tabling can we give direction to have it be brought back at the date certain, the first date after the legislature convenes? So it is April 30 that they would have their decisions, we would know what the deal was, so that very following first meeting in May there should be no delay on us just figuring out what is going on and making a decision one way or the other. It is what it is.

>>CHAIRMAN BROWER:
That wasn't part of the motion.

>>We may know before that if they make it well before that. It will give us an idea. The session is not over until the 29th. I will say that our representative, Mr Booker, can keep watch on it. The sooner we have the information the sooner we can sit down and look at it. We put this to the end of the session. Most of the laws have already taken place by then.

>>I just want to make sure that we are agreeing as a Council that it will be no later than that first date.

>>CHAIRMAN BROWER:
We still have another point of business to take care of. Michael Dyer, on the subject, County attorney, or if you would like to weigh in.

>>Sure. Just so I make sure that we are not going against the Council's will, the last session is April 30. The current bill could pass before then. Mr Booker and I will work with them to monitor and see if the bill passes, get sent to the governor, because the governor can act on it, veto it one way or the other. I don't know if that would happen. But we would certainly know, hopefully the bills are transmitted quicker than what we saw last session, but we will certainly keep you updated on the status of that bill. If it is passed, when it is transmitted to the governor, he has a period of time to act on it one way or the other.

>>Is not effective until the governor signs it. That could put us in limbo.

>>It is possible it passes before session is over and transmits early. We will be glad to keep you updated at each meeting, if you would like.

>>CHAIRMAN BROWER:
Thank you. The last part of this we need to clean up is at the last meeting part of the amendment was to have a stay on enforcement. That is two weeks until today, correct? We need to either continue the stay or withdraw the stay on enforcement of short-term rentals. Michael Dyer.

>>Yes, sir. You are correct, Mr Chair. Because of the preemption statute, as I said last time, we would work to defend it. Because of the situation we are in because of state was we cannot amend our current ordinance without losing grandfather status. Anyone can make an argument, somebody can try to argue that a suspension of enforcement is possibly an amendment. I don't agree with that. We would argue against it. I just wanted to mention again that can be an issue. We will be prepared to speak to it.

>>CHAIRMAN BROWER:
OK. Then we need a motion to either continue the stay or withdraw it. It has to be dealt with.

>>I would like to ask Mr Dyer a question, if I could.

>>Mr Dyer.

>>Mr Dyer, if we were to continue to extend the current situation, how long would we extend that? Would we be a little more open to being looked at as amending it? Do you see what I'm saying?

>>I think it is a valid concern. There is no case law that we can find with this situation that I could point to, unfortunately.

>>CHAIRMAN BROWER:
We could be skating on thin ice.

>>I think the longer we postpone it or extended might create a greater opportunity for someone to make the argument. We would do our level best to argue against it. It is clear what Council has done or did do two weeks ago, it was not moratoria, the intent of this Council is not to amend the code. It was a direction of staff to suspend enforcement. That would be our position.

>>CHAIRMAN BROWER:
Is a stay not a common tool that is used while all these people's lives are hanging in the balance while we kick the can down the road and wait for the state legislator to make a decision for us?

>>This one is only unusual because of the statute. Because normally you are not in this position. You are free to amend your code. This is an unusual statute and that it has been interpreted that we cannot change your restrictions as a duration and frequency without losing the grandfather status. So the idea of a moratoria or allowing time to review and ordinance, I am not saying it is unusual. What is unusual is the predicament that we are in because of the preemption statute. That is what makes it unusual.

>>CHAIRMAN BROWER:
Doctor Lowry.

>>I will make a motion that we remove the suspension.

>>CHAIRMAN BROWER:
Is there a second?

>>You need me to explain? Well, we put a suspension on the – we back to the way it was. I guess maybe I could've send it that way. I'm afraid that if we suspended again that can be interpreted as a moratorium or being too aggressive. We could lose the grandfathering.

>>I second that. Realistically, before anything is really done it is going to be April 29 anyway. So if we remove it, being realistic about it, it is the system, but it will be undone. I will make a second on that.

>>CHAIRMAN BROWER:
I didn't hear what you just said. If we remove it it is what?

>>If we remove it we are kind of protecting our position, our ordinance. We want to be careful not to mess it up that way. But by the same token, being realistic, how much can be done between now and the 29th anyway about any enforcement? Being realistic.

>>
I think are enforcement people are what the situation too. And knowing how many people spoke today there can be some carry-on there as well.

>>CHAIRMAN BROWER:
Are we assuming there is not going to be enforcement?

>>We are not stating that, but if you are listening.

(Laughs)I think everybody needs understand that if we touch this ordinance in any way it's gone, right now there has been people in emails saying can we compromise this? We can't touch it, if we compromise anything it totally goes away. It is my hope that the state will do something along this new rule, law that they are working on because I believe Mr. Dyer in that law, there is some area for compromise, there is some room for us to be able to do some things that may work out for both sides.

>>CHAIRMAN BROWER:
the current bill in its current form would allow a county or city that is grandfathered such as Volusia, the opportunity to make it less restrictive as the duration of frequency. It hasn't passed yet but that is the current version.

>>We will have to deal with that bridge we get to it.

>>it would still not prevent us from regulating secondary features, frankly, Anders understand if we lose the grandfathering, if the state changes, they tell us what they want us to do instead of us taking charge.

>>The current bill does have some language and restrictions that would be targeted towards rentals and applied equally to the residential categories, but that is something we can discuss, and that isn't so much, in my opinion, have an impact on what we have in the books now, it could impact more counties that do not have a grandfathered ordinance but they have restrictions in place.

>>CHAIRMAN BROWER:
okay, the motion on the table is that we remove the stay on enforcement which means we go back to neighbour against neighbour, who seconded that? Ben Johnson seconded that. Would you call the vote?

>>Mr. Robbins?

(Roll Call)

>>CHAIRMAN BROWER:
the motion fails, which leads us again in no man's land. So, we need a motion to keep the stage in place, correct?

>>Yes sir, my understanding is we did 2 weeks ago was directed the manager to suspend enforcement and also made it clear you are not amending the ordinance by doing so.

>>CHAIRMAN BROWER:
would anybody make a motion?

>>Just to get us where we are now.

>>CHAIRMAN BROWER:
Thank you, Christy, would you call vote? You are getting really good at this.

(Roll Call)

>>CHAIRMAN BROWER:
And the vote was?

>>5-4, 2 against.

>>CHAIRMAN BROWER:
it was 53, correct? 5-2? 5 for the motion passes and a remains in place.

>>Yes, I am still paying attention.

(Laughs)

>>CHAIRMAN BROWER:
you need to press her button if you wish to talk.

(Laughter)

I'm sorry, it is been a long day.

>>Usually I leave it on and I apologize Mr. Chair. My understanding what you just did is we will continue it and that would stay affect suspension until returned to you after the legislative session or if the bill is passed before, whenever we returned to you is my understanding correct. Thank you.

>>And Mr. Chair, I'm sorry, what are we doing about the committee or what are we doing to move forward on that?

>>CHAIRMAN BROWER:
yeah, we sent that to staff, I will gladly work with staff to form this and my suggestion, when I talked to the county attorney about it was this is not law, this counsel can decide, because most of our citizens advisory committees have appointments by each council member from their district, that way what Barb said is true, that we hear from every district, and the at-large in the chair each get to appointments.

We just dump that on staff to start that process.

>>So, I am in agreement with the numbers, but are we going to go through the process of people putting in applications? Because that seems to be really kicking it in in the road, do we really, we don't need to do that, do we? Can't we just, can't we just each of our district person discuss with each person a pick we want? And start a committee?

