

DAVIE AGRICULTURAL ADVISORY BOARD
OCTOBER 26, 2004

1. ROLL CALL

The meeting was called to order at 6:46 p.m. Board members present were Chair Hilda Testa, Vice-Chair Julie Aitken, Jacque Daniels and Dr. Rick Bruns. Also present was Board Secretary Jenevia Edwards recording the meeting.

2. APPROVAL OF MINUTES: September 28, 2004

Vice-Chair Aitken indicated that under Old Business the fourth paragraph on page two should read..... "of the development rights which are" and....."full". The referendum referred to was in "2000" instead of 2002.

Vice-Chair Aitken made a motion, seconded by Ms. Daniels, to approve the minutes of September 28, 2004 with the corrections. In a voice vote, all voted in favor. (**Motion carried 4-0**)

3. OLD BUSINESS

3.1 Pine Island Community Park Pony Club

Chair Testa explained that the idea for the hurricane turnout and an equestrian program for children was a two-fold idea and since Special Projects Director Bonnie Stafiej had put together the hurricane turnout at Robbins Park, only the equestrian program for children was left. She indicated that erecting temporary tents instead of permanent ones was too much trouble and the arena was available.

There was a lengthy discussion regarding use of the Pine Island location; however, the Board felt that the arena was ideal as it was already available, it could be used for night time shows and the more uses that could be found for the arena the better. Vice-Chair Aitken commented that should the equestrian program expand, the Pine Island Community Park could be used as well. The Board discussed different events that could be held at the arena, all that was needed was organization of the programs. Vice-Chair Aitken asked if Ms. Stafiej knew about a pony club. Chair Testa explained that once Ms. Stafiej was ready to address the issues, she would be invited to a meeting. Vice-Chair Aitken briefly explained about a pony club and added that the club should provide knowledge of how to take care of horses as well as being fun. Chair Testa indicated that information about the old "Davie for Horse" program was available from Ms. Stafiej; however, the program had died through lack of interest.

Vice-Chair Aitken asked if there would be volunteers available to provide instruction for the equestrian program. Chair Testa indicated that the Town hired part-time people for summer recreational positions. Dr. Bruns spoke about an awards program and commented that if expansion of the activities at the arena was eminent, there would have to be an incentive. He inquired if incentives could be incorporated into the equestrian program.

The Board discussed different aspects of a pony club and various activities involved with suggestions being made that teams could be formed within the club which would enhance the competitiveness among the children. Chair Testa indicated that she would send an e-mail to Ms. Stafiej about the pony club to let her know that the Board was ready to move forward if she was ready. She advised that she would ask Ms. Stafiej to send her response to the Board Secretary who would then forward it to Boardmembers. Vice-Chair Aitken indicated that Ms. Stafiej would need help in implementing the programs. Chair Testa commented that the Town would not be providing the horses and that meant that the children who would be involved had their own horses and had some riding experience. Vice-Chair Aitken asked if the Town had liability

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insurance for children participating in sports within the Town with Chair Testa responding in the affirmative.

There was a lengthy discussion regarding the Florida Statutes and case law. Chair Testa commented the Boardmembers should become familiar with the statutes prior to the next board meeting with Development Services Director Mark Kutney. Vice-Chair Aitken advised that information received as a result of the additional research would be available for the January meeting.

A brief discussion followed regarding upcoming meetings with Chair Testa indicating that there would be no meetings in November or December.

4. NEW BUSINESS

Vice-Chair Aitken provided information concerning a site plan issue involving Main Guy Industries operating as a nursery. She explained that the Site Plan Committee was an aesthetic committee and did not have the same power as the Planning and Zoning Board. A lengthy discussion was devoted to the site plan process and businesses claiming to be farms but were operating as something else. Some of these businesses hid behind farm amendments and the Right-to-Farm Act. Vice-Chair Aitken indicated that the business was a landscape maintenance company and not a farm.

Vice-Chair Aitken suggested that Boardmembers look at the Town's agricultural ordinances and the definition for farms and make some recommendations to Council to close the gap in the ordinances to prevent the abuse by businesses that were not legitimate farms. She commented that legitimate farms doing legitimate agriculture were exempt by State law and this was reflected by the Town. Vice-Chair Aitken indicated that the Right to Farm Act provided protection against nuisance actions on farms and was not a blanket exemption that a farm could do non-agricultural things without a permit. She added that it would be hard trying to curtail the action of abusers, but the Board could put something together. Vice-Chair Aitken commented that the abusers' action would eventually backfire on genuine farmers.

There was a brief discussion regarding actions by farmers that affected their neighbors. Vice-Chair Aitken suggested meeting with the property owner and have a discussion in an attempt to resolve the issue amicably before contacting the Code Compliance Division.

Dr. Bruns spoke about the issue of mosquitoes and indicated that he and several of his neighbors had placed several calls to Broward County and had never received a response. Chair Testa explained the operation of the County Mosquito Control Department, adding that they responded based on the number of calls received from an area.

Dr. Bruns inquired about a property on the west side of Shot Gun Road whether it was still slated for the middle school or the Neiman Marcus Mall. Vice-Chair Aitken indicated that a land use amendment would be required in order for the developer to move forward. A lengthy discussion followed regarding the proposed project and the attempt by the developer to have the Department of Transportation provide a dedicated exit off Interstate 75. The Board discussed traffic issues and the noise and how it would affect both the neighborhood and residents as well as how inappropriate the project was for the area. Vice-Chair Aitken indicated that Oakhill

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residents were not happy with the prospect of this project in their neighborhood. She reiterated that a land use amendment was needed for the project which required a supermajority vote of

Council. Vice-Chair Aitken believed that the developer was waiting for another election when the faces of Council would change. A lengthy discussion followed regarding voting issues.

Vice-Chair Aitken reiterated the need to close the loophole in some of the existing agricultural ordinances to prevent abuse by "so-called" farmers.

Chair Testa suggested that the Board think of ways that it could help the Town by looking into new project and new things to address.

Vice-Chair Aitken indicated that from the site plan standpoint, when the rural preservation ordinances for developers were written, it did not contain enough detail. She added that there were too many loopholes in the ordinances and suggested that the Board have a brainstorming session of ideas in order to make a recommendation to Council to authorize staff to "tighten up" those rules outlined in the ordinances.

There was a lengthy discussion regarding new construction with Chair Testa indicating that the new projects did not necessarily reflect Davie, and from discussion she had with residents they were very disappointed.

Chair Testa asked if it was impractical to suggest or pursue a type of ordinance that would prevent developers but welcome site development. She explained that the big developers were putting small general contractors out of business. Chair Testa asked if a suggestion could be made that development on remaining land in Davie could not be carried out by big developers. A lengthy discussion followed regarding site development, underground infrastructure and tax certificates. Chair Testa indicated that site development was a great way to finish the development of remaining properties in Davie and this would also ensure custom homes. Vice-Chair Aitken indicated that site development may not be legal; however, there were lots of exemptions available to an individual building one home.

The Board discussed inviting Ms. Stafeij to the February meeting to discuss ideas for the pony club. A brief discussion followed regarding items to be discussed at upcoming meetings.

5. COMMENTS AND/OR SUGGESTIONS

There were no comments or suggestions.

6. ADJOURNMENT

There being no objections and no further business to discuss, the meeting adjourned at 7:45 p.m.

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Date Approved

Chair/Board Member