



**TOWN COUNCIL REGULAR MEETING
MINUTES**

**TUESDAY, OCTOBER 22, 2024 – 6:30 P.M.
PIERSON TOWN CENTER**

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1. Call meeting to order

Mayor Samuel G.S. Bennett called the meeting to order at 6:30 P.M. and asked Town Clerk Yvonne Braddock to take the roll call.

2. Roll call

PRESENT:

- Mayor Samuel G.S. Bennett
- Vice Mayor Robert Greenlund
- Councilmember Sergia Cardenas
- Councilmember Linnie Richardson
- Councilmember Brandy Peterson

Also present were Deputy Clerk Ryan Smith, Town Planner Mark Karet, Town Attorney Christian Waugh, and Deputy Carvajal from Volusia Sheriff’s Office.

3. Invocation and Pledge of Allegiance

Mayor Bennett invited Pastor Larry Miller from Church of God of Prophecy to give the invocation, which was followed by the Pledge of Allegiance.

4. Approval of Minutes – Mayor Samuel G.S. Bennett

- a. Regular Meeting October 8, 2024

Mayor Bennett read the title and asked if there were any additions and/or deletions, if not he would entertain a motion for approval.

Councilmember Linnie Richardson made the motion to approve the above listed minutes as written; seconded by Councilmember Brandy Peterson. All agreed; motion carries.

5. NEW BUSINESS

- a. Pierson Community Association Christmas Festival discussion and action – Robin Green

Resident Robin Green of the Pierson Community Association spoke to Council regarding the annual Christmas festival in partnership with the Town. Ms. Green stated a proposed event

47 date of December 6, 2024 and hours from 6:00 P.M. to 9:00 P.M., with Santa and Mrs. Claus
48 visitation ending at 8:00 P.M. Ms. Green said that the Town had provided the location for the
49 event in past years and asked to use the courtyard of Pierson Town Center for 2024. Gifts
50 would be donated by the Town. Mayor Bennett and Vice Mayor Greenlund agreed that
51 December 6th was an ideal date and hoped the Council would support the event. Mayor
52 Bennett said the event had the Town's blessing.

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b. Airport updates – Olin Cannon

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56 Airport Manager Olin Cannon said there had been an FDOT airport inspection and mowing
57 of the ditches on the north and south sides of the runway needed to be addressed. Mr.
58 Cannon obtained a quote from Marlon Bates in the amount of \$3,000.00 to mow the ditches.
59 Councilmember Linnie Richardson asked if the ditches were still full of water. Mr. Cannon
60 said the mowing did not need to be addressed immediately due to the hurricane and standing
61 water. Mayor Bennett stated he would like to obtain more quotes.

62

63 Mr. Cannon said he would be resigning as the Airport Manager on or around January 1,
64 2025 because he did not feel there was enough support of the airport for him to be
65 successful. He said there was an approximate three-to-four-month process to change over
66 contacts with the FAA. Councilmember Brandy Peterson asked if that was the only thing
67 that needed to be changed. Mr. Cannon said there were several steps for changing contacts
68 with the FAA, and that while it was not a difficult process, it was a slow one.

69

70 Mr. Cannon said he installed hangar #4 and would be removing it on or before November
71 30, 2024. Mr. Cannon said he would continue the rental of hangar #1. Vice Mayor
72 Greenlund told Mr. Cannon that he appreciated his volunteer work as the Airport Manager
73 and asked if he would reconsider his resignation. Mayor Bennett concurred with Vice
74 Mayor Greenlund and highlighted Mr. Cannon's contributions. Mayor Bennett also asked
75 Mr. Cannon to give his resignation more thought.