>>This is pretty well advertised, we need to do it quickly.

>>CHAIRMAN BROWER:
it probably would take a week, maybe a little more, if there is enough people here, that this is probably, we have a lawyer there who has already said he would do it, we have a lawyer here that said they could work together. 2 women there, Mary, you better put your hand up.

(Laughs)

>>I'm just making sure we have a deadline of some time for people to apply because what I don't want to have happen is us to come back and say another 2 weeks for us to get in the information and then make that decision and then yada yada.

>>If the Council has made a decision about the composition which it sounds like you just did as far as one from each district and 2 for the chair at large, that is established now, if we can have names we will put out an advertisement for the names, and of course, like you say, we have those emails there as well that you can pick out of, we can come back at the next meeting and you guys, it'll be an item you can fill the slots, based on the information we have at the time. If you don't have enough information, find something that we can work to further fill it but I think you will have names at the next meeting.

>>CHAIRMAN BROWER:
and, did you have something to say? It's to let everybody know, it will go out in advertisement, but it is easy to apply, if you go to Volusia.org to government into advisory boards, Volusia.org, and government and 2 advisory boards, you will see the application may be on the homepage right now, isn't it? No?

That is the lady who will handle it, Chris agrees she is very capable and then and will let them know which people we should appoint.

>>Mr. Chair, I do have a question, would it be advisable to have people in and incorporated areas, the ones that are affected by this be part of this board?

>>CHAIRMAN BROWER:
I think, that is your decision and I think again, you've got the number of composition, what other criteria do you want, you can set that they must live in an unincorporated county, that is what it would affect, it would not affect the city.

>>I'm not sure, somebody that is in the centre of Daytona, they got their own regulation, you know if they should be in the discussion for the incorporated people.

>>It's unincorporated for Volusia County.

>>Does that make sense to you?

>>The people who are actually involved in the unincorporated decision because a lot of the cities, the cities aren't involved in this, but you know, their opinion is good, but it is not affecting them, it is affecting the incorporated Volusia.

>>CHAIRMAN BROWER:
legally we can only affect the unincorporated area is short-term rental debate affecting the cities, there are people here that would certainly raise their hand and say it is affected us.

>>Just to county residents.

>>CHAIRMAN BROWER:
I would disagree I think it affects them legally we can do anything but it has affected them, greatly, how many people are here from municipalities from cities? Has it affected you? It is a county government, and yes, legally, we can't force them to do anything, but it's not that, I don't want to make a big deal out of it, I think it would broaden the effectiveness of the advisory committee if we had people from all over the county, but you get to appoint to whatever you want. You are gone, are you done? Are we moving on?

>>Let's move on.

>>CHAIRMAN BROWER:
okay, thank you all again for being here, you are welcome to stay, if I were you, there is the ape escape right across the street, and half wall has great sandwiches.

>>Thank you, everybody.

>>CHAIRMAN BROWER:
Thank you. And we are going to move to item 3, which is what?

(Laughs)

>>It's good news.

(Laughs)

>>CHAIRMAN BROWER:
The canal and storm water treatment facility. Thank you counsel for your stamina.

>>Good afternoon. Chair, Council members, bridge director, for you today is the approval of a grant agreement with the St. John's District for the board canal stormwater water quality, $1.3 million on an estimated budget, that is a lot of money, and the project is going to clean the water from the 10th St. canal move the nutrients back on its way and it was really the project identified first in the mosquito Lagoon reasonable insurance plan.

It's going to consist of basically, diverting about 5.5 CFS about 2500 gallons per minute of water out of the canal, through a treatment facility that is gonna move phosphate and things we don't want going into there, and we anticipate a large reduction of 1570 pounds per year and 1100 pounds per year of phosphorus.

Some of the funding aspects of this project, we received $99,000 grant for design which has been completed, it's actually overbid right now, so we are going to be put forward with this pretty quickly, the estimated cost is about $3 million and remaining portion of that we dissipate to be funded with money from the stormwater utility we do have an application paid for additional grant so fingers crossed we will get 11 more money on that.

Like I said the bidding process on the way and we are looking to get started, this project is to be co-located on the same portion of property that the current 10th St. logging stormwater pond is being constructed and we worked with Todd and his staff to make sure our 2 projects will meld together and work well. So if you got any questions, I would be more than happy to answer them.

>>I will move approval for item 3 for the budget resolution the St. Johns River water management District Grant.

>>2nd.

>>CHAIRMAN BROWER:
Seconded by girtman, motion by Lowery. Sensing you are ready to vote? I don't see any other questions. All in favour say aye? Any opposed? Motion passes 7 to 0, I have a question for this. There is a way you are taking in nutrients out, is a byproduct that we need to deal with after that?

>>It actually converts it to nitrogen gas. Which 70% of the atmosphere is nitrogen. It takes it out of the water and converts it to something--

>>Does the sky get bluer?

>>CHAIRMAN BROWER:
so we can recirculated.

(Laughter)

>>We could use a little of that.

>>CHAIRMAN BROWER:
Thank you very much, item 4. Joseph? Did you make it through all of that?

>>Yes sir, I did. Good afternoon Chairman Brower and members of the Council, this item is a request to allow the fire rescue division apply for and accept a grant from FEMA. It is a staffing grant for 6 firefighters. This particular round of grants is a little different than previous, where the county had to pay a percentage or recipient would pay a percentage of the amount, this is 100% for 3 years, and then in 1/4 year, the county will pick up about 100% in perpetuity from there out.

>>CHAIRMAN BROWER:
Councilwoman Post.

>>So I – let's see. So I am going to move approval of the application for the 2020 FEMA Staffing for Adequate Fire and Emergency Response, the SAFER program. I am doing that because we should take advantage of this desperately needed assistance to help Volusia County fire put three people on each truck.

>>Yes. Happy to second.

>>CHAIRMAN BROWER:
Yes. Girtman could not wait to second it. I will add that I hope we find a way to make it permanent.

>>And put three people on every truck.

>>This is what it does. This grant, we still have six stations where we only have two on staffing. Our goal is to have the fire department move closer to have you achieving the standard, which is four on each engine or ladder company. This helps us get there. Or closer to it. We have been for the last two and half years. In fact, the Councilman 2019 approved the same or nine firefighters, so we received that grant and are working through that. Since 2018 we have gone through all four corners of our budget and increase several stations and our own budget and put lieutenants across the board in fire. We made a lot of improvements with your help in certainly through these grants.

>>I just wanted to point out that just know we are watching and keeping track of getting us to that standard of a good number on each truck to serve the public. We are still on it, OK.

>>Yes. Maybe we can find some ways to broaden our tax base.

>>CHAIRMAN BROWER:
Thank you. Item 5.

>>Good afternoon.

>>Sorry, Donna. I just want to clarify that the boat for that one was seven to zero.

>>Yes, it was. I'm sorry.

>>Alright. Good afternoon, Mr capture, members of the Council. Donna Butler, community services director. Before you is item 5, alcohol, drug, and mental health funding. The County of Volusia is mandated by the state of Florida to provide local match funding to nonprofit agencies for the services of alcohol, drug, and mental health services.

Lutheran Services of Florida Health Systems administers the program for the state. They provide the County with the local match calculation form annually. We were just told we don't get to negotiate. Nothing in there allows us to make any changes. The details for the amount of state and local funding for agencies is to provide those services.

