



**Volusia Forever Advisory Committee  
Meeting Minutes  
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June 11, 2021**

**MEMBERS**

Mary Anne Connors, Chair  
Wanda Van Dam, Vice Chair  
Steve Crump  
Gerald Fieser  
John Gamble  
Jessica Gow  
Derek LaMontagne  
Derrick Orberg  
Suzanne Scheiber

**STAFF**

Clay Ervin, Growth & Resource Management Director  
Bradley Burbaugh, Resource Stewardship Director  
Ginger Adair, Environmental Management Director  
Russ Brown, Senior County Attorney  
Nick Dunnam, Land Management Activity Manager  
Danielle Dangleman, Special Projects Coordinator  
Jill Marcum, Administrative Coordinator  
Sarah Presley, Administrative Coordinator

**CALL TO ORDER/WELCOME/ROLL CALL**

Chair Mary Anne Connors called the meeting to order at 1:02 p.m. Roll was called. Members Jessica Gow and Derek LaMontagne attended virtually. There was a quorum.

**APPROVAL OF MARCH 19, 2021 AND APRIL 19, 2021 ADVISORY COMMITTEE MINUTES**

**APPROVAL OF MAY 13, 2021 WORKSHOP MINUTES**

**APPROVAL OF VOLUSIA FOREVER LISTENING SESSION MINUTES**

Chair Connors asked to change the May 5<sup>th</sup> minutes to correct the spelling from "imminent" to the proper term eminent domain.

Steve Crump made a MOTION "To approve all of the minutes with requested changes". John Gamble seconded the motion. The motion carried unanimously.

**NEW BUSINESS**

Review Ballot Language

Chair Connors asked the committee to review the ballot language.

Mr. Gamble stated that after reviewing the ballot language he could not see how acquiring farmlands would fit the current criteria.

Gerald Fieser said that recreational resources could mean anything and that it would be difficult to draw the line. He mentioned the possibility of ballfields being built on Forever Lands.

Vice Chair Wanda Van Dam stated that in her opinion those kind of improvements fell within the ECHO program rather than Volusia Forever.

Tim Baylie, Parks, Recreation & Culture Director, stated that there were no ballfields on Forever lands. He explained that Thornby Park was purchased jointly with Forever funds and the City of Deltona, but that there was no ballfield. There is a playground and preserve with a trail on the property.

Clay Ervin, Growth & Resource Management Director, stated resource based recreation, in this case, would mean passive activities like fishing, hunting or hiking trails.

Mr. Ervin went on to say that, staff would like to start the meeting by reviewing the Volusia Forever Process & Criteria Decision Tree and then move on to the Criteria Matrix.

### **Volusia Forever Process & Criteria Decision Tree**

Discussion: Do you think the existing process and evaluation criteria are sufficient as written to meet the approved ballot language?

The Committee agreed that the current Volusia Forever criteria was not sufficient to meet the ballot language regarding forests and farmlands.

Discussion: Do you want to continue the small lot acquisition process as it is currently designed?

A majority of members expressed the desire to continue the small lot acquisition process as it is currently written. Ms. Scheiber expressed her interest in having a discussion regarding the process and program.

Discussion: Do you believe that the current Volusia Forever criteria are sufficient to meet the ballot language regarding forests and farmlands?

The Committee agreed that it was not sufficient.

Discussion: Do you believe that Volusia Forever funds should be used to purchase urban parcels or be used to purchase lands for green infrastructure projects?

Chair Connors asked staff why the issues had been combined.

Ginger Adair, Environmental Management Director, stated that since they were new ideas that did not fit the current categories, they considered them as "other". She went on to say that, a discussion would probably need to wait, but staff wanted to know if the Committee was interested in discussing the ideas.

Mr. Fieser stated that they needed to be discussed.

The Committee agreed to discuss it at the next meeting.

Discussion: The program is currently based on a willing seller model, where all properties are evaluated individually by the committee, except that any property in the Volusia Conservation Corridor is automatically on the A-list. Do you want to identify other areas that are automatically included on the A-list for purchase?

