



**Volusia Forever Advisory Committee Meeting Minutes**



**Monday, April 19, 2021**

**County Council Chamber**

**123 West Indiana Avenue, DeLand, FL**

**ADVISORY COMMITTEE MEMBERS PRESENT**

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

**STAFF PRESENT**

Clay Ervin, Growth and Resource Management Director  
Dona Butler, Community Services Director  
Bradley Burbaugh, Ag Extension Director  
Ryan Ossowski, Chief Financial Officer  
Ginger Adair, Environmental Management Director  
Tim Baylie, Parks, Recreation, and Cultural Director  
Russ Brown, Senior County Attorney  
Danielle Dangleman, Special Project Coordinator  
Nick Dunnam, Land Management Activity Manager  
Sarah Presley, Administrative Aide

**Call to Order:**

Chair Connors called the meeting to order at 11:00.

**Presentations**

Ginger Adair presented the staff reports of properties included in the partnership request from the St. Johns River Water Management District. Parcel 8235-00-00-0010 is being offered as a conservation easement and meets 13 of 18 criteria. Parcels 8235-00-00-0030 and 9202-00-00-0010 are being offered for fee simple acquisition and meet 13 of 18 criteria.

Member Gamble stated he believed the area does not appear to meet the groundwater recharge criteria. Discussion ensued. Chair Connors indicated questions will be addressed at the end.

Shelia Theus, Real Estate Services Coordinator, St. Johns River Water Management District, reiterated the district's desire for the County of Volusia to partner with the district on the acquisitions.

Chair Connors asked if the district was handling the negotiations.

Ms. Theus indicated the property owners have been provided option contract packages that are being reviewed.

Chair Connors asked for clarification on the management plan.

Ms. Theus stated the two parcels being acquired would be added to the district's conservation management plan and the parcel with the conservation easement would require a management plan, and it would be consistent with the Palm Bluff management plan.

Member Fieser asked if the entitlements for the easements had been negotiated.

Ms. Theus answered in the affirmative. She stated there is an area that the owner has asked to build a primitive camping cabin and shallow pond on a previously disturbed area that has been agreed to.

Member Gamble restated his question if the area is in fact a water recharge area.

Ms. Theus deferred to Ms. Adair, but stated she would get the answer for the committee.

Nick Dunnam stated the flat-woods portion can be considered a water recharge area. Discussion ensued.

Member Crump asked if the district has a right of first refusal on the parcel with the conservation easement.

Ms. Theus answered in the affirmative. She stated there is also the possibility of an automatic reverter upon death of the property owner in the negotiations.

Member Orberg asked if there is anyone present that would advise not to purchase.

Chair Connors stated that is not a question for staff.

Member Scheiber inquired regarding a borrow pit on the preserve.

Ms. Adair asked for clarification, it was determined that Ms. Scheiber was referring to a notation on a map provided in the power point.

Ms. Theus indicated she would have to find out more information from staff.

Member Scheiber asked about property near the parcels for acquisition that was posted for development. Discussion ensued. Staff was unable to determine what property was being referred to, and no known development was being proposed immediately to the east of the parcels. Staff indicated they would research and bring back information, if available.

Member Orberg thanked staff and asked for clarification that the easement would be in perpetuity and could not be reversed.

Chair Connors answered in the affirmative.

Member Gow asked if the proximity and connectivity criteria is something that could be discussed with council as she believes the conservation easement parcel did meet that criteria.

Member LaMontagne asked about zoning classification of the parcels and if the zoning forestry resource and resource corridor would protect the parcels or if the easement did that.

Mr. Ervin stated that those zonings do not protect the parcels as there are uses allowed on those zoning classifications. The acquisition would be required to prevent any future development of the land.

Member LaMontagne asked if the percentage of allowed use for resource corridor was 20% and forestry could be clear cut.

Mr. Ervin answered in the affirmative.

Member Fieser asked for the requested split of the purchase price.