The match can include County funds, private funds, and limited in-kind contributions. Just know that is not a local County Council match, that is a local County match. That gives you that definition there. Identified are four agencies to provide ADM services. The Children's Home Society, Halifax Hospital Medical Center, SMA healthcare, and the House Next Door. As we discussed earlier, in person, the agencies asked for more than what our regular budget is. Our regular budget amount is $3.6 million. It is the same amount that was budgeted last year. At last year's meeting you decided to give an additional amount of funds to get them to where they had actually asked.

So option A is an award that we kind of giggled with a little bit to provide a flat funding scenario for you, if you so choose. Option B we give them flat funding from what they received last year. The shortfall would be 113,503. I do want to point out that the Children's Home Society would only be receiving half of what the state said the local match would be.

Finally, option C is what they requested. You will see all those numbers there. That would make us $322,762 in the hole if we went with that option. It was requested that agencies be here. They were here this morning. Wanda is here. Halifax Hall this year. House Next Door, and one more. They are here to answer questions if you have them. I was not sure that they were going to stay, but they are here. Some left and came back. If you have questions for them or me, just let me know.

>>CHAIRMAN BROWER:
Thank you. Councilman Girtman.

>>Thank you, Chair. Is someone here from SMA? I am interested to know the impact that you have seen from COVID, and I guess I was expecting that there would be more of a request because I am anticipating there is much greater mental health needs and so forth. It looks like the request is kind of in line pretty closely with last year.

>>Thank you, Councilwoman. Thank all of you for this marathon session.

(Laughter)

It has been a marathon. We have yet to realize the after effects of COVID on the population that we serve. I can tell you from day one of the COVID pandemic, we just rammed into gear to make sure those we currently serve continue to receive services. Our offices never closed one day. So we continue to deliver the services. The demand has been relatively steady because people are still afraid. They don't want to come out to places. They are afraid they are going to get the COVID.

What we had to do is turn our perspective around and reach people where they are at. We had to ramp up our telehealth and get our people going into the homes, and when everybody else was walking down we were going out. We are pragmatic and understand the funding situation. Everyone is going to have a deficit in funding this year. The reality is we can serve less. We have to serve more. Just being reasonable to ask for flat funding is where we come in at. We don't expect to go to this legislative session unscathed. We expect there to be cuts. At this point time we are treading water and continue to serve. And the last year we served almost 26,000 people, all of them out here in Volusia County, and on a monthly basis we serve about 5500 and or crisis unit. An outpatient we are serving about 7000 a month. We are still delivering the volume of services. Our residential programs are pumped at the seams.

We are still doing what we are doing. We are expecting an onslaught. We will deal with that when it comes. We are prepared.

>>Thank you. I just wondered because I expected a much higher request. I will make a motion to approve option C.

>>Second.

>>CHAIRMAN BROWER:
Motion made by Girtman. Seconded by Heather Post. All involve or say I. The vote is for option C. Any opposed? The ordinance passed, 7 to 0.

>>Mr Chair, since we do have someone from the Children's Home Society, can they just talk for one second? I haven't heard anything from them on the effects of COVID and what they have been dealing with. Are you… I'm sorry?

>>I was wanting to hear from Halifax also.

>>CHAIRMAN BROWER:
Please.

>>It is terrible to get old too. That is the other piece to it. We actually asked for more money this year. Let me explain to you what happened. We only get funded $750,000, which is to cover inpatient case management therapy, day treatment, and all the services we provide. Master in Volusia County we saw 1269 children and adolescents came into Baker Act. It was substantial. This is to Halifax. It is been difficult to manage the amount of kids we have seen. Probably because of schools clothing and that kind of stuff.

>>Halifax is the only recipient for the Baker Act.

>>Yes. In addition to that we had 500 voluntary kids coming last year. We saw in our department almost 2400 kids last year in total. Trying to get them to the right services in the right place. We do the bulk of outpatient services as well for case management. We have been really inundated this year. COVID, we are the only facility both adult and child that will take COVID positive patients in the region. We have had multiple kids that have come in for being COVID positive or exposed as well as adults. We are not asking for anything for adult services, just for kids services. Does that help?

>>Thank you.

>>It does. We did have someone from Halifax come to the issues with the Daytona Chamber and spoke a little bit as well about the mental health. Thank you very much for the information. I do want to hear from Children's.

>>CHAIRMAN BROWER:
Billie Wheeler.

>>I wanted to ask the Halifax gentlemen a question. I just wanted to make a comment. Sorry. I just wanted to encourage Halifax since you've got the beautiful facility in the Deltona area it would be nice of having a goal to try to get a bigger facility on the west side for parents who have to drive 45 minutes. Just equal to think about. Thank you.

>>Thank you. He is still here, thank you Barbara, councilmember Girtman for saying option C. I wanted to make sure that Halifax really got in on this. They are the only services for children and adolescents for the Baker Act. Having a family member who participated in that, it is extremely important. I know those numbers have increased. Thank you, Ms Girtman, for the stand. Thank you.

>>CHAIRMAN BROWER:
Thank you.

>>Children Services Society. Since COVID has occurred, we have actually seen an increase in our clients. Our agency provides for the family service planning team. Where the contract agency for Volusia County for children who have mental health services and need to go into residential outpatient treatment. We are the only contract provider for that. Since COVID has occurred we have seen a significant increase in children needing actual residential placement. That is where our largest increase has been. We are able to outsource them to other services to actually link them with a long-term residential placement. Those have just been some of the stressors of COVID Extreme mental health and not being able to manage those in the house. Residential needs. Again, we are the only provider that can review those packets and get those into the children's residential in-state or out-of-state.

>>Would you say that is a significant increase?

>>Normally as the program manager my role is to review all the packets. I normally review about 10 per year. This year we are up to 37 residential placements. So a significant increase. Overall the placements are on hold because the number of children and residential has increased. So providing those services to those families where the children are waiting for residential placement is also important.

>>Thank you. I appreciate that you are here. It is rare that we hear from the agencies like yours, but we know you're absolutely working very hard in the background.

>>Thank you.

>>House Next Door, do we have a representative? I just didn't want to leave you out, I know how critical your services are here on the west side.

>>We are definitely seeing the same need for services, we are the only provider or children and their families and siblings,--

>>Into the microphone.

>>Is that better? We are the only contractor provider for children and their siblings in the non-infinity caregivers that have been abused to one of our big concerns is we haven't really seen them, we have a lot of kids that are still doing school at home, we don't have as many eyes on them in the community, so we're definitely expecting the need for services to increase.

>>CHAIRMAN BROWER:
And if that is it, from the Council questions, we will move to item 6, Clay? Clay weather the storm. This is an amendment to update the cultural facilities element of the Volusia County comprehensive plan.

>>Yes sir, clay urban of urban development and resource management, your planning and developing staff have been hard at work on the comprehensive plan. We were required to have a 10 year planning horizon in which case we to have a minimum elements that are required by state law to ensure that we are compliant with state laws, and so, when we have gone through basically the administrative cleanup to make sure we are up to date with all proper names, any kind of changes in requirements, any kind of state law or federal law, that impacts Volusia County, today we are talking to you about the cultural affairs element, this is an optional element under the Florida statutes 163 in community planning act. We put this in as part of original comprehensive plan in 1990 as a way to facilitate the county's interaction with many of the cultural affairs activities that were going on in the county.

What you see today is really just a quick cleanup in regards to the names of some of the organizations that may or may not still be around or have been modified, also we made some changes to some of the policies to change them or strive to in order to make sure that we are able to properly put our resources where they need to be and still encourage the use of cultural activities through Volusia County. This is a transmittal hearing of the County Council, it was presented first year local planning agency, which is your planning and land development commission, PLD are the, they recommended approval for transmittal to afford the economic opportunity and to Volusia growth management initiative. That basically is a quick summary, if there are any other questions, we would like to answer them.