The Committee, with the exception of Ms. Scheiber, confirmed that they did not want to change the model.

## **Proximity and Connectivity**

Criteria #1: Is the property functionally adjacent to existing conservation land (conservation easement or public ownership) or a Volusia Forever eligible property?

Dr. Burbaugh explained the criteria document and presented a map (attached) of all county conservation lands, including conservation easements, public ownership or a Volusia Forever eligibility property.

Vice Chair Van Dam asked if the properties included lands in conservation by an accredited Land Trust and if they were considered public.

Ms. Adair stated that the properties were State, Federal, County, Water Management Districts and purchased Conservation Easements.

Ms. Adair explained that the map is to show the data available to support the criteria approved by the Committee.

Ms. Scheiber asked if there was room for new connectivity. She pointed out that there were numerous water bodies on the map and asked if there was any land availability.

Members discussed changing the eligibility definition to include a Rural and Family Lands Protection Program as an eligible project.

Chair Connors said after review it made sense in the context of what the program was doing originally, for larger environmentally sensitive corridors and habitats, but she did not know if current criteria would apply to the new purpose.

Ms. Scheiber said she agreed with the current language.

Mr. Gamble stated that he could see protecting farmlands with conservation easements, but not buying farmland.

Vice Chair Van Dam asked if the language could be changed to include Accredited Land Trusts.

Ms. Adair said that the issue would be covered by the current language, but that staff could add more specific language if requested.

Chair Connors asked if connectivity to State Parks was also covered by the current language.

Ms. Adair assured her that it would.

The Committee discussed the criteria wording with regard to the statement "a Volusia Forever eligible property". They expressed concern that an organization might be left out if not mentioned in the statement.

Jessica Gow stated that she was concerned about taking on the responsibility of deciding which organization was eligible.

Mr. Crump made a MOTION "to approve the criteria as written, with no changes". Vice Chair Van Dam seconded the motion. Motion passed 6 to 1 with Ms. Scheiber voting no.

## **Criteria #1 Unchanged**

Criteria #2: Will the acquisition maintain the ecological link or habitat corridor between two or more otherwise unconnected existing conservation lands (conservation easement or public ownership)?

The Committee agreed that no changes were needed.

Mr. Crump made a MOTION "to approve the criteria as written, with no changes". Mr. Gamble seconded the motion. Motion passed unanimously.

### **Criteria #2 Unchanged**

Proposed Criteria #3: Is the property within Priority 1, 2, or three of the Florida Ecological Greenways Network?

Dr. Burbaugh informed the Committee that there was an additional \$50 million dollars in the state budget for the Ecological Greenways Network/ Florida Wildlife Corridor for creating critical linkages. He explained that this criteria would allow Volusia Forever to align with other funding sources.

Ms. Gow stated that the proposed change should be broader, to allow them to look at interconnectivity on an environmental and habitat level.

The Committee agreed to table the subject and asked staff to bring back suggested wording

### **Proposed Criteria #3 Tabled**

#### **Furtherance of Acquisition Efforts**

Criteria #1: Will the acquisition further a project begun under previous or existing governmental land acquisition programs?

The Committee agreed that no changes were needed.

Mr. Crump made a MOTION "to approve the criteria as written, with no changes". Mr. Gamble seconded the motion. Motion passed unanimously.

### **Criteria #1 Unchanged**

Criteria #2: Based upon preliminary assessment (i.e., partnership experience, property size, location and features), is there a reasonable expectation of matching funds from other sources to assist in the acquisition?

Mr. Crump made a MOTION "to approve the criteria as written". Vice Chair Van Dam seconded the motion. Motion passed unanimously.

Ms. Scheiber said she thought they should also consider management.

Mr. Crump made a MOTION "to reconsider the previous motion". Mr. Gamble seconded the motion. The motion failed.

### **Criteria #2 Unchanged**

#### **Water Resources**

Criteria #1: Does the property serve an important groundwater recharge function?

Mr. Gamble stated that he did not feel like this was a criteria, as the answer would always be yes. He suggested tying the criteria to data to soil composition and/or floodplain protection.

