

EQUESTRIAN TRAILS & FACILITIES REFERENDUM COMMITTEE

Appointed by the North Brevard Commission on Parks and Recreation (NBCPR)
Minutes of the Meeting held January 8, 2007, 6 p.m., at the Mims/Scottsmeer Library

Committee Members Present

Donna McCone, Chairman
Susan Canada
Jennifer Hill
Sabrina Jeffers
Kay Miller
Mary Page, Vice Chairman
Carol Thompson

Committee Members Absent

Connie Carswell (verbal resignation)
Winnie Woods—Excused

NBCPR Liaison Present

Gigi Henkel

Staff Present

Mike Knight, EEL Program Manager
Barbara Meyer, Bicycle/Pedestrian Coordinator
Terry A. Lane, North Area Parks Operations Manager
Diane Ruth, Secretary

I. CALL TO ORDER

Chairman McCone called the meeting to order at 6:04 p.m.

II. ROLL CALL—Terry Lane related to the Committee that Winnie Woods was ill and not able to attend, and he would go into the reason for Connie Carswell's absence during the Old Business, Committee Attendance part of the meeting. Attendance as listed above.

III. APPROVAL OF MINUTES

Motion by Susan Canada, seconded by Kay Miller, to approve the minutes of September 18, 2006.

AYE: Canada, Hill, Jeffers, Miller, McCone, Page, Thompson

NAY: None Carried 7-0

IV. OLD BUSINESS

A. Environmentally Endangered Lands—Mike Knight

Mr. Knight handed out copies of an aerial view of North Brevard County, with specific areas outlined in blue from Rt. 5A to Rosemarie Street titled "AG Venture/Honeybrook Development Parcels."

Mr. Knight stated he was there to give the Committee an update on property EEL has been exploring—the outlined blue areas on both sides of I-95 highlighted on the handout. The County has not been able to negotiate a contract with the owners due to postponements, he said, primarily with one particular final step of the review process before going before the Brevard Board of County Commissioners, the Acquisition Review Committee (ARC).

One of the issues the ARC had with this property was its Planned Unit Development (PUD), Mr. Knight explained. In the early 1990's, the undeveloped area outlined on the west side of I-95 was put under a PUD,

by a husband and wife. It stipulated, if the property was ever subdivided, the two owners had to be in partnership with each other. If EEL, he said, became a partner with the other owner on the east side area of I-95, the PUD stipulates the property on the west side of the road is required to provide water wells for the east side and this is an important issue. As an environmental program, Mr. Knight was concerned about the EEL committee feeling comfortable purchasing the land and putting it in conservation, knowing they were going to have to allow these wells to be put in, and in addition a water treatment facility.

However, after further review, he said, the EEL Committee did feel comfortable with having the facilities on the property, from a conservation perspective, and that if all that had to be dealt with was some road maintenance, a few wells, and a water package plant, it was still worth conserving.

But, the wrench that put a halt to the whole thing, temporarily he hoped, was the PUD also had a designated open space for public recreation on a large portion of land on the side under consideration for purchase. From a legal perspective, how could the County use public funds to buy a piece of land, he queried, then allow a private developer to benefit from having an open space on that property. However, there are some possible solutions, he noted. One is to get the two owners to dissolve the PUD. And, the other would be to have the owners sign an agreement to not sue the County, or compensate it for their use of the open space.

So, the PUD issue is what is holding things up at this time. But it is still looking good, he assured the Committee. He reminded them that they had talked about possibly locating a trailhead along Rosemarie Street or the rail trail. He said he has kept his committee

aware that the Equestrian Committee has an interest in having a trailhead.

Chairman McCone thanked Mr. Knight for condensing the information he had just presented, and she wondered if there was any time frame for the plans to move forward. Mr. Knight responded by saying he hoped it would go back to the board within 30 days, although there are some aspects he is not fully knowledgeable about yet. The County attorneys have to be convinced there are no liability issues, he said.

Sabrina Jeffers asked about the Blounts Ridge area, wondering if it was still being considered as an option for a trailhead. Mr. Knight assured her it still was an option. Then, referring to the map, he noted other locations and plans still open. He also mentioned considering land for building stables and enough room for public access. Carol Thompson inquired as to whom would be responsible for maintaining the area. If the PUD remained in place, Mr. Knight said, it would be the responsibility of the developing entity.

