

# New Midway school finally on way

By DAVE WEBER  
SENTINEL STAFF WRITER

SANFORD — After years of promises and delays, a new Midway Elementary School will be built to replace the old structure that is one of the last vestiges of Seminole County's segregated school system.

The School Board voted unanimously Tuesday evening to award a \$13.3 million contract to R.E. Harris Construction of Winter Park to build the new Midway school. Harris was the low bidder among 10 companies that sought the job in stiff competition.

"We plan to start construction this month," said George Kosmac, deputy superintendent of schools. "We want to open the school in January 2010."

Officials for years have planned to replace the old school, which housed black students in the rural Midway community before integration.

But each of three previous sites the School Board settled on was found to be polluted with arsenic, a residual from pesticides used in muck farming in the area for decades. After costly soil testing revealed the pollution each time, the board moved on.

The 72 acres at the corner of State Road 46 and Brisson Avenue, where the school will be located, was polluted with arsenic as well. But officials say the 15 acres designated for the elementary school is clear.

"The site is clean. It is absolutely safe for kids," Kosmac



ORLANDO SENTINEL FILE

The old Midway Elementary School, seen in 2003, housed black students in the rural Midway community before integration. Construction on a new school is expected to start this month.

said.

Testing turned up nearly 50 hot spots that had arsenic above acceptable levels set by the state. But after spending \$9 million to buy the property, officials decided they could invest more to clean it up. Officials hope later to build a middle school on the site as well.

In the past several months, the district has excavated 10,700 cubic yards of contaminated soil and trucked it to an Osceola County landfill. Then, clean fill was hauled in to replace it. The work will be completed by the end of November.

The total cost for the removal and replacement of

soil is \$773,000, Kosmac said. Officials hope the state Department of Environmental Protection will reimburse a large share through its Brownfield cleanup program, which makes polluted commercial property useful again.

Another cost run-up was a \$333,850 redesign of the school plans to fit the new site.

But officials who have been frustrated with the long delay in building the promised school say the investment will be worthwhile.

"I am thrilled that the Midway community will be getting a new school," said School Board member

Jeanne Morris, who represents the area.

The new school, which will continue as a magnet for the performing arts, will have room for about 780 students, compared with about 410 enrolled now. Officials hope the new facility will attract more students and help ease the need for portable classrooms at nearby Hamilton and Pine Crest elementary schools.

"This is going to give a lift to Midway," board member Dede Schaffner said. "The community has been waiting a long time."

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# Publix: Horse-track backers misused logo

By RACHAEL JACKSON  
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Last week, DeBary residents got cards in the mail that were redeemable for free, reusable Publix shopping bags filled with information about a proposed horse track.

But there is one problem: Publix Super Markets wants nothing to do with the controversial proposal for a horse track and card room in the city — an issue that goes to the City Council on Friday after months of rumors. The mailers, signed by developer DeBary Real Estate Holdings, have an image of Publix's logo and read "FREE PUBLIX SHOPPING BAG!" The bags, however, can be picked up at only three local businesses, none of which are grocery stores.

"That's something they should not be doing," said Dwaine Stevens, a spokesman for the grocery chain, which he said would ask the developer to stop the promotion. "They're misusing our company name, our logo and everything."

Michael Goldstein, developer of the project called DeBary Town Center and Equestrian Park, could not be reached for comment.

Andy Mournouris, owner of Stavro's Pizza and Grill, one of the locations where the bags can be picked up, said he was getting a steady flow of people looking to redeem the cards. He supports the project, which will include a hotel, shops, restaur-

rants and space for a farmers market, because he thinks it will be good for the local economy. The most-recent mailer claims the city could get as much as \$300,000 a year in new tax revenue if the development is built.

"It doesn't necessarily have to be all about gambling, and I think that is what the stigma is with all the local people," Mournouris said.

He said he didn't know that Publix hadn't wanted its logo used in the promotion. He said he wasn't sure what to make of that.

The proposal for a horse-racing track first came up in DeBary this spring, when the developers filed for a state permit. The Daytona Beach Kennel Club and Poker Room has funded an ad campaign against the track; a nonprofit group it created erected a billboard across from the site where the park is planned and sent mailers to residents that suggested the project would resemble a casino. The developer's team responded with a newsletter that stressed plans to make the project a community gathering place.

A group opposing the project plans a 6 p.m. rally today at Victorious Living Church on Dirksen Drive. The first public hearing on the project will be at 7 p.m. Friday at Town Hall, 12 Colomba Road.

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# Killer: Family, friends don't need to help me

By LUDMILLA LELIS  
SENTINEL STAFF WRITER

ST. AUGUSTINE — Facing a death sentence again, Roy Lee McDuffie doesn't want his family and friends to take the stand in his defense.

Not his mother, his father, his minister, nor the 11-year-old kid he once coached in football — all of whom testified during his first trial, when the Orlando man was sentenced to die.

"That kid was on the stand crying. I'm not going to put him on the stand again," said McDuffie, 45.

"I don't want them here." But a jury might hear from them anyway because the judge indicated Tuesday that he might have their prior trial testimony read aloud in court this morning.

Today may conclude McDuffie's second trial on the 2002 murders of Dollar General store employees Janice Schneider and Dawnell Beauregard.

The two women were shot to death, their throats slashed and Beauregard bound with duct tape, in a cramped back office of the Deltona store after closing in October 2002. McDuffie, their co-worker, was arrested after tests confirmed it was his palm print on a piece of duct tape that had bound Beauregard's wrists.