Ms. Adair said that the amended statement handles the question of recharge and that perhaps floodplains could be incorporated into Criteria #2.

Chair Connors stated that she would like to capture the different types of water resources without skewing toward any one of them.

Derek LaMontagne stated that he appreciated the changes, but did not agree with including the 100-year floodplain.

Doug Weaver reminded the Committee that the criteria could be amended at a later date if they realized there should be an adjustment.

Mr. Fieser made a MOTION "to approve the criteria as recommended by staff". Ms. Scheiber seconded the motion. Motion passed unanimously.

**Criteria #1 Does the property contain a significant area of medium or high groundwater recharge as determined by the St. Johns River Water Management District Upper Floridian Aquifer Groundwater Recharge Map?**

Criteria #2: Does the property contain, or have frontage upon a waterbody, wetlands or waterway?

Vice Chair Van Dam made a MOTION "to approve the criteria as recommended by staff". Mr. Orberg seconded the motion.

After additional discussion, the Committee agreed to remove the word wetland from the criteria.

Mr. Ervin described a county program called Community Rating System, administered by FEMA that rewards citizens by giving them a 25% discount on their flood insurance. He stated that by adding floodplains to the criteria, they would be identified by FEMA as having a land acquisition program that protects the floodplain.

Mr. Crump made a MOTION "to remove the word "wetland" and add "or is in the 100-year floodplain" and approve as amended". Mr. Gamble seconded the motion. Motion passed unanimously.

**Criteria #2 Does the property contain or have frontage on a waterbody or is in the 100-year floodplain?**

Criteria #3: Does the property contain springs and/or other unique geological features?

Mr. Gamble expressed concern that sink holes may qualify as unique features.

Mr. Burbaugh stated that staff thought the same, which is why they added the qualifications.

Mr. Fieser made a MOTION "to approve the criteria as amended by staff". Vice Chair Van Dam seconded the motion. Motion passed unanimously.

**Criteria #3 Does the property contain springs and/or other unique geological feature that enhance environmental resources, protect water quality, enhance water recharge and/or protect the aquifer?**

Criteria #4: Does the property have the potential for water resource (potable water) development?

The Committee discussed the concern that the criteria could be used to purchase property for wells and the idea that it may perpetuate development. They questioned whether this was a purpose of the Volusia Program.

Mr. Fieser made a MOTION "to table the discussion". Vice Chair Van Dam seconded the motion. Motion passed unanimously.

Staff is to bring back language to the committee for review.

#### **Criteria #4 Tabled**

##### **Environmentally Sensitive Lands**

Criteria #1: Is there the potential that acquisition of the property will protect or maintain populations of any Federal or State listed species (including, but not limited to, endangered, threatened or species of special concern) which may typically be expected to occur on the property?

Mr. Gamble suggested requiring documentation.

Chair Connors proposed they require evidence rather than documentation.

Members discussed the likelihood of wildlife returning to the property if it was preserved.

Nick Dunnam, Land Management Activity Manager stated that they have found if they restore a habitat the species will come back.

Mr. Fieser made a MOTION "approve the criteria as written". Ms. Scheiber seconded the motion. Motion passed unanimously.

#### **Criteria #1 Unchanged**

Criteria #2: Does the property contain viable acreage of one or more scarce, unique or other significant upland communities?

Mr. Crump expressed concern with the term viable.

Vice Chair Van Dam made a MOTION "approve the criteria as recommended by staff". Ms. Scheiber seconded the motion. Motion passed unanimously.

#### **Criteria#2 Does the property contain viable acreage of one or more scarce or unique communities, as identified by the Florida Natural Areas Inventory, or other significant upland community?**

Criteria #3 Will the acquisition protect fragile coastal resources?

Members reviewed the staff recommendation to change the criteria to read, does the property contain coastal or estuarine habitats or areas vulnerable to sea level rise by 2040.

Vice Chair Van Dam asked how acquiring property would protect it from sea level rise.

Ms. Adair stated that it doesn't really protect the property from sea level rise, rather it prevents the habitats from being developed and those developments becoming vulnerable to sea level rising.

