

DAVIE AGRICULTURAL ADVISORY BOARD

OCTOBER 23, 2001

6:30 P.M.

1. ROLL CALL

The meeting was called to order at 6:35 p.m. Board members present were Chair Julie Aitken, Jason Hurley, Barbara Spiece and Hilda Testa. Also present was Board Secretary Jenevia Edwards recording the meeting.

2. APPROVAL OF MINUTES: June 18, 2001

Mr. Hurley made a motion, seconded by Ms. Spiece, to approve the minutes of June 18, 2001. In a voice vote, with Ms. Testa abstaining as she was new to the Board and was not present at that meeting. All voted in favor. **(Motion carried 3-0)**

Ms. Spiece made a motion, seconded by Mr. Hurley, that the minutes of the present meeting as well as future upcoming meetings be transcribed before those of past meetings. In a voice vote, all voted in favor. **(Motion carried 4-0)**

Chair Aitken provided an update to the Board regarding the deletion of 12-34(B) from the Town's Code. She indicated that the Planning and Zoning Board had returned the item to the Town Council with a recommendation that 12-34(B) be deleted in its entirety and simultaneously replaced with a new version. Chair Aitken explained that at a previous Planning and Zoning Board meeting she had been given directions as representative of the Agricultural Advisory Board, to meet with Town Attorney Monroe Kiar to draft a new version of 12-34(B). Staff was also directed to draft a version and then a comparison would be made of both versions. A lengthy discussion followed regarding the drafting of a replacement for 12-34(B). Chair Aitken advised that after the meeting with Mr. Kiar, she received a memorandum indicating that the agreed upon version was not a group effort but rather her sole idea. Copies of this memorandum was distributed to Council, Town Administrator Thomas Willi and Development Services Director Mark Kutney. She indicated that a copy of her version had already been submitted to the Planning and Zoning Board and she responded to the memorandum to that effect. Chair Aitken commented that Mr. Kiar had also indicated in his memorandum the ramifications if 12-34(B) was deleted. Discussion ensued regarding problems being created for farmers because 12-34(B) was still part of the Town's Code.

Chair Aitken advised of a meeting with Councilmember Truex who agreed to write a new version for 12-34(B). She referred to Broward County's procedure that was used to determine what was considered a farm and commented that Councilmember Truex had indicated that this should be included into the Town's ordinances as well. A lengthy discussion continued regarding the different prerequisites for a farm.

Ms. Testa inquired as to the possible future recommendations by the Board for residents who were uncertain about what would be considered a farm. Chair Aitken referred to a pamphlet written by the Agrarian Committee, "How To Qualify and Apply for Agricultural Classification." She indicated that once the Code issue was settled, the Board could consider drafting a guide that would assist residents in proving their farm status if they were rejected by staff.

Chair Aitken provided an update regarding her presentation to Council. She referred to items that were discussed and approved by the Board and indicated that her presentation to Council had been made on the basis of previous discussions and decisions. Chair Aitken

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commented that Council reiterated the need for joint meetings with staff, the Board and "outside" consultants. A lengthy discussion followed stressing the urgent need for such meetings.

Chair Aitken apprised the Board of a meeting with Councilmember Truex. She commented that the concerns by some developers regarding the zoning in progress and the rural preservation ordinance was discussed. Chair Aitken indicated that the developers were willing to comply with new regulations as they were anxious to move forward. Following a lengthy discussion regarding ideas for rural preservation, Chair Aitken reiterated the need for meetings with outside consultants and developers and expressed the opinion that although the Board's ideas were impressive, other ideas and expertise from staff and hired consultants together would be utilized at the public workshop. She referred to open space, cluster development as well as the problems created by the "E" zoning and indicated that the public workshop would be the arena in which to obtain public opinion. Chair Aitken indicated that unless staff moved forward, the Town would be challenged in court as developers were becoming anxious. Mr. Hurley inquired if the process for regular Board meetings would also apply for meetings with consultants and developers, staff and Board members with Chair Aitken responding affirmatively. Discussion followed regarding the Sunshine Law and meeting procedures involving Board members. Chair Aitken commented that ideally, each segment of the group should be able to provide ideas that the entire group would be able to recommend to Council. She indicated that she was hoping that when the meetings were organized, the Board would be informed to enable members to attend.

3. DISCUSSION

3.1 Draft Ordinance for Open Space Zoning

The Board decided to forego any discussion on this item until after the meeting with staff and consultants. Chair Aitken indicated that she was confident of Council's decision on the removal from the Town's Code.

Chair Aitken referred to Transfer of Development Rights which was an incentive for developers who developed lots of more than one acre. She commented on the bond issue, and explained that at a County Land Preservation Advisory meeting, it was suggested that the entire amount of funds be divided evenly between municipalities. A lengthy discussion followed regarding the Zimmerman property which although zoned commercial, would now be a \$12,000,000 regional park and the \$15,000,000 improvements on the ESL site on Flamingo Road. Chair Aitken indicated with no hope for Purchase of Development Rights, she and Arthur Hurley discussed a manner in which the Town could create a Transfer of Development Rights Bank. She explained the process involved, commenting that this would be similar to the Wetlands Mitigation Bank. Chair Aitken indicated that at the recent Land Preservation Advisory Board meeting, a PDR subcommittee was established. Ms. Spiece commented that there was misconception in the public of PDR. She indicated that there was negativity as well because the belief was that farmers were being paid for property that the public was not able to enjoy. Chair Aitken commented that the public access issue needed to be addressed. She commented that she was surprised at the sudden receptiveness of PDR by County staff when it had been previously blocked.

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Chair Aitken commented that she would like the Board to continue pursuing other design ideas and to continue to move forward with other ideas. She indicated that PDR and TDR were still possible ways of preservation aside from design elements. Chair Aitken explained that with the establishment of the Community Relations Advisory Board, ongoing disputes involving farmers and neighbors would be handled by that Board. She commented that with the Community Relations Advisory Board handling disputes, this Board would be free to handle agricultural items and possibly meet only once per month.

Ms. Spiece made a motion that the next regular Board meeting be set for a month from now, and that the interim meeting be called with staff and the consultants in the meantime. If the interim meeting did not take place by the second Tuesday in November, the Chair should call an interim meeting. Discussion followed regarding different meeting dates, meeting with consultants and staff and availability of accommodations. Chair Aitken inquired if Board members would be available to attend a meeting on November 19th. All Board members indicated that they would be available. Ms. Spiece withdrew her motion. Chair Aitken commented that since the concept of a meeting with consultants and developers and staff regarding the rural preservation was a directive from Council, each Board member should contact their Councilmember asking that they insist on staff moving forward with these meetings. She indicated that Council should also be reminded to indicate to staff that members of the Agricultural Advisory Board should not be excluded from these meetings. Chair Aitken expressed the opinion that if staff was left to their own devices, this Board would be excluded from these meetings.

4. OLD BUSINESS

There was no old business to discuss.

5. NEW BUSINESS

There was no old business to discuss.

6. COMMENTS AND/OR SUGGESTIONS

Chair Aitken listed the following as agenda items for the upcoming meeting: (1) outcome of joint meeting with the Board, staff and consultants and (2) other ideas for agricultural interests in the Town.

7. ADJOURNMENT

Mr. Hurley made a motion, seconded by Ms. Spiece, to adjourn. There being no objections, the meeting adjourned at 8:05 p.m.