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c. ORDINANCE 2024-17

1st READING

78

79 **AN ORDINANCE OF THE TOWN OF PIERSON, FLORIDA ANNEXING BY**
80 **VOLUNTARY PETITION CERTAIN REAL PROPERTY OWNED BY AMY AND**
81 **JAMISON THOMAS IDENTIFIED AS PARCEL ID: 581100000060 AND LOCATED**
82 **SOUTH OF THE TERMINUS OF WESTERN AVENUE AS IT EXTENDS**
83 **EASTWARD TO DRUDY LAKE AND LOCATED CONTIGUOUS TO THE TOWN**
84 **OF PIERSON IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION**
85 **PROVISIONS OF SECTION 171.044, FLORIDA STATUTES, AND OTHER**
86 **CONTROLLING LAW; REDEFINING THE BOUNDARIES OF THE TOWN OF**
87 **PIERSON TO INCLUDE SAID PROPERTY; PROVIDING FINDINGS; PROVIDING**
88 **FOR CONDITIONS; PROVIDING DIRECTION TO THE TOWN CLERK TO**
89 **RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT,**
90 **WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND**
91 **WITH THE DEPARTMENT OF STATE; PROVIDING A LEGAL DESCRIPTION**
92 **AND A MAP; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH;**
93 **PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION**

94 **AND THE TAKING OF ADMINISTRATIVE ACTIONS; AND PROVIDING FOR AN**
95 **EFFECTIVE DATE.**

96
97 Town Planner Mark Karet explained the annexation of a small 0.4-acre parcel of land into the
98 Town of Pierson. Mr. Karet said the small strip of land serves as access to a larger 5-acre
99 parcel to the south which is already in the Town’s jurisdiction. The property cannot be
100 assigned an address due to its split jurisdiction, requiring the 0.4-acre parcel to be annexed.

101
102 Mayor Bennett asked if the first reading had been advertised. Mr. Karet stated that annexations
103 follow specific advertising requirements and that an advertisement was not required for the
104 first reading. Councilmember Brandy Peterson asked if the annexation would affect any
105 existing easements; Mr. Karet stated that no easements would be affected. Mr. Karet explained
106 that the parcel would allow access to an extension of Western Avenue which is privately
107 maintained, and that the private maintenance would continue after the annexation.

108
109 Mayor Bennett asked Town Attorney Christian Waugh to read the Ordinance title.

110
111 **Councilmember Linnie Richardson made the motion to approve Ordinance 2024-17 on**
112 **its first reading; seconded by Councilmember Sergia Cardenas. Motion carries on a roll**
113 **call vote 5-0.**

- 114
115 d. Permit fee waiver for Hurricane Milton repairs discussion and action – Mayor
116 Samuel G.S. Bennett

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118 Mayor Bennett briefly explained that Volusia County was reaching out to its municipalities
119 and asking how each would be handling permit fees related to Hurricane Milton damage.
120 Mayor Bennett asked Deputy Clerk Ryan Smith to provide more information from email
121 correspondence.

122
123 Mr. Smith said that Volusia County would be waiving permit fees related to Hurricane Milton
124 damage, and that other municipalities were discussing the waiver of permit fees at their
125 council meetings. Mr. Smith explained that some cities were waiving all permit fees for a set
126 time period, while others were requiring specific criteria in order to have fees waived.

127
128 Councilmember Linnie Richardson said she would only like to see fees waived for permits
129 related to actual storm damage. Vice Mayor Greenlund said he did not think it would be
130 unreasonable to ask for pictures proving hurricane damage.

131
132 Councilmember Richardson said she felt that 90 days would be a reasonable amount of time
133 for residents to apply for a hurricane-related permit. Mr. Smith stated that Daytona Beach was
134 waiving fees through February 28, 2025 and Lake Helen was waiving fees through April 30,
135 2025. Councilmember Sergia Cardenas said it would probably take more time because
136 contractors would be busy.

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138 Town Attorney Christian Waugh asked if the Town would be charged for the permits by
139 Universal Engineering. Mr. Waugh said it was worth asking Universal if they would consider
140 waiving or reducing fees for hurricane-related permits and inspections.

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Vice Mayor Robert Greenlund made the motion to prepare a Resolution outlining the time frame and conditions of waived permit fees, to be executed at the next regular Council Meeting; seconded by Councilmember Linnie Richardson. All agreed; motion carries.

e. FEMA reimbursement discussion and action – Brandy Peterson – Councilwoman

Councilmember Brandy Peterson asked if the FEMA portal was open for Hurricane Milton assistance but no one on the Council or staff had a definitive answer. Councilmember Peterson said that the Clerk’s Office was keeping track of all expenditures related to the storm clean-up and the Town would be ready to file when the portal was open.

f. School emergency shelter discussion and action – Linnie R. Richardson – Councilwoman

Councilmember Linnie Richardson explained that Volusia County mandated an evacuation for residents in mobile homes and low-lying areas during Hurricane Milton, but the School Board chose not to open Taylor Middle-High School as a shelter. Councilmember Sergia Cardenas said she was told that they did not have enough staff to open the school as a shelter. Councilmember Brandy Peterson questioned why the manpower was different from years past.