>>CHAIRMAN BROWER:
I see no questions.

>>I will move that we accept the ordinance 2021 – 3 for amendment of chapter 18.

>>CHAIRMAN BROWER:
Seconded by Johnson.

>>Miss Wheeler is out.

>>CHAIRMAN BROWER:
no she is not, do you know what you are voting on?

>>Just letting people know we can still hear back there, we are not coming out totally blind.

>>We can't escape you all.

>>CHAIRMAN BROWER:
all in favour say aye? Any opposed? Okay, item 7, is that Clay again?

>>Similar situation only this is pertaining to our historic preservation element this is again an optional element we included that identifies efforts to ensure we were protecting the historical resources in Volusia County grey. And, one of the interesting comments that we got from the state division in the historic resources were some of our maps were too precise, that so people could go and find some of these resources and perhaps take them and keep them in their own private collection or sell them for a private collection. What you will see is we removed a considerable number of maps so folks can realize where it was up without necessarily indicating exactly the location, we also updated our maps for various historical district that we have incorporated area and lastly, we did the cleanup to the goals and policy similar to what we do with cultural affairs and the updated names, dates, etc., if there are any questions, I will be happy to answer them, adult regulation commission, and transmittal to the economic opportunity growth commission.

>>CHAIRMAN BROWER:
Do we have a motion? Approval, motion to approve by post, seconded by Johnson. All in favour say aye. Any opposed? Passes 7-0.

Item number 8-- you should bring an extra jacket.

>>this is Clay director of resource management.-- We currently do not have any of these in our code we need to make sure we are implementing these types of standards the primary goal of this is to make sure we are identified in the type of lighting that is accessible nonresidential areas and site plans specific details and type of lighting fixtures we are getting a more importantly, the amount of lighting that is going off of the property, this is similar to what you see in other areas, my own personal experience that this is a commonplace for many nonresidential site plans, this will not increase any kind of fees or any of those things, it is all part of the current site plan process which will be another set of plans to review with staff, there was a question about the cost.

With lighting plans, it is a function of the size of the site, the cost for 5000 square-foot medical office on 2 acre site is going to be considerably less than what you would see for Walmart supercentre also in doing our research, we found out that many of the lighting companies themselves, if you are going to purchase products will do this as part of your contract and provide it to you. If you are not lucky enough to have them done, it can range anywhere as low as $1500-$10,000 again, it depends on the complexity of the site.

But that is not a fee to the staff, that is the cost for hiring a lighting to come and provide the plans to show candles and location of the lights, and types of lights, etc. so than that we we can see there will be no external imprints and residential properties or it happens in the public right away.

It went to your PLD are you with the staff augmentation of approval, the PLD are recommended approval to the County Council and we are here to answer any questions that you have.

>>I will make a motion to approve.

>>CHAIRMAN BROWER:
Motion to approve by Johnson, seconded by Wheeler. Any questions for Clay? All in favour say aye. Any opposed? Motion passes again 7 to 0. Item 9 is a quasijudicial hearing, does anyone have any expert to declare, talk to anybody property owners? There being none, going to clay.

>>This is a rezoning from R2 to the PED with the business of classification, subject property is .93 acres and is located on the north side adjacent to the on-ramp, the property owner seeks to market the property for nonresidential, the land use which is the underlying method of identifying formidable uses is mixed so it does allow for residential and nonresidential uses. There is a provision of it if you were trying nonresidential, you would have to do the rezoning to the PED, there are site-specific requirements that are negotiated with the staff and come forward and then to the County Council for final adoption. The applicant here does not have specific end user in mind, they do have a certain sizable which is reflected in the conceptual plan that is made part of the documents, that is included and shows the footprint of the building and shows the marking and the associated landscape setback to buffers that are required, also included is a agreement which specifies types of uses that could be allowed on those properties, currently, the applicant has requested the use of those associated with the commercial zoning, which is your general shopping centre analyst from everything from offices, retail, restaurants, those kinds of things.

In front of the planning and the adult regulation commission, the concerns in regards to potential flooding, stormwater issues, this at this point does not have a developing application for final approval, the stuff to go through the final site planning process and meet all the stormwater requirements and that we would have to make sure they have pre-existing condition and it's the same in the post-construction. Also we were making sure that the highest buffering associated with the use would not have any negative impact or spill onto the residential areas, this is an interesting area because a long 92, those were majority of our properties being developed for nonresidential use, so it is adjacent to it, and immediately behind on the road is where we have some existing residential areas and also some existing vacant land within the zoning, if you feel the applicant has come forward for the best picture they can in the conditions, if they come through with an end user who wants to modify a substantial nature back in front of you, as a major amendment.

If they are consistent with it they will go through the site planning process to ensure it is consistent with the corridor requirements, stormwater, landscape and buffer. Again, the PLD can make the recreation approval that was not unanimous members Steve Costa was concerned, mainly about the size of the property, he felt that applying to PED was .93 acres was an appropriate and need to have larger areas you could have greater control and commercial impacts. Again, we concur it would be great if we could have all the property owners coming in and joining in to make sure it is done, but it is allowed to go forward on this process because it is a part of that mixed land use that we do require the PED and property owners now coming forward some reasonable use, if there are any questions from staff, we would be glad to answer them.

>>CHAIRMAN BROWER:
Councilman Lowery?

>>These are public items, since item 6, and just for the record, we will know there was no public that wanted to speak, I just wanted to be sure I got it in the record were somebody says we didn't give time to speak with that, I will make a motion to approve that. I'm not rezoning.

>>CHAIRMAN BROWER:
motion to approve by Lowery, seconded by Wheeler. All in favour say aye. Any opposed? And motion passes unanimously, I would just point out this is not an offhanded comment to the Council, I respect what you just did through a long warning and being cautious in seeking information, we consider zoning changes all the time, on this Council because government is not always get things right and things just change over time, that is the real issue, thanks to and no neighbourhood can depend on remaining exactly the same all the time, and I believe this was appropriate.

Clay, you must be up again for item 10.

>>Yes Sir, this is the last one you will see here today. This is an application to rezone a 4.4 acre in the beach area, it's currently got an 82 zoning and permissions to go to a 3 zoning, which has a smaller lot requirement. If you look at the attachments of the agenda packet, you can see out in this area, we have a to A3 and A4, it is all very much agriculture, but it is all the smaller lots. We looked at whether or not this would be compatible because the property owner is interested in applying property for sale, for another single family home, therefore, we were looking to see if this was going to create in a consistency or incompatibilities with character and will be seeing is that the zoning pattern is consistent with its location, that was the recommendation with the staff that made to the planning regulation commission, and they recommended approval 6 to one, Steve Costa did object in Mr. Costa has objected to any other rezonings which resulted in smaller lots in areas that are not water or sewer, he feels that they should be served by central water and sewer, the thing about is many of these areas of agriculture areas do not have access to many of the utilities here today from the New Smyrna Beach utilities, their staff is concerned-- a thousand feet to provide any service to this property. And no one else's requested it.

They are not certain if this is something that should be done or not. We to go back and check because there are many rural areas such as the local plans, such as the village, for our local plan which is a right prohibition of the utilities in the areas because the residents don't want to see the ability to have greater densities in that area. Before we can address any concerns, we would have to make first of all verify is a consistent to ensure these folks have a rural lifestyle and rural type of nature. That being the case, it did come with a recommendation approval from the planning land development regulation commission, if there are any questions, I will be happy to answer them.

