

DAVIE AGRICULTURAL ADVISORY BOARD
FEBRUARY 26, 2002
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, Barbara Spiece and Hilda Testa. Also present was Board Secretary Janet Gale recording the meeting. Vice-Chair Jason Hurley was absent.

2. APPROVAL OF MINUTES: November 8, 2001

Chair Aitken indicated that the word "bombard" in the first paragraph should be changed to "blockade", and "Board" under item 2 should be "Planning and Zoning Board".

Ms. Spiece made a motion, seconded by Chair Aitken, to approve the minutes of November 8, 2001 with the corrections. In a voice vote, with Vice-Chair Hurley being absent, all voted in favor. **(Motion carried 2-1)**

Chair Aitken provided an update on staff's progress with the ordinance for the zoning in progress. She advised that Planner Marcie Nolan was in charge of the staff working on the ordinances and commended her for a great job. Chair Aitken indicated that the Board would be invited to take turns participating in some of the staff meetings that would be held. She added that a second rural preservation workshop was being held on February 27th.

3. DISCUSSION

3.1 Creation of a Davie Farmer's Guide

Chair Aitken indicated that at the last meeting, it was decided to move on to the next phase of writing a Davie Farmer's Guide. She explained that the Davie Farmer's Guide would inform the public of their rights encourage farmers to remain and encourage potential farmers to move to the Town. A lengthy discussion followed regarding the different order in which the guide should be written. Chair Aitken suggested that the guide be presented in a logical sequence that would be easy to read and there should be no interpretation, just a factual guide. She indicated that after assimilation of the guide, a recommendation could be made to the Town Council to make it an official pamphlet for the Town.

Ms. Testa asked if the guide would be created by the Board or by an outside source. Chair Aitken responded that she hoped that the Board would organize the guide, write a foreword, and Council would agree to make it an official Davie pamphlet. She commented that the entire guide would not be included in the Davie pamphlet, but a brief overview of agricultural classification and information to make residents aware that they could apply for agricultural classification. Chair Aitken added that reference should be made to the Agricultural Classification booklet prepared by the Broward Agrarian Committee with the most relevant information included, or reproduce the Statutes with a footnote added indicating that there was a guide available from a private source. Ms. Spiece agreed with the process but questioned the legality of combining Town law with other information. Councilmember Truex responded that this would not create any problem. Ms. Spiece expressed the opinion that she believed that combining information from the Town and another source could lead to misinterpretation.

A lengthy discussion ensued regarding the fact that many residents, both presently residing in Davie as well as newcomers, were not aware of the agricultural classification. Chair Aitken added that newcomers to Florida and Broward County were not aware of the agricultural

classification, and they would not be aware of the Davie farm amendments either. She indicated
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that without the agricultural classification farms would have no protection. Ms. Testa expressed the opinion that the Town should assist its residents in acquiring this classification. Chair Aitken indicated that not everyone was entitled to the classification; however, information would be provided in the pamphlet for residents who would like to qualify for this classification.

Chair Aitken added that the Agrarian Committee would be expanding to become the Broward County Agrarian Committee. She indicated that she had suggested to the Co-Chair of the Farm Bureau that the Agrarian Committee compile a Broward Farmers Guide. Chair Aitken explained that the reason for the expansion of the Agrarian Committee and added that Southwest Ranches would be fighting the same fight as Davie did over the farm amendments.

Chair Aitken commented that the pamphlet should be made palatable so that it would be approved by Council. A lengthy discussion ensued regarding the order in which the pamphlet should be written, with Chair Aitken suggesting that the first item should be "definition" and then "headings". She added that reference was also made to agriculture and farms in the Davie ordinances. Ms. Spiece indicated that it should be stated on the cover sheet that the definitions were excerpts of the law. The following headings were suggested:

- Building
- Structures
- Signs
- Licensing
- Animals
- Nuisances

Ms. Testa asked about administrative determination and Chair Aitken added that the present law stated that anyone with the agricultural classification was definitely a farm, but it was questionable without the classification. Chair Aitken indicated that in order to qualify for agricultural classification someone would have to have commercial agricultural use. She indicated that a farm could have non-commercial use but that would be determined by the criteria that was written into the Broward Farm Amendments which were adopted into the Town amendments. Ms. Testa asked what benefit would be derived by a resident to claim that they were a farm without the agricultural classification. Chair Aitken explained that there were exemptions for building permits, types and number of livestock which applied to farms. Councilmember Truex indicated that items A through H of the criteria were drawn up to discourage "fake" farms. Ms. Spiece inquired whether a certificate was issued when the criteria was met. Chair Aitken explained that both the Development Services Department and the Code Compliance Division would make the determination; however, if they did not both agree, the resident had the right to appear before the Special Master.