Councilmember Richardson said she found it “absolutely inexcusable” that the School Board would not open a shelter in Pierson to serve the northwest Volusia County area. Councilmember Richardson asked if the Town Attorney should reach out to the School Board.

Mayor Bennett said he would prefer to have a Councilmember or staff reach out to the School Board to come up with a solution. Mayor Bennett said the School Board had been a good friend and partner to the Town, and he wanted to work together instead of alienating the School Board by involving the Town Attorney.

Councilmember Sergia Cardenas acknowledged that the County offered to bus Pierson residents to a shelter in Deland, but she said most residents would prefer to be in a shelter closer to home. Councilmember Brandy Peterson asked if Volusia County Emergency Management was responsible for opening shelters. Mayor Bennett said it was a cooperative effort between Emergency Management and the School Board.

Resident Denise Colflesh suggested that the Town contact Yolanda Buckles at Emergency Management to find out how the staff is chosen for the shelters. Ms. Colflesh said shelters used to be staffed by County employees who have emergency functions assigned.

Volusia Sheriff Deputy Carvajal said there were only seven shelters open countywide during Hurricane Milton. Deputy Carvajal said the County had opened between 14 and 21 shelters for previous storms. Deputy Carvajal stated that FEMA and Volusia County Emergency Management determine the number of shelters to be opened based on the information and

188 criteria they have, then the School Board chooses the facilities to open based on parameters
189 such as generators and wind ratings at the individual schools. Deputy Carvajal said the shelters
190 are worked by employees from the County, School Board, and Health Department.

191

192 Mayor Bennett said the Town would reach out to Volusia County Emergency Management
193 and the School Board about this issue. Resident Phillip Hughes asked why Pierson did not
194 have a physical presence at the Emergency Operations Center. Mayor Bennett stated that the
195 staff was in communication with EOC during storms and noted that he was at the EOC in
196 2004.

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198 g. AT&T early termination fee discussion and action – Deputy Clerk Ryan Smith

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200 Deputy Clerk Ryan Smith explained that the Town had established a dedicated internet line
201 with AT&T in the early 2000s. Mr. Smith said that in mid-2023, AT&T was called to the old
202 Town Hall building at 106 N. Center Street to address a slow internet connection. Mr. Smith
203 said that AT&T installed a second line with a new three-year contract instead of replacing the
204 original line. Town Clerk Yvonne Braddock said that she was told the service could not be
205 migrated to the new Town Center when the Town’s office relocated in early 2024. The Town
206 instead established Spectrum digital phone and internet at the new Town Center and cancelled
207 AT&T. Deputy Clerk Ryan Smith said that the equipment was returned per AT&T’s request,
208 but that an early termination fee in the amount of \$9,685.54 was received which was 50% of
209 the remainder of the three-year contract. Mr. Smith said he contacted both the local sales
210 representative as well as a financial services member at AT&T but was unable to have the
211 cancellation fee waived or lowered.

212

213 Mayor Bennett asked the Town Attorney to review the contract and see if there was the
214 potential to waive or reduce the early termination fee. Town Attorney Christian Waugh said
215 that he would like to discuss the item outside of a meeting with the Clerks.

216

217 **Vice Mayor Robert Greenlund made the motion to direct the Mayor, Town Attorney,
218 and Clerk’s Office to resolve the AT&T early termination fee; seconded by
219 Councilmember Linnie Richardson. All agreed; motion carries.**

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221 h. Municode Ordinance and LDR proofs discussion and action – Town Attorney
222 Christian Waugh

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224 Town Attorney Christian Waugh reminded the Council that Municode had been hired to
225 modernize the Town’s Code of Ordinances and Land Development Regulations, as well as
226 make the codes available online. Mr. Waugh said that the Council would have to approve and
227 ratify the Municode versions of the Code of Ordinances and Land Development Regulations
228 by ordinance.