>>CHAIRMAN BROWER:
I don't see any questions, this is a quasi-judicial hearing, does anyone have any expertise to declare? It's also a public hearing, if there is anybody here that would like to discuss it or the owner, I will obtain a motion.

>>CHAIRMAN BROWER:
Motion to approve by post, seconded by Lauri, all in favour say aye. Any opposed? And motion passes unanimously 7 to 0. Then we have a change of personnel, here, Jonathan Edwards, to discuss.

>>Good afternoon, I'm presenting the internal audit report, whose fiscal year 2020, there purpose was to reform that they were operating efficiently and effectively, it was in compliance with laws and grandson regulations and revenues that were tracked and reported. To accomplish the objectives, I reviewed in understanding the internal controls over the 16 different areas listed on the screen. I obtained and reviewed resolutions, federal and state guidelines, program regulations, county and public policies and procedures.

I noted several findings with opportunities for improvement, the County Clerk control over all areas of best practices with no documented supervisory views. The report lists all the job details of clerk performs in summary of the clerk orders passes receives inventories of and propose him to fill customer orders and maintains a spreadsheet that tracks them, invoices and bills the customer, and prepares the daily deposit all with no documented supervisory. In principle, 3 functions were processed and should be splint among different people, the physical custody of the asset, the authorization to acquire or dispose of the asset and record-keeping of the asset.

Segregating job duties makes it more difficult for intentional wrongdoing because it would require collusion among 2 or more individuals. Sometimes small organizations-- however mitigating control can help lessen that control efficiency. Management with high recommendations have already started reviewing the job task and splitting up some of the updates of the clerk and they will be performing more documented reviews and oversight of the clerk's duties.

Controls can also be enhanced and strengthened, the number of vehicles depends very on the passenger demands, a listing of the daily vehicles and service for the day is not given through the cash counters to ensure that all of the transit fare are counted each day. Inside the money room, the cash counters and are required to wear aprons, which would restrict the Countess from placing money in their pockets. Sometimes the cash counters will also enter the trash cans located inside and other times the cash to be placed in the trash cans and retrieved later when it is taken out of the mighty room and outside of the security cameras. The money room has limited access and requires employees to batching and there is a safe in the money room that does not require a combination between zero and 10. Policy requires at least 2 employees always be in the money room at all times, however, that is not always the case and sometimes there is one employee in the money room. Once the cash counters can't prepare the deposit, there is no documented or surprise reviews, again the probability of collusion between cash counters is significantly increased by not conducting surprise or periodic reviews. Finally, money collected from the front desk to the transfer station is kept at the clerk's office in a small locked canister during closed office hours.

-- And management has already reviewed it. Spreadsheets are used to track the issues and tokens, when customers transfer station or the front desk request additional passes or tokens, the clerk enters them into the spreadsheet. The clerk was also pulling from different stacks of the passes and tokens it was not selling them in sequential order. It was noted that sometimes sales were not recorded or logged at all. Other times the quantity sold to the customer did not match a ticket for the sequence that was recorded in the log. One customer who purchase passes on behalf of the stay-- the clerk did not record the returns into the spreadsheets the resell of these passes and tokens were making it so that they were sold twice. Due to the scale of air is the potential for theft, I reviewed all of the best practices and tokens sold during fiscal year 2020. During the first step of the review.

I shared the detailed of this and they were able to provide more records and provided other documentations to support the sales such as signed customer receipts and verified the correct quantities 30,000 of those tickets is doing to a train error. After verifying the additional information given, I was able to narrow it to -- with about $14,000. During the year, there are over 152,000 tickets sold worth over almost $1 million. I immediately shared with voucher management some recommendations and how the clerk revise the log sheets to include error informants and the elected clerk that there were errors, the clerk started using the updated spreadsheets right away and started dispersing the tickets in sequential order. Management has also worked with the partner agencies with only amounts needed.

They are supposed be performed monthly but they were only done every few months. They maintain a spreadsheet that was used more to track them as an order mechanism that is maintained with the tickets, the spreadsheet did not have the numbers or the tokens recorded, I counted inventory that recorded the serial numbers with every thing that is in stock, there was over 160,000 passes in tokens valued at one point million dollars, management agreed with my recommendations and they made changes to the inventory sheet to include the numbers, to the one person is charged with stocking and another person charged with doing the physical count and they will make sure it is been done monthly.

Final recommendation today was over the audits, after the buses are finished for the day, part of the rolling procedure is for supervisor to take the box and emptied into a special bit that only the farebox can fit into, the money falls into a separate locked area that can only be accessed through the secured money room. In the limited number of staff would be inefficient to count each fair separately, to filter this, they select 5 boxes each day and they compare the amount that is recorded by the system with the amount that is actually collected. During the year there over 1100 of these audits performed by the go train staff. Some of the errors could be from malfunction and the driver not using the correct procedure when the passenger is recording, or potentially theft from either the passenger or driver.

1100 audits a total of 16 audits that had variances that were $15, that reviewed all 16 of those, I compare the number of days between the audit and the service day and it was an average of 36 days. The longest was 130 days and the shortest was one day before the staff looked at the fare box. Also during the time, the fair boxes were in the fixed.

We set a policy to report the variances through the maintenance structure and technicians will review it within 5 days. A benchmark of 2% and we will monitor the performance of the amounts collected with what is reported and management has started viewing the repaired vehicles as well. Other areas noted in the report of the recommendations for enhanced controls over the areas listed management has agreed with the recommendations and they have either already implemented or they are working towards, and I would like to thank the trained staff and management for their assistance and help. Any questions?

>>CHAIRMAN BROWER:
yes there are, Dr. Lowry?

>>I was listening, you probably wonder why I was smiling, when you got to the trash cans, I thought, did you have to take a class on how to think like a crook 101? I figured you did, anyway, with that comment I will make a motion we accept the report.

>>CHAIRMAN BROWER:
Motion to accept the report by Lowry, seconded by Wheeler, County manager George Recktenwald?

>>Yeah, I just want to say first of all, thank you to Jonathan and his very thorough work, I also want to point out this counsel made a change when we went out for proposal to run the go Tran, and because there were issues, I think in the past, Jonathan has talked about these employees have been there quite some time, and so, I just want to point out, we have a new management team over there, and they are here today. They were very quick to work with Jonathan on any of these issues to agree to implement them.

And also, I want to point out, we do go back on these audits, we will go back to find out periodically how they are doing on the work that they are doing, I just want to ensure that it is in good hands, we have a great new general manager, and really, this is good work that we do constantly throughout the organization, to make sure we are on our a game and that is what it is all about, so I think you, and I want to think again the Council. I think we made a great change, and we are often the right direction, so thank you.

>>CHAIRMAN BROWER:
representative Wheeler?

>>Thank you, Jonathan, I wasn't done. (Laughs)I just wanted to give your accolades again, I think it was one of the best things that we did, I say this every single time he comes up and gives us a report. These are so thorough, and what is so wonderful about them as you are finding small things and items that can improve, and that is what we want, were now hunting for big things in any one of the departments, but anything we can improve our system and the fact that management has been totally receptive and jumped right in with your suggestions. This is the way it is supposed to work and it has been great, thank you for this very thorough report as usual, thank you for your work.

>>And I think it is awesome to that even though, he is going back quite a ways in some of these areas, decade sometimes, and not finding big things, which I think is very complementary to our staff as well, thank you.

>>CHAIRMAN BROWER:
While we have a representative here, many of your suggestions, and they are easy to do, I would just be curious if any of those have been implemented yet?

>>You need some help for that little clerk.

(Laughter) She does everything.