When Chairman McCone asked if the County was planning to acquire all the land, so there would be no private area, Mr. Knight confirmed that yes that would be the plan. Gigi Henkel asked Mr. Knight about who would identify the land for equestrian uses. He responded by saying, there would be meetings held and all those considered stake holders would be able to voice their opinions, and the Equestrian Committee was obviously one of those. Once a proposal was made, other committees finalize the formal plans, he said. Ms. Henkel responded that it sounded like they were looking at a pretty long time frame. Mr. Knight replied that generally management plans can take a year, but waivers can be gotten to get things done in advance. He said he would keep Terry Lane apprised of what was going on.

In conclusion, Mr. Knight asked if he understood the Committee correctly that the interest for trails was mainly for land west of I-95. Chairman McCone answered in the affirmative, saying it would work along with the Rails-to-Trails. She thanked Mr. Knight for his presentation and for the sake of expediting the meeting, asked Barbara Meyer to take the floor.

B. Rails-to-Trails—Barbara Meyer

Ms. Meyer joked as she placed a display board in front of the Committee, saying this time she brought pictures, referring to a map of proposed land for the Rails-to-Trails project with photos highlighting various areas of interest. Ms. Meyer stated that negotiations are still

going on due to DEP and FEC requesting a re-appraisal. But, she assured the Committee, this is a top project for the DEP, for the state. Right now, she said, it is really between the lawyers to get things ironed out. There are a few things that are happening, she announced, of which she wanted the Committee to be aware.

For sometime now, she related, Brevard and Volusia Counties have partnered on this project. Once the land for the Rails-to-Trails is purchased and the trail is built in Brevard County, she said, it will become part of a regionally significant trail and will connect to other regions—Volusia and Seminole Counties, and hopefully into Orlando. Currently, she informed the Committee, they are trying to position the project so when monies become available they can tap into that money, a lot of which will be federal money with a lot of strings attached. At the last meeting, she said, the Metropolitan Planning Organization (MPO) put the trail into their project priorities. The Equestrian Committee applauded this good news.

Currently, Ms. Meyer continued, both Volusia and Brevard Counties have it listed as their project priorities, calling it a regionally significant trail. So now, both counties can probably get federal monies to pay for the Preliminary Design & Environmental (PD&E) study on the entire trail. The MPO is not going to piecemeal this project, although Volusia has far more significant environmental impacts than Brevard does she stated. In order to start building the trail and getting this money, it has to cautiously and thoroughly work on this federal paperwork process, she informed them. At this time, she said, it is just waiting for the property to be bought.

Meanwhile, Ms. Meyer offered, they will continue working with Volusia County, Mike Knight's program, and locating areas for trailheads. Pointing to her display, she said there is room at Aurantia for possibly a small trailhead and there are some lands with potential for smaller ones. She announced that a meeting is being held in two weeks between Volusia and Brevard Counties with the hope of co-locating a trailhead, which would bring in even more money. Once the land is bought, she said, it then goes to design, maintenance, and operations. So, there is still a lot ahead to do, she reminded them. Because of its geographical location, she commented, this trail rose above others in the County, with no dissension—this is the regional trail for the County.

Ms. Meyer shared her hopes to have an overall theme for the trails based on the railroad's incredible history in

Florida, when the design is decided upon. She promised to let them know as soon as she has heard the good news—that the land has finally been bought.

At this point, Gigi Henkel inquired as to whether information is being given to pedestrians and bicyclists that about multi-use and horses. Everyone understands that there are places that lend themselves more to equestrians, Ms Meyer responded, and plenty of areas for equestrian use only, or for off-road cyclist. And, unless the trail has to be shared, the ideal is to keep them separate, with a long winding equestrian trail. Ms. Henkel said she had followed the right-of-way issues between pedestrians and bicyclists in Orange County. Ms. Meyer said that could be avoided when designing the trails, citing design as the most critical issue.

Donna McCone said she was glad the design issues were being mentioned, but her immediate concerns were about the paving of Aurantia Road. The plan, Ms. Meyer said, is to have pavement, have a buffer, and have a jogging trail and an equestrian trail—a veritable multi-use trail. And, the question of right-of-way would be very clear. But, once in downtown Titusville, she said, equestrians probably won't be able to go there, she offered, as the town doesn't lend itself to horses. Carol Thompson asked what areas would not be available for equestrians in downtown Titusville. Chairman McCone offered the fact that the Department of Transportation can move crossing light switches higher for someone on a horse to access. Ms. Meyer said her main concern were with the number of crossings and intersections, volume of traffic, and vehicle turning movements. But, she added, exclusive mid-block crossings are a possibility.