229

230 Councilmember Sergia Cardenas asked if the Code of Ordinances were available online.
231 Deputy Clerk Ryan Smith explained that once it was reviewed and approved by the Council
232 it would be published online by Municode. Mr. Smith said future amendments and additions
233 would be published quarterly.

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235 Town Planner Mark Karet said he had reviewed portions of the Land Development
236 Regulations and did not find any major errors.

237

238 Town Attorney Christian Waugh suggested that the Council could approve the proofs and
239 instruct the Clerk's office staff to finalize the proofs with Municode.

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241 **Councilmember Linnie Richardson made the motion to approve the Municode proofs**
242 **of the Code of Ordinances and Land Development Regulations, and instruct the Town**
243 **staff to finalize the proofs with Municode; seconded by Councilmember Sergia**
244 **Cardenas. All agreed; motion carries.**

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246 i. Updates by Mayor Samuel G.S. Bennett

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248 Mayor Bennett highlighted all the clean-up efforts in town by Public Works and other clean-
249 up crews in the wake of Hurricane Milton.

250

251 Mayor Bennett said work on the library is continuing.

252

253 Mayor Bennett noted that the North Road culvert gave way during the storm, and he was able
254 to contact Volusia County who installed a temporary fix until it can be permanently replaced.

255

256 Resident Mary Kay Hansen asked if there was a tentative date for the culvert replacement.
257 Councilmember Linnie Richardson said she spoke with Louis Trivett at Volusia County Road
258 & Bridge who hoped to have it replaced by the end of October 2024.

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260 j. Updates on Town Projects from Town Attorney Christian Waugh

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262 Mr. Waugh said he was working on finalizing a draft contract for CWS as the new water
263 operator and would have it reviewed by Town Planner Mark Karet and Deputy Clerk Ryan
264 Smith.

265

266 k. Updates on Town Projects from Town Planner Mark Karet

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268 Mr. Karet said he was at the Town Center on October 17, 2024 to review some permit issues
269 that were backlogged. Mr. Karet said he would be available on November 7, 2024 to meet
270 with residents regarding their land use and zoning questions. Mr. Karet stated that once the
271 contract for CWS was reviewed and in place, the new water treatment plant would come
272 online.

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274 **6. OLD BUSINESS**

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276 There was none at this time.

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278 **7. OTHER BUSINESS (Council and Staff Reports)**

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280 Town Attorney Christian Waugh noted that it was the last Council Meeting before the general
281 election and wished the candidates luck.

282

283 Vice Mayor Robert Greenlund asked for the status on the water tower upgrades. Mayor
284 Bennett confirmed that the new mixer and vent were installed and operational, and noted that
285 the valves had also been replaced and the tower had been cleaned and painted. Mayor Bennett
286 said that chlorine breaks down in hot temperatures and that the vent and mixing system would
287 help to alleviate that issue.

288

289 Resident Denise Colflesh stated that the generator at the water tower did not run during the
290 hurricane. Mayor Bennett and Vice Mayor Greenlund explained that the generators for the
291 water system were at the wells, and that the equipment parked at the tower was not related to
292 the storm.

293

294 Councilmember Sergia Cardenas had three items:

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296 • Councilmember Cardenas said that the Farmworker Association was proceeding with
297 the installation of brick pavers in front of their building as approved previously by the
298 Council.

299

300 • Councilmember Cardenas stated that a few residents on E. Washington Avenue had
301 contacted her about property flooding and felt the vegetation in the ditches and
302 culverts was impeding water flow.

303

304 • Councilmember Cardenas received notice from TPO that DOT would be re-paving or
305 re-surfacing US Highway 17 from Deleon Springs to 4th Avenue in Pierson, with work
306 slated to begin early 2025.

307

308 Mayor Bennett said that he and several Councilmembers had a meeting with Charlie Suber of
309 DOT regarding a culvert that had washed out on 5th Avenue. The water that caused the wash-
310 out of the culvert came from a drainage ditch that runs from US Highway 17 to Shaw Lake,
311 passing through a pasture which is private property and under the culvert at 5th Avenue along
312 the way. Mr. Suber called to inform the Mayor that he was still looking into the issue of
313 whether this ditch is maintained by, and responsibility of, DOT.