>>Yes Gen. manager, we have probably implemented a great deal of what he has said. We mixed up the duties of the clerk, we separated the news from different folks, and we have actually starting to wear the aprons now, and the trash cans are not being dumped by the people who work in the money room, they are being dumped by the custodians, and we have actually upgraded our money room staff we put in extra cameras, just to make sure that we are getting all the errors of the money room. We have implemented quite a bit of those things that he is had recommended.

>>CHAIRMAN BROWER:
and I'm assuming he is not made any money dumping the trash cans? One other thing I understand you have quite a collection of foreign corns, what happens with those?

>>Actually, took them to the county to auction them off.

>>CHAIRMAN BROWER:
To the county?

>>That would be materially taken auction like if we find, we end up with all sorts of things and they become our property and are sold off sometimes or scrap or in this case, for whatever value they may have.

>>CHAIRMAN BROWER:
OK, thank you.

>> I reached out to several banks and exchange, and no one would take it.

>>CHAIRMAN BROWER:
That's interesting, thank you very much for the update.

>> Nobody wants the coin.

>>CHAIRMAN BROWER:
I will take them. Moving right along to item 12.

>> Item 12 is a sponsorship request from the central Florida zoo and botanical gardens that will be an event that is held every fourth Friday from May until October. This is located in Seminole County. It would be the first request that Volusia County is asked to sponsor the event. This will be used for entertainment and activities for the nightly events. The individual ticket cost is five dollars and they are asking for $1500.

The coordinator of the event wrote a letter along with the application indicating almost 1/3 of the members and visitors reside within Volusia County. She noted that in their letter, and noted that the Florida zoo and botanical Gardens, and other partners to host these on behalf of these events.

>> I will put in a motion to accept the $1500 for the Florida Center zoo and botanical gardens. We don't have a zoo in Volusia County. I know certainly, that's where I take my family. So I support that.

>>CHAIRMAN BROWER:
Motion by gurtman to approve, is there a second? The motion dies for a lack of a second.

>> I was actually going to make a motion for the opposite. I appreciate what was said, but we go across the bridge once, everyone and a lot of Volusia people have done a lot of things in other counties. We will open up our borders to support things, it will get out of hand. That's just my thoughts.

>> Our donations have gotten way out of hand. As you will remember. We brought them back under control. I echo what Doctor Lowry said on this. There is no ending that if we start it, we need to keep our donations here in the county for our County residents.

It's a great thing. It's a great activity. But I just think we need to keep our money on the side of the river.

>>CHAIRMAN BROWER:
Councilwoman disappeared. Kevin, you are up for item 13.

>> Going for community events. The first event is thanks to help with Councilwoman Gartman, the information technology community information collaborated to develop and distribute the survey to the Spring Hill residents asking them how they feel about County services and what their needs are.

Their survey has been posted online. There is a slider here on Volusia.org. In addition to other resources, we are doing other social media posts with it and invention-- in addition to that, we are able to drill down into the neighborhood to encourage participants to take the survey which will run through April 15. I also mentioned feed the need fund drive, and we are continuing to work with second harvest. And they can donate funds electronically.

Most of us don't have checkbooks anymore so we have to look at some electronic platforms to be able to do that. The dates of that drive our March 8-19 and it's still going to be competitive. One dollar turns into nine dollars worth of food that has a poundage equation.

As we are telling people to look through the sofa cushions, the coins, get those coins out because maybe they do count.

>> When are we going to have that set up so we can contribute?

>> Hopefully within the next few days. Hopefully next week. I spoke with Betsy at second harvest this morning and she seemed positive that we are going to get that set up.

We are continuing to boost social media as much as our efforts possible and using our little taker there to show the Mercury level rising with the amount of vaccines we are able to distribute. With bike for week around the corner, we had director Jason Brady and Lieutenant Kim Monty's to talk about safety on the road was for the upcoming event.

In addition we are working on new features for Volusia magazine which will include the solid waste recycling program and the master nationalist program among others. In addition to that I mentioned before about bike week, we are having specific ads that are targeted for digital programmatic purchases. We are spending $2000 on that and another few thousand unpaid social to make sure we get the word out and create new graphics and with the help of the Ross Meyer family, able to encourage writers to wear helmets and masks and wash up.

Also working with road and bridge, we've been able to secure a couple more message boards. Many that have been in use with the fairgrounds and other initiatives through the county. We are getting even more so we can encourage the step up the Lucia message. For public meetings, a couple to emphasize for March, an easy way to… A quick reminder, lifeguard tryouts, there still time for that if you want to send anyone who is interested. Thus the community events update.

>>CHAIRMAN BROWER:
Did anyone here try out? Thank you very much. Item 14… Do you want to make a statement?

>> State of Florida continues under state of emergency and this extension would continue the County state of emergency through March 9.

>>CHAIRMAN BROWER:
Motion made by Johnson, seconded by Lowry. All in favor say I. Any opposed? Motion carries 7 to 0. Coronavirus update… Is a serious matter. I'm just tired.

>> Good evening, Department of public protections, I will make this quick. We continue to see a decline in new cases and have for really nine weeks now. There have been decline in positivity rate. To cap off the month of February, 65 and older made up 23.8% of new cases and that reflected 60 new cases per day. In February, that was down to 17.9% and that was actually just 24 new cases per day and 65 and older.

We hope that points toward headway we are making with the vaccines. Currently as of today there were 84 hospitalizations and just to give you quick count, in Florida there was 1,918,100 cases. 31,000 deaths cumulative, and in Volusia we are at 600 cases and 680 deaths. We are on a decline but something to take seriously.

Hospitalizations were 84 as of today and we are still sitting fine with hospital bed space as well as ICU. We do continue to hold testing at the new Smyrna beach city gym. As of this morning it's actually 114,256 tests done.

As of this afternoon there were 4000 people in Volusia County vaccinated in that's about 7%. We are making headway there. We want to call attention to the work that we did last week. We were able to do 10,748 vaccines. That's first and second dose out there at the fairgrounds. That was great work from the whole team with the Department of Health. This week we are scheduled to do 8000 hundred 20. Vaccinations. That's 5801st dosages and 2302nd dosages. We continue to work on homebound missions. We've done 50 homebound and 680 vaccinations that are provided at the minority missions.

Publix continues to offer vaccines in the county. We have the two Winn-Dixie locations and I found earlier today, one Walmart location in Orange city is right now. The one on Veterans Memorial Parkway is listed on Walmart's website as offering the vaccine as well.

Just a little update on share care because I know we have had some… We are working on it. We continue to use that for scheduling at the fairgrounds. Just go over a few questions people have had or we heard that people had with regard to that, people will get called for their first dose order they might get texted if they enrolled for the registration waitlist with their email address, they might receive an email as well.

With that, they are offered options to be able to schedule the appointment and we do ask that they get that and get in solidly because currently, there's not a way to cancel that appointment or reschedule the appointment.

It's an issue that we have brought to the attention of the developers in the state. They are working on it but currently there is not a way to cancel that so I did want to clarify that because we get a lot of questions on that one as well. Because people are getting for scheduling appointment out of county.

A quick rundown of that, they do call people outside of County. If Seminole County did not have enough people on their waitlist that qualified foreign event that they were doing, they might reach out to surrounding counties. And this a, we had some were from quite a ways away. We try to fill those in for opportunities and provide opportunities for people as other counties might have a shortage of filling up an event that they are doing. That does not take them off of a wait list for Volusia County. If you can't get down to Broward County, it does not take you off of the place in Volusia.

You will come up on your regular position that you want before, is just an extra opportunity for people to be able to take advantage of if they are able to travel or if it's a close County that's having that.