Deferring back to Parks and Recreation, Ms. Meyer said, when the management plan is underway, the Equestrian Committee needs to declare their ideas for trail designs. Ms. Meyer suggested, in regard to Chairman McCone's inquiries, that the Committee draft a proposal to her so she can bring it before the MPO committee during the design phase. Chairman McCone also wondered how much property was going to be available on each side of the rail bed. Ms. Meyer said, depending on specific areas, it could be between 30 feet near town, to 100 feet.

Sabrina Jeffers' inquired about convenient trailheads for people who live closer to Titusville. Ms. Meyer said once the land is purchased, trails will be available for immediate use, but others may take longer to develop, such as those around the town area connecting to the larger trail in the north. The committee could also add

these recommendations in the proposal, she told them. At her inquiry, Ms. Meyer was told by Terry Lane that horses aren't allowed at Chain of Lakes (COL).

But if the land they hope to purchase is bought, it is already pretty rideable north of Aurantia, Ms. Meyer said, and the rail bed is very rideable. But, she went on to say, some bridges are needed in a few areas because of the wetlands she saw when she walked and biked there. That is why the PD&E has to be done, she declared. Perimeters of design, how wide the trail needs to be, and conflicts with pedestrians and bicyclists having alternate use days, are all workable, she said. But, the wetlands and going into areas that are not disturbed will present the main problems. Also, she added, Miami Corp. has agreed to donate land for a trailhead—although that hasn't happened yet as things are still in negotiation. When Sabrina Jeffers asked about a trailhead near Titusville, Ms. Meyer said they are looking at a trailhead near COL, but not for equestrians.

Once the County owns the property, Ms. Meyer said, it can go to PD&E, and then to design. Those steps are all critical and that is when the decisions are made, where the trailheads will be placed, and what they will look like. Sometimes, railroad sites are notorious for contamination, and these are the things that have to be looked at, she said. Terry Lane will be contacted with any updates, Ms. Meyer said in conclusion. When Chairman McCone queried Terry Lane about the ordinances for equestrians within the parks, he responded saying, with the exception of service animals, they are not allowed at COL. However, there are some areas that through grandfathering in, do allow dogs, such as Sand Point Park, Mr. Lane explained. The County is looking at creating some dog parks, but currently no horse parks, he said.

Chairman McCone, referring to County managed Wickham Park being equestrian friendly and with stables, asked Mr. Lane what was the difference between it and COL. Mr. Lane responded that Wickham Park was specified a designated area by the department director for that purpose. If the Equestrian Trail Committee wanted to make the COL a designated area, the Chairman asked Mr. Lane, what process would it have to follow to have that happen? Mr. Lane said that was the decision of Mr. Don Lusk, Interim Department Director, who is also Assistant County Manager. And, he remarked, there would be several people who would probably have different opinions about its use. But, he went on, the department does accept recommendations from citizen committees—such as this Equestrian Trails

Committee, which then goes to the North Brevard Commission on Parks and Recreation (NBCPR), where Gigi Henkel, as one of those NBCPR members, has the task to move it forward.

It seems things have moved so slowly, said Chairman McCone, and this is an item several members of the Committee would like to discuss if there is an option. Gigi Henkel inquired of Mr. Lane if this also needed to be brought before the City of Titusville. Mr. Lane replied in the affirmative adding that the COL was now in the city limits. Since the COL Open House in November, Mr. Lane said, he has had several telephone calls about bringing dogs there, and signage is being placed there stating that animals are not allowed. Chairman McCone thanked Mr. Lane for the information about the process on her question.

C. Committee Attendance—Terry Lane

Mr. Lane said all the Committee members should have received a memo in the mail from Ted Beck, Chairman of the NBCPR, addressing the issue of attendance for all committee members and the importance of having a quorum. He then went on to highlight the policies for attendance, saying if a member has more than three unexcused absences and two excused absences in a one year period, it will constitute said member being replaced. Mr. Lane went on to say he had spoke with Connie Carswell over the holidays and she gave him a verbal resignation. He had at that time asked her for a written resignation, but had not received one yet.

Carol Thompson, asking for some clarification of the policy, was told by Mr. Lane that it was a total of both unexcused and excused, depending on how many meetings you have, or any combination thereof. Donna McCone said this issue had been put off often, as they were a small close-knit community, but understood the policy guidelines. She asked Terry Lane for some guidance as to what size the committee had to be. Gigi Henkel suggested they reduce the Committee to seven members. Sabrina Jeffers and Carol Thompson said they thought the Committee should get another member. Terry Lane said he had a list of alternates, but following the procedure, it had to be advertised. Those who apply have to appear before the NBCPR to state their reasons for wanting to be on the Committee, then the NBCPR decides who they will appoint.