Mrs. Adair indicated this was not the normal process and the committee would not typically be involved with the negotiation and the requested percentage of assistance.

Member Fieser asked about historical split agreements.

Mrs. Adair stated that it varies, there are some parcels that have 50/50 splits, some have a 60/40, but the percentage an entity invests is the percentage the entity owns, except when in conjunction with the state as they are the sole owners.

Member Gow clarified that in perpetuity does not necessarily mean forever, if the property owner and the entities that hold the easement agree to a change it can be done. She also indicated she would be more hesitant in the future if the County was not listed on an easement for that reason.

Member Gamble asked if there would be a dedicated easement for public access on the parcels from the east so that it can be accessed easier.

Ramesh Buch, St Johns River Management District, indicated that if there is a way they would consider it.

Member Orberg asked for clarification on the ability to change an easement.

Member Gow stated that parties to an agreement can modify an agreement if all are in agreement. Discussion ensued.

Member Van Dam reminded the committee that their job is to evaluate against on the criteria.

Chair Connors agreed and stated that the committee needs to review the ranking and reaffirm if this property does in fact meet the criteria.

Member Scheiber asked if there was public comment.

Chair Connors asked for the motion and then stated the floor would be open to the public.

Member Fieser made a motion to affirm the ranking of the three parcels being considered for funding under Volusia Forever acquisition program.

Member Gamble seconded the motion.

Doug Weaver stated these properties have been on the radar for 20 years and he finds it interesting that all these years later this is happening. He shared, that historically, the parcels purchased would go through a comprehensive plan amendment and be rezoned to conservation. The intent is to protect these lands forever. He stated that partnerships are extremely important. Being nimble and flexible to make these partnerships work is required.

Chair Connors called for a vote, the motion passed unanimously 9-0.

### **Committee Discussion**

Chair Connors stated she hoped the committee found this process of reviewing the property and the selection criteria was valuable. She found it be very educational. She asked for a list of upcoming meetings.

Ms. Presley stated there would be a listening session every Wednesday for the next five weeks starting in the County Council Chambers. A meeting to review listening session comments and recommendations would be held June 25, and a joint workshop with the County Council would be held July 13.

Member Fieser asked about an easement swap that was done with the Department of Transportation.

Mr. Ervin stated that there was a piece of land that FDOT purchased for widening of a state road. Discussion ensued.

Mr. Brown stated there were several parcels acquired by FDOT but he would look into the specifics. Concerns to staff were expressed about the importance of protecting the lands that are purchased.

Member Scheiber reiterated her questions about development and why it is important to know what is happening with the land adjacent to properties that are being considered for purchase.

Mr. Ervin provided a quick overview of the listening session agenda. The presentation will be available online to be viewed at any time and citizens can provide comments via email or in-person.

Member Gamble asked if the comments are limited to the acquisition process.

Mr. Ervin advised there is no limit to the comments as long as they relate to Volusia Forever.

Member Van Dam asked who decides what the resolution language will be, and will the ballot language be included?

Mr. Ervin advised the County Council will vote on the resolution which will be drafted based on the input from the committee.

Member Scheiber stated the ballot language does not set the criteria.

Mr. Ervin agreed and stated the language sets broad parameters.

Chair Connors asked when the members of the committee should bring their input.

Mr. Ervin stated that is up to the committee, but he advised the committee to listen at the listening sessions and then provide their input at the June 25 meeting.

Mrs. Butler stated at the ECHO listening sessions there was some engagement between advisory committee members and citizens so there is flexibility for members to ask questions.

Member Crump asked if the County needed a list of properties owned by the committee members, to avoid conflict of interests.

Mr. Brown answered in the affirmative and asked him to provide the information to Karissa Green. Discussion ensued.

Member Orberg asked if public can comment if a public land swap occurs.

Mr. Brown answered in the affirmative and provided the process for land swaps and condemnation processes.

With no more discussion Chair Connors adjourned the meeting at 12:01 p.m.