We do continue to sit in and participate on the weekly… There are two Townhall meetings that happened with share care to give updates as they happen. We are preparing to see you tomorrow, the additional eligibility requirements should be listed. We all know that yesterday and the day before there was clarification on where people with pre-existing health conditions can receive the vaccine.

That was expanded just beyond hospitals to pharmacy, and places with a licensed physician or an ARPN I think that's an advanced practicing registered nurse.

Those are the people that can provide the vaccine for people with pre-existing health conditions. We are getting verification of whether we could do that at the site right now. That's offered at the fairgrounds. That means it opens up pharmacies to people with pre-existing health conditions.

They would advise they look for appointments to Publix or CVS order those locations as they come online. As well as firefighters 50 years of age and older. They will now be able to register through share care and the qualifying questions will be updated to reflect that, and that will go into the goal as well.

And finally, just as a quick little note, we know we are coming up on our one year anniversary of the first case in Volusia, the first case in Volusia was found or identified on March 8 and I look at that pretty much every day and I know it has been a stressful time for people and we actually have heard from folks earlier today that we have seen a stressed on our mental health systems and people making sure that they are getting the assistance they need. And so I did want to mention there is a new site that is supported by the Florida Department of children and families, that is dial 211 so you can dial 211 instead of 911 to access references or referrals for mental health services, it is actually a variety of things, it is mental health services, substance abuse, suicide prevention, any number of things you can reach out at that 211 and you can also Google that and go to 211 and it provides referrals and information for services that are available in Volusia County as well.

And so I did want to mention that as we are coming up on the one year anniversary and it has been quite a time for a lot of folks. With that, that is my update today.

>>CHAIRMAN BROWER:
Do you know if it comes with an associated increase in vaccines?

>>Not right now, he gets on his calls.

>>We just got word, and Patricia Boswell can please come up, we just got word that we are going to receive a shipment of the Johnson & Johnson 3600 vaccines so, it is going to be initially directed for some closed administration to certain groups that I will let her explain. We just got that information, that is hot off the press, sir.

>>CHAIRMAN BROWER:
Thank you very much.

>>Good afternoon, Patricia Boswell the administrator for the quality department of health and Volusia County, good afternoon. Represent the Council chair. As I was sitting I received word that the county health department in Florida will be receiving Johnson & Johnson vaccine to administer the week of March 8. The vaccine for Volusia, that allocation is 3600 doses for that week, it is to be a close pod which is a point of dispensing which means it will only be for the eligible individuals for that particular close pod, which is the new group of law enforcement firefighters and the K-12 staff that are over the age of 50.

We are really happy to be one of the non-unfortunate counties to receive that allocation of 60,000 doses allocated. I also wanted to mention there is a CBS in Daytona Beach that is vaccinating and there is a phone number as well as a website available for appointments, we do have a PRN. A registered nurse on staff that will be working out of the fairgrounds Thursday, Friday and Monday, so the individual does register for that site, meets the qualifications in terms of being medically vulnerable and has the physician's note, they will be vaccine available for that.

>>CHAIRMAN BROWER:
One of you probably said this, is it a single dose or a double dose?

>>It is a single just refrigerated, it doesn't have the ultracold storage, and we are really a message to everyone, if there is a vaccine, take it. Because it is proven to prevent serious illness that leads to hospitalization and death.

>>CHAIRMAN BROWER:
Counsellor girtman?

>>For the medically vulnerable, is that each specific?

>>No. The vaccine is age-specific in terms of 18 and up.

>>18 and up, okay. And with bike week and spring break, will we be anticipating another spike?

>>Well, it will depend on individual behaviour. I would expect to see an increase number of cases. It depends on where the person resides. Because if they are infected here and they've gone home and test they will count as a case in the County residents. Before the staff here--

>>Are we looking at any precautions or doing anything different anticipating what is coming up? Again, 23% or 43% of our seniors being vaccinated doesn't keep the virus from spreading throughout our community and we still have to take the same precautions. What precautions are we taking in preparation?

>>Kevin, I think you have a campaign, correct? It is messaging to continue to practice Social Distancing wearing your mass, washing your hands, that is the campaign, that is the message, correct? Yeah.

>>Last year on the beach we had precautions we were having people comply with certain things that it seems to have been very much relaxed on the beach. So is that what we anticipate or do we anticipate any enforcement of similar practices that we had on the beach for last spring break?

>>Specific to the beach, community information has been in touch with coastal to make sure that the toll attendants provide the messaging when tourists come into the beach through the ramps. But, staff are continuing to encourage Social Distancing, and we encourage the public and along with our message to media, particularly in the last 2 weeks, has been to encourage the stories that they tell to tell people to go to the beach and less crowded areas. Those messages are still getting out and we will certainly be putting more out through social media but we are also asking for our reporters to be able to do the same and echo that message because we certainly don't want crowding to continue at the beach like we mentioned with upcoming events.

>>George, if what I'm hearing is that we are not enforcing?

>>By the governors order we are not allowed to do any enforcement. We are encouraging the better behaviour, but as far as having the ability to force it, that was taken away.

>>We had the blue poles, and we had people trying to help manage the Social Distancing, are we still doing that?

>>The blue poles are gone for the most part, there is a few there but most have not survived the winter storms and such. You know, it will be left now to our folks to try and distance people as much as possible, encourage them not to crowd into areas on the beach. And of course the beach is one of the safest areas to be as well as being outdoors.

>>I was there this weekend and it looked like it was really good, but I mean, it also wasn't the busiest time if we are talking about--

>>I think the more concern, the concern I would have and that we are having and I will check with the cities, because I know some of they are trying to make sure Social Distancing plans and their events I think the concerns are going to be more people going into enclosed venues, both for spring break and bike week, and I would caution people that would probably not be wise. Behaviour if you are trying to avoid getting COVID. We can't protect you inside of those areas if you are going to go in, so, I would say again, they said it best, a lot of it is can be personal responsibility on the behaviour. And we will continue to provide what we can do, and make sure people have covert plans at the ocean Centre, still require masks, and we've had a lot of very good cooperation in the ocean Centre with our events, and think actually, we can tell you that people from other areas are coming here to see how it is done and because of our behaviour and what we are doing, we are actually picking up events, from other areas.

We will continue in the areas that we do control to control it, and of course the mask mandate remains within our County facilities and buildings.

>>Thank you.

>>CHAIRMAN BROWER:
To either of you know how many cases of seasonal flu have we had this year?

>>I don't have the specific number with me, very few, and in fact, there was no pediatric deaths this flu season. So, I think the behaviour that we have been all practising when it comes to COVID has really helped in terms of keeping the numbers of flu case is extremely low. And it was really great to see that there was no pediatric deaths, experienced in prior years.

>>CHAIRMAN BROWER:
Thank you, and any deaths at all from seasonal flu?

>>I couldn't answer that, I don't have that in front of me not here in Volusia, not that I am aware of.

>>CHAIRMAN BROWER:
Thank you.

>>I'm sure 600 of them had COVID, correct?

>>Mr. Chair? I would like with the councils indulges to ask Donna to come up, and one last update on the coronavirus, we are moving into our new round of federally funded rental assistance programs, opening those applications next week and if Donna could just spend one moment going over the overview of that program, I think it would be appropriate.

>>Good afternoon, counsel, Donna Butler, our emergency rental assistance program, very quickly being called ERA because they are actually calling it that, we have received over $16 million to provide assistance to households that are unable to pay their rent for the COVID Pandemic, about 15 million I will be direct to the citizens who qualify for the program. An eligible household is a renter household in which one or more individual meets the document the following criteria, and you will get all of this in writing.