Chairman McCone asked Terry Lane if the NBCPR has members who are familiar with the equestrian issues. Mr. Lane stated that there are nine members with four appointed by the Brevard Board of County

Commissioners, one of which is Gigi Henkel, one School Board appointed (the area superintendent), and four City of Titusville appointees. Gigi Henkel remarked that the process of selecting committee members is a lot more involved than it used to be; it is almost an interview now. Chairman McCone said as a small community, the Committee is representing every facet of equestrian use, and she thanked all the members for their efforts. But, she said, it has been a long process, and within the next year some members will have other priorities. So, if there are concerned community members attending the meetings, she went on, those people need to be called on as attrition takes its toll on other members. Sabrina Jeffers wondered about new people coming in not as well informed as the Committee needs them to be.

Chairman McCone concurred, referring to one of the applicants for alternate in the audience who attended the meetings regularly, saying Dr. Rinaldi was as current with the issues as anyone. Susan Canada wondered if Gigi Henkel could take information back to the NBCPR of their recommendation. Gigi Henkel's inquired of Terry Lane if the Committee could do that. Terry Lane responded, saying the Committee could indeed make a motion for a recommendation. Chairman McCone wondered if it would be read at the NBCPR meeting. Sabrina Jeffers wondered if their recommendation would help the NBCPR's final decision. Gigi Henkel said in response to both, the NBCPR had made pretty logical decisions over the years she has worked with them.

Sabrina Jeffers asked for clarification about the number of members for the Committee. Chairman McCone confirmed that it would be nine. Terry Lane said, due to Connie Carswell's verbal resignation, one seat was open on the Committee.

Motion by Susan Canada, seconded by Mary Page, to recommend Dr. Nicholas G. Rinaldi for a seat on the Equestrian Trails & Facilities Referendum Committee to the North Brevard Commission of Parks & Recreation.

AYE: Canada, Hill, Jeffers, Miller, McCone, Page, Thompson

NAY: None

Carried: 7-0

Terry Lane told the Committee he would have to follow procedures and advertise the position, but with acknowledging the recommendation from this Committee that Dr. Rinaldi be highly considered for this position. Chairman McCone said to let the Committee know if they need to have a representative at the next NBCPR meeting. Mr. Lane said since the next meeting

was on Thursday, January 11, 2007, there would not be enough time for this item to be discussed at that time. But, after placing a news release announcing the vacancy, Dr. Rinaldi needs to submit an application, and when the NBCPR meets again, all those applicants considered will be brought to them at the Brevard Room in Titusville. In response to an inquiry from Dr. Rinaldi, Terry Lane stated that Dr. Rinaldi's current application was good, but he should email Mr. Lane's office and re-confirm his interest in the position.

Other concerns about Connie Carswell not submitting a written resignation were answered by Mr. Lane saying, in addition to her verbal resignation made to him, she had not been present the whole 2006 year, making it a policy-enforced resignation.

V. NEW BUSINESS – None

VI. PUBLIC INPUT

Ginny Vasilopoulos, saying she had talked with Jennifer Hill before, was attending the meeting as representative of the Fawn Lake Horseback Riding Club and its President, and she was aware that there are plans being talked about to put facilities on the trails at Buck Lake. Her organization, she said, is interested in being a part of the plans and wholeheartedly supports the Committee's efforts.

Chairman McCone asked her if she had any thoughts on what could be done there. Ms. Vasilopoulos said she was just glad that there is going to be improvements at Buck Lake and wanted the Committee to know her Club is offering their support.

Dr. Nichols George Rinaldi wanted the Committee to know the corner of Aurantia Road and Blounts Ridge has already become a trailhead for ATV's. Chairman McCone commented that he was alerting the Committee to future enforcement issues, because once the trailheads are officially designated for equestrians, it would have to be addressed. She said she was glad this issue was being put in the record.

Other members voiced their concerns about this situation and how those that live close to the site are bothered by the noise and abuse of the terrain. Chairman McCone pointed out that once the trails are developed, barriers can be used to prevent them from being used by motorized vehicles.

Terry Lane announced that there was a meeting on Wednesday, January 10, 2007, 6:30 p.m., at Cuyler Park

on Harry T. Moore Avenue for County staff seeking input on the Mims Small Area Study. When asked about the next Mims/Scottsmoor Library meeting, Terry Lane stated that no date had been set yet.

VII. NEXT MEETING DATE

The Committee decided to meet on February 19, at 6 p.m.

VIII. ADJOURN

The meeting adjourned 7:15 p.m. at the motion by Mary Page, seconded by Jennifer Hill.

Respectfully submitted,

Donna McCone, Chairman

dr