314

315 Councilmember Brandy Peterson had three items:

316

317 • Councilmember Peterson addressed the County-placed comfort stations at the Town
318 Center and explained that they had been placed in the parking lot for residents of the
319 local area, particularly Astor, who had been affected by the hurricane. Councilmember
320 Peterson said these stations needed to be placed on public land and the Town of
321 Pierson was the best site. Councilmember Peterson felt these comfort stations were
322 necessary to serve residents of Astor who were affected by flooding.

323

324 • Councilmember Peterson said the VFW in Astor, in conjunction with a VFW in
325 Asheville, North Carolina, was collecting donations for the areas near Asheville
326 affected by Hurricane Helene. Residents in the Asheville area need winter clothes,
327 sleeping bags, and other winter items. Councilmember Peterson said that donations
328 were being accepted at the Town Center through Friday.

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- Councilmember Peterson noted that the rodeo grounds were in poor shape due to flooding and run-off from Hurricane Milton. Kalen Ruth of KR Land Development attempted to fix some areas of the rodeo property with fill dirt, but more work is needed to fix the grounds.

Mayor Bennett commended Public Works for working to prepare the rodeo grounds after multiple days of rain leading up to the rodeo, followed by the clean-up efforts for Hurricane Milton. Mayor Bennett said disparaging remarks were made on social media regarding the condition of Chipper Jones Park. Mayor Bennett explained that Public Works had to shift their focus to more urgent matters such as hurricane debris clean-up and that regular park maintenance would resume soon.

Deputy Clerk Ryan Smith had two items:

- Mr. Smith said the required Lead Service Line Inventory was completed and submitted to the Health Department and Florida Department of Environmental Protection on Monday, October 14, 2024, two days ahead of the deadline. Mr. Smith thanked Public Works for their hard work in completing the inspection of the service lines on such short notice. Mayor Bennett spoke briefly about the requirement and thanked the staff for working together on completing the inventory.
- Mr. Smith commended the community for their response to the hurricane donation drive and noted that resident Kristine Wake had received two truckloads of donations in two days.

Town Clerk Yvonne Braddock said the high school had invited members of the Council to ride in the Homecoming Parade and noted that she would be sending the information out via email for anyone who wanted to sign up.

8. GOOD AND WELFARE (Public Participation)

Resident Denise Colflesh asked if anyone on Council was assigned to the County EOC. Town Clerk Yvonne Braddock and Councilmember Brandy Peterson explained that the Clerk’s Office attended briefings and calls remotely. Ms. Colflesh asked if it would be better to have someone from Council in-person at EOC. Mayor Bennett explained that he has been to the EOC in the past when storms were more severe, but not every storm rises to the magnitude of necessitating in-person attendance.

Ms. Colflesh asked for an update on the FRDAP grant application. Deputy Clerk Ryan Smith said the application had been submitted but that awards would not be announced until July 2025.

Resident Phillip Hughes asked about the maintenance of the cemetery at Primitive Baptist Church. Mayor Bennett and Councilmember Linnie Richardson stated that the County sometimes mowed the cemetery. Resident Gray Leonhard stated that Dale Barnhart was

375 involved with the cemetery in the past. Town Attorney Christian Waugh said the discussion
376 would need to be added to the next agenda as an agenda item.

377

378 **9. PIERSON EVENTS**

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380 • Legacy Fall Harvest Fest – Saturday, October 26, 2024 @ 10:00 A.M.

381

382 • Taylor Middle-High School Homecoming Parade – Friday, November 1, 2024 @ 1:30
383 P.M.

384

385 • Fall Jamboree at Barberville Pioneer Settlement – November 2 & 3, 2024 @ 9:00
386 A.M. to 5:00 P.M.

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388 **10. ADJOURNED**

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390 **Hearing no further business, meeting adjourned at 8:28 P.M.**

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392 Minutes prepared by:

Minutes approved by:

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Ryan Smith, Deputy Town Clerk

Samuel G.S. Bennett, Mayor