Qualifies for unemployment or has experience for reduction of household income and costs were experienced with COVID-19, or demonstrates experiencing homelessness and instability and has a household income and just to remind you what that was, family of 4, it's 51,900, the emphasis is close to be and prioritize those at 50% of the income which is $32,450 for a family of 4.

So, applications we will start receiving them Wednesday, March 10 and 9 AM, the application system, and for those that may not be as techie as other folks, we have, 10 libraries that have library navigators ready to help people in the process because we know that it is not easy, so we try to eliminate that barrier and the press releases are going out either later today or first thing tomorrow so people will start getting the word. Also, one of the things that staff came up with which I thought was a great idea is we had a link on our website because we were getting a lot of calls from people to register to receive additional information. It was about 1900 but now it is a proximally 2500 people that have registered to receive that information. So they will get an email tomorrow or sometime in the very short future telling them about the website, when it will open, and also give them some background on the documentation that they need to provide.

With finite funds available, because at this point, we have only received the $16.7 million, the state, we just saw the announcement plans to disseminate the money they give us before, through the Department of children and families, we are very concerned about that, because that leaves some great concern of the implication of the benefit. We are the ones that would be in trouble if they paid because someone told him they had not received the assistance. So, we are trying to explore that and see if there is a way that we are going to be able to check that, if they are only going to give to clients that they already have through the DCF services that provide financial assistance to folks, low income, I would just let you know, that is very concerning for us and I'm a little nervous about that.

We close the window after receiving 1000 applications, the reason why is because we don't have additional funds. We will reopen as we go through the applications, it is not to be a final number of 1000, but until we figure out how much money we can be spending over the course of 6 months, it is unfair to take too many applications. We will come back to you soon as we know what the number is, I will come back to before the Council meeting if we are to be open and say you are aware and you compose it on your Facebook page this morning.

We are limiting it to 2000, for the maximum number of rent plus, this is utilities also. We won't know the utility bills or we won't know what the web payments are till we start going through a lot of the applications. So, that is the update and I'm happy to answer questions.

>> I want to clarify to everyone that this is just open to people or the system?

>> We don't know how DCF is going to designate the funds. They are going to be providing the rental assistance through DCF. We are exploring…

>> The money? Is not associated with us, correct?

>> Correct.

>> Correct, we anticipated that they were going to give us the money like they did last time.

>> I want to clarify, this is rental only no mortgage assistance at this time.

>>CHAIRMAN BROWER:
Looks like that's it. Thank you very much. That takes us to item 16 the nominations for the Volusia forever advisory committee. We will do this… We will start by district and just go down the list and… Make your nominations and then we will vote on them after nominations are made. District 1.

>>CHAIRMAN BROWER:
I'm sorry.

>> I nominate Stephen Crump.

>>CHAIRMAN BROWER:
District to?

>> Jessica Gow.

>>CHAIRMAN BROWER:
District 3?

>> John C Campbel

>> Suzanne (inaudible)

>> Stony Sixma

>>CHAIRMAN BROWER:
I'm missing a page here. I'm sure that you have… At large, is Gerald Feazure.

>> He would be district 1 West side. He has, but someone asked what district he was in.

>> Oh, I'm sorry.

>> Hang on, my second one would be... Marianne Conners.

>> Sorry Doctor Johnson.

>>CHAIRMAN BROWER:
For the chair from District 1, Derek (inaudible) and from... That's my Westside and for they said, Derek Lamantine. He is in District 3.

>>CHAIRMAN BROWER:
I will entertain a motion to approve the nominees.

>> Motion to approve.

>>CHAIRMAN BROWER:
Second by Lowery. Any opposed? Motion carries 7 to 0. Did you get all the names? You will be calling them tonight? OK, we will move into 17. Which is echo and we will take... We had time to get ready this time.

These are my instructions from our... He's pointing at someone else. District 1, please.

>> (inaudible)

>>CHAIRMAN BROWER:
Reggie Santilli. District 2?

>> Sara Lee Morrissey

>>CHAIRMAN BROWER:
District 3?

>> Joe Pendergrass

>>CHAIRMAN BROWER:
District four?

>> Stacy Simmons

>>CHAIRMAN BROWER:
I wonder who Fred might…

>> Let me think about this for a few minutes. I didn't want either one of you to take my only one.

>> I believe Patterson qualified for this list. Patterson and Jack.

>> He would be district one, correct? District 14 Brower will be Jeffrey Ault and Eastside would be David Romeo district 4. I will entertain a motion to approve these nominees. Motion to approve Wheeler, second is post. All in favor say I, any opposed? All nominees are approved.

Don't go away mad. We do have some that have gutted out all day to speak at the end. Kelly McGee for public comment.

>> I think she was unable to make it…

>> She was here for a while.

>> I have a little bit what she was talking about. I was gonna let chair counsel know that in the last few weeks, the technology down in the Everglades as far as the restoration possible project or pilot program.

Technology in a nutshell is a concrete panel that bolts onto our seawalls and class to waterways. Suzanne, do you have that slideshow that was on the email just to show counsel?

>> I don't have it available but we can distribute it.

>> She has a funding source with inside the Riverside the Conservancy. They are looking to restore a quarter-mile of living shoreline.

Anything that we can do, it's there and I think we should try to take advantage of it. I appreciate it, thank you.

>> Explain what that is because it was very interesting.

>> It is a concrete panel in a mold that resembles the mareral roots. With the buildings, I see so many blessing with it, it can totally redefine how we do things all along the coastline and is only about $200 per linear foot. They have money for it.

But, it helps out. It directly goes head-on with our visitation habitat that has been in the news for years and years. It helps out with water quality, resource our oyster beds, it circulates going through the DEP because it does not touch the ground.

It's an awesome idea. I'm excited about it. I will pass it on to staff and George and everyone but we will keep everyone in the loop and I hope things are going to come out of it.

>>CHAIRMAN BROWER:
Clearance Devonport. He left? John, it's all up to you. John Nicholson. Pardon me? This is PCPM. Thank you.

Michael Dyer?

>> Nothing to report, thank you.

>>CHAIRMAN BROWER:
George Recktonwald?

>> We will have our development meeting and after the meeting we should have the other workshops. We have the months but we will get what meeting they will be on.

>> I think you for a lot of hard work today. It was a long day but it was a good day.

>> Suzanne do you have anything? We will go to Mr Robbins.

>>CHAIRMAN BROWER:
Was that because of COVID or in general?

>> We just don't like cash. Personally, we love it, but as Jonathan will attest to, it keeps him a little busy. Whenever we can go cashless, we like to do that. We have the ability to set up accounts and things for people so I will find out the status.

>>CHAIRMAN BROWER:
you had a lot of comments about not liking cash in the county.

>> We love it, we just don't like handling it.

>>CHAIRMAN BROWER:
I hate to break what we have going here, but I will ask for motion to adjourn. Motion by Johnson? Second by Lowery, all in favor? Any opposed? Please keep silent. (Laughs) thank you very much.

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|

|  |  |
| --- | --- |
| logo | **VC-VC-County Council Meeting-(Ai-Live) (USVCVC0203A)** |
|  |

 |

|  |
| --- |
|  |
| Page of  | Downloaded on: 19 Mar 2021 4:03 PM |

|  |  |
| --- | --- |
| logo | **VC-VC-County Council Meeting-(Ai-Live) (USVCVC0203A)** |
|  |

|  |
| --- |
|  |
| Page of  | Downloaded on: 19 Mar 2021 4:03 PM |

 |