Chair Aitken commented that paragraph 16 of 12-34(B) should be listed under definition. A lengthy discussion ensued regarding building permit requirements and additions/changes that should be made for clarification. Also discussed were items listed under "Definition of Criteria for Farms" and additions and changes that should be made.

The Town's law was also discussed with Ms. Spiece suggesting that separate addendums should be added. Ms. Testa questioned the addition of the addendum and the breaking up of the Florida Administrative Codes (FAC) into sub-headings, with Chair Aitken responding that the FAC only applied to agricultural classification. She added that only the Town ordinances

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applied to farmers; however, the State's law applied to all. Ms. Spiece inquired if there were any conflicts with Chair Aitken responding in the affirmative and added that the legislature was presently changing ~~staff~~ stuff. Chair Aitken explained that the Horse Farm Amendment was presently in Committee in the legislature and added that the purpose was to change the agricultural classification law which she explained.

Chair Aitken commented that she had prepared a draft of a foreword which she indicated would be added to the pamphlet. A copy was presented and changes were discussed and made.

4. OLD BUSINESS

4.1 Assorted Updates

Chair Aitken reported on the Horse Farm Amendment commenting that there had been tremendous opposition to it. A lengthy discussion regarding several proposed changes to the Exemption for Farm Buildings Act and agricultural tax exemption. Chair Aitken advised that the Farm Bureau had appointed her to the State Farm Bureau Tax Committee. She reported on the zoning in progress adding that it had been expanded by Council and that there would be a second reading. Chair Aitken indicated that portions of east Davie would be added and inquired if United Ranches would be "picked up" if they joined the Town. Councilmember Truex disagreed unless United Ranches was changed, and the zoning in progress would become effective before the change.

Chair Aitken referred to the Land Preservation Board meeting that she recently attended and added that there were several municipalities there making presentation regarding open space. A lengthy discussion followed regarding open space and the bond issue and the distribution bond money and purchase of developments rights.

Chair Aitken referred to an amendment which would be presented to the State Legislature for the establishment of a State Purchase of Development Rights system/conservation easements; however, there was presently no money for funding. She added that once funds became available, there would be assistance for different counties.

Ms. Spiece referred to previous discussion indicating the order in which minutes should be transcribed. She suggested that the minutes should be transcribed in reverse order with the current minutes being transcribed first. Chair Aitken agreed.

Chair Aitken suggested that polishing the rough draft of the Davie Farmers Guide as an agenda for the upcoming meeting.

5. NEW BUSINESS

Councilmember Truex advised that the firm of Becker and Poliakoff would like the Town to become involved in a class action lawsuit against everyone who had ever made pressure treated lumber. He commented that this type of lumber was being withdrawn and there would be a new type on the market. Councilmember Truex expressed the opinion that this was frivolous.

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Councilmember Truex indicated that the Deputy Commissioner of Agriculture would be present at an upcoming Council meeting to discuss citrus canker. He added that the attorney representing the Town and other municipalities would also be present. Councilmember Truex discussed the problems created by untrained field workers. Chair Aitken commented that it appeared arbitrary as to whose trees were being removed by the Department of Agriculture.

Ms. Spiece expressed the opinion that if a cure was not found, the citrus industry in Florida would be lost. She added that citrus canker had gotten a grip on Broward County and Dade County and there was no way to stop it.

6. COMMENTS AND/OR SUGGESTIONS

There were no comments or suggestions.

7. ADJOURNMENT

Ms. Testa made a motion, seconded by Ms. Spiece, to adjourn. There being no objections, with Vice-Chair Hurley being absent, the meeting adjourned at 8:12 p.m.

Approved

Chair/Board Member