Mr. Crump made a MOTION "approve the criteria as recommended by staff". Mr. Gamble seconded the motion. Motion passed unanimously.

**Criteria #3 Does the property contain coastal or estuarine habitats or areas vulnerable to sea level rise by 2040.**

Proposed Criteria #4: Does the property contain high functioning or potentially high functioning wetlands?

Mr. Fieser stated that this could include swamps and returned to the topic of conservation corridors.

Ms. Adair said that there could be some overlap.

Mr. Fieser stated that he would rather table the criteria and come back to it after reviewing the remainder of the document.

Vice Chair Van Dam made a MOTION "approve the criteria as amended by staff". Mr. Crump seconded the motion. The chair called for a roll call vote Chair Connors, Vice Chair Van Dam, Steve Crump and John Gamble voted to approve the motion; Gerald Fieser, Derrick Orberg and Suzanne Scheiber voted against the motion. Motion passed.

Member Crump agreed with Mr. Fieser that this criterion should be revisited.

**Proposed Criteria #4 Passed, but Revisit.**

**Provide Resource Based Recreation Lands**

Criteria #1: Does the property offer the potential for the establishment or enhancement of resource based public use opportunities, including Greenways, Blueways and trails?

No discussion

Ms. Schieber a MOTION "approve the criteria as written". Mr. Orberg seconded the motion. Motion passed unanimously.

**Criteria #1 Unchanged**

Proposed Criteria #2: Does the property have public right of way (roads or trails) accessing or abutting?

Mr. Gamble stated that some properties do not have access except through existing private properties and if the public was to have access there needed to be some kind of right of way.

Mr. Gamble made a MOTION "approve the new criteria as written". Mr. Crump seconded the motion. Motion passed unanimously.

**Criteria #2 Does the property have public right of way (roads or trails) accessing or abutting?**

Criteria #3 (moved from Enhancement Criteria): Does the property likely contain significant historical, archaeological and/or cultural resources?

Vice Chair Van Dam questioned the use of the phrase "cultural resources" being part of the criteria.

Dr. Burbaugh offered an example of an Indian Mound being both archaeological and cultural.

Vice Chair Van Dam requested that staff come back with a better definition.

**Criteria #3 Tabled**

## **Management**

Criteria #1: Is the size and location of the property appropriate for cost effective management?

Ms. Scheiber asked if this question applied to anyone maintaining the property, mentioning Parks & Recreation or another County program. She asked if they should add language to include management by a partner.

Dr. Burbaugh suggest adding "or will it be managed by others".

Mr. Crump made a MOTION "approve as amended by staff". Mr. Gamble seconded the motion. Motion passed unanimously.

Mr. Crump made a MOTION "to amend the criteria to include access". John Gamble seconded the motion. Motion passed unanimously.

### **Criteria #1 Is the size, location and access of the property appropriate for cost effective management, or will it be managed by others?**

Criteria #2: Does the property have a limited amount of exotic/invasive species?

Mr. Fieser asked if this was important enough to have its own criteria.

Mr. Dunnam explained that this question refers to the amount of management resources it will take to get the species under control. He gave the example of a property being 50% infested with exotics, which would present a drain on management resources.

Mr. Fieser asked if there were many properties with such a high level of exotics.

Mr. Gamble confirmed that there were.

Vice Chair Van Dam made a MOTION "approve as amended by staff". Mr. Crump seconded the motion. Motion passed unanimously.

### **Criteria #2 Does the amount of exotic/invasive species on the site endanger the structure and function of the natural communities?**

Criteria #3: Is the pattern of existing and potential future land use of the area adjacent to the property compatible with typical land management practices?

No discussion.

Mr. Crump made a MOTION "approve as written". Mr. Orberg seconded the motion. Motion passed unanimously.

### **Criteria #3 Is the pattern of existing and potential future land use of the area adjacent to the property compatible with typical land management practices?**

Criteria #4: Is there appropriate access to the property?

Members agreed that this criterion was addressed in Criteria #1.