McDuffie's first conviction was overturned by the Florida Supreme Court, but

a St. Augustine jury sitting for his retrial decided he was guilty of the murders and of robbing the store of \$7,000.

Now that jury must recommend to the judge whether the crimes deserve the death penalty.

On Tuesday, Circuit Judge James R. Clayton questioned McDuffie's decision to forgo testimony by his family and friends who testified in 2005 when the death penalty was being debated.

McDuffie was adamant, and even used profanity, about not wanting to bring them back to court.

The judge offered to have the testimony of those 11 witnesses read aloud. But prosecutors objected, arguing that they couldn't cross-examine the witnesses.

On Tuesday jurors did hear from family members of the two victims.

Their sisters, along with Beauregard's mother and Schneider's son, fought tears as they recounted the pain and emptiness of their loss.

Thomas Teixeira, Schneider's 20-year-old son, said he had contemplated suicide after seeing how his mother's murder had torn his family apart.

"Then I realized she will always be watching over me," he said. "I think it is her giving me the strength to be here."

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## RELEASED

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Dillon's bond comes with a few conditions: He'll have to live with his brother in Palm Bay, have a 7 a.m. to 8 p.m. curfew, and be required to wear a GPS tracking device at all times.

Dillon cannot leave Brevard County, but the judge has given him a midnight curfew for Thanksgiving Day, when his family will gather for dinner at a relative's home in Orange County.

Bill's brother, Joe Dillon, said the family had remained hopeful and expected Dillon to be set free.

"We knew that it was going to happen today," he said. "We knew that he was going to be coming home with us today."

Mike Pirolo, Dillon's defense lawyer, said his client was cautiously optimistic.

"He sees a light at the end of the tunnel, but by no means is it done," Pirolo said.

Dillon's lawyers and prosecutors are gearing up for a new trial that could begin as early as January.

Assistant State Attorney Rob Parker said prosecutors are seeking a sentence of life in prison, even though the new evidence will make it more difficult to get a conviction.

"Any time you have a case that is 28 years old, it's going to be difficult," Parker said. "There's nothing that we have at this point in time that does point scientifically to him. However, the evidence that we have does not exonerate him either."

Both parties will appear in court again at 10 a.m. Jan. 7. The judge will set a trial date, but the charges against Dillon could be dismissed at that time.

Seth Miller, executive director of the Innocence Project of Florida, said the case



DILLON

shouldn't even go to trial. "The case against Mr. Dillon — to call it weak is an overstatement," he said. "We think that they should drop the charges. It's the right thing to do."

But Parker said he doubts that will happen. He said key witnesses from the original trial will testify in court, including Dillon's former girlfriend, who later recanted her statement.

Testimony from witnesses who are now deceased also

will be used as evidence.

Pirolo said even if a jury ultimately rules in Dillon's favor, his life will be changed forever.

"Bill's been in [prison] for 30 years, and that's something you can never get back," Pirolo said. "No amount of winning in court or money is going to change that."

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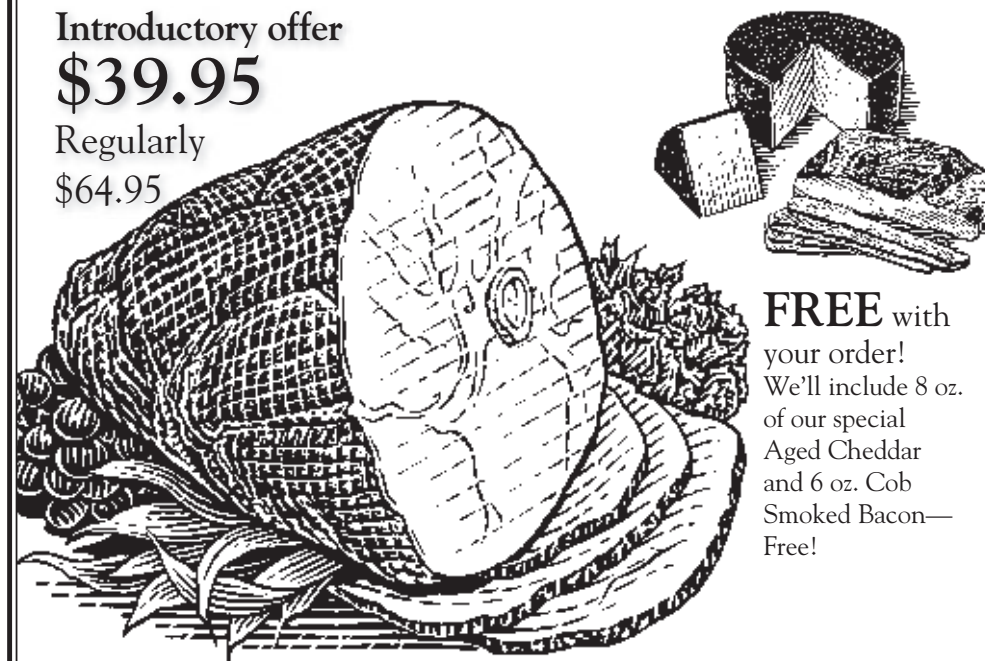
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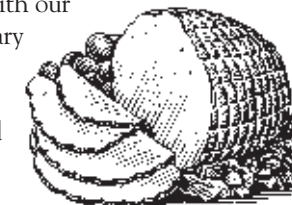
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