Mr. Crump made a MOTION "to eliminate criteria #4". Mr. Fieser seconded the motion. Motion passed unanimously.

#### **Criteria #4 Eliminated**

Criteria #5: Is the percentage of uplands requiring restoration minimal?

Members asked for clarification.

Ms. Adair explained that the criteria had to do with the previous discussion of invasive exotics then provided an example of an upland property needing a large amount of restoration.

Mr. Crump made a MOTION "to approve as written". Vice-Chair Van Dam seconded the motion. Motion passed unanimously.

Mr. Crump made a MOTION "to amend the criteria by adding water bodies or wetlands". Ms. Scheiber seconded the motion. Motion passed unanimously.

#### **Criteria #5 Is the percentage of uplands, water bodies or wetlands requiring restoration minimal?**

Criteria #6: Is the percentage of water bodies or wetlands requiring restoration minimal?

Members determined that Criteria #5 addressed subject.

Mr. Fieser made a MOTION "to eliminate criteria #6". Ms. Scheiber seconded the motion. Motion passed unanimously.

#### **Criteria #6 Eliminated**

#### **Forests and Farmlands**

Ms. Adair suggested that the Committee wait until the next meeting to discuss this topic.

Members discussed how farmlands had become a part of the Volusia Forever program and how to preserve them.

Mr. Fieser suggested using conservation easements to protect the properties.

Members discussed how appraisals for farmland would be determined.

Mr. Ervin asked the Committee, do they want one of our continuing service contractors to discuss the appraisal process?

The Committee agreed that would be helpful.

The Committee directed staff to research how farmland preservation was handled in other areas and consider aligning this portion of the criteria with those programs. They also asked for information on agricultural easements.

#### **No Criteria**

#### **Enhancement**

Dr. Burbaugh explained that currently the enhancement criteria do not count as part of the primary criteria.

Ms. Adair said that when staff reviewed this section they were unsure how they would fit into the eligibility reviews.

Mr. Fieser stated that they should either count toward the primary criteria or not count at all.

Criteria #1: Does the property likely contain significant historical, archaeological and/or cultural resources?

Ms. Adair stated that they had already discuss this topic and tabled it.

Members agreed to table this criterion.

### **Criteria #1 Postponed**

Criteria #2: Does the property have the potential for providing significant opportunities for education and/or scientific research?

Members asked if the county currently had properties that they used for research.

Staff explained that there were a few.

Mr. Crump made a MOTION "to eliminate criteria #2". Mr. Gamble seconded the motion. Motion passed unanimously.

### **Criteria #2 Eliminated**

Criteria #3: Does the acquisition of the property substantially further the conservation goals and management objectives of the Volusia Forever program?

Mr. Crump made a MOTION "to eliminate criteria #3". Mr. Gamble seconded the motion. Motion passed unanimously.

### **Criteria #3 Eliminated**

Ms. Adair said that staff would make requested changes to the document and bring it back to the next meeting.

Ms. Scheiber said she wanted to discuss the small lot acquisition process. She said she had wanted to incorporate it into the criteria/matrix in some way, but since that did not happen she wanted to talk about setting maximum pay per acre.

Doug Weaver was recognized by the chair and explained under the previous small lot acquisition program the county paid no more than the Just/Market Value as reported by the Volusia County Property Appraiser's website for these parcels.

Members discussed the appraisal process and the comments received at the listening sessions.

### **OLD BUSINESS**

No old business

### **PUBLIC COMMENTS**

Rebecca Perry thanked the Advisory Committee and staff for the work they put into the program. She shared the approach of aligning the forests and farmlands criteria with federal programs cost-share programs as Dr. Burbaugh suggested would be a smart, strategic move. She asked if the public would have input in regards to the criteria reviewed at the meeting.

Mr. Ervin explained that she could make comments or suggestions at any time, and if she could get them in within the next couple of days, they could be included at the next committee meeting.

**ADVISORY COMMITTEE COMMENTS**

Members discussed the upcoming June 25<sup>th</sup> meeting and the topics for discussion.

**ADJOURNMENT:**

There being no further comments, the meeting was adjourned at 5:14 p.m.