

**AGRICULTURAL ADVISORY BOARD**  
**MAY 22, 2007**

**1. ROLL CALL**

The meeting was called to order at 6:45 p.m. Board members present were Chair Jason Hurley, Vice-Chair Jacque Daniels, Greg Hoover and Julie Aitken. Also present was Board Secretary Jenevia Edwards recording the meeting. Councilmember Starkey was absent.

**2. APPROVAL OF MINUTES: February 27, 2007**

Ms. Aitken made a motion, seconded by Vice-Mayor Daniels, to approve the minutes of February 27, 2007. In a voice vote, with Councilmember Starkey being absent, all voted in favor. **(Motion carried 4-0)**

**3. DISCUSSION**

**3.1 Equestrian Signs and Trail Connecting Signs**

Following a brief discussion on the issue, Ms. Edwards informed the Board that there had been inquiries concerning an ordinance that was being prepared for presentation to Council. The Board asked that Ms. Edwards try to get some information on the ordinance to share with the Board at the next meeting. Chair Hurley suggested that the item be deferred until the next meeting. No objections were noted.

**4. OLD BUSINESS**

**4.1 Agriculture Code Definitions**

Ms. Aitken asked about the status on the Code issue regarding a response from Code Compliance Official Danny Stallone. Ms. Edwards informed the Board that Mr. Stallone stated that the Code Compliance Division was presently involved in two lawsuits that would have an impact on the Code definitions. Mr. Stallone had advised that no decisions could be made until the conclusion of these lawsuits. Ms. Edwards added that Mr. Stallone would send an email as a follow-up which could be forwarded to Boardmembers. There was a brief discussion regarding the issue of the lawsuits with Ms. Aitken commenting that from her experience, the time between filing and the conclusion of a lawsuit could be a long time. Vice-Chair Daniels suggested that the Board wait to see the progress of those lawsuits. Mr. Hoover asked if the issue related to signage with Vice-Chair Daniels responding that the issue only related to the agricultural Code definitions. Ms. Aitken made reference to a new business that opened in the City of Cooper City which was a partial nursery and commented that the operators were required to apply for an occupational license and a permit for a garden center because they were operating as more than a nursery. She explained that although this business was not in Davie, this was an example of what happened when business owners claimed that they were operating one type of business, but operated as something else.

**4.2 Light Containment Issue**

Chair Hurley suggested deferring this item until the June meeting. Ms. Aitken commented that she had reviewed a number of ordinances regarding lighting containment, and concluded that the issue was much too complicated for the Board. She suggested that the Board draft a letter to Council outlining the areas that the Board felt were unnecessarily lit or the way in which the lights projected onto the roadways. Mr. Hoover asked if there were specific roads and areas to which the light containment issue applied. Ms. Aitken explained that certain areas had been declared scenic corridors by the Town.

**4.3 Livestock Carcass Disposal**

Ms. Aitken produced a draft ordinance that she hoped could be added to the Town's Code. A brief discussion ensued regarding designated carcass size, weight, variety, livestock, and domestic animals, Mr. Hoover questioned if a pet horse would be defined as livestock. Ms. Aitken responded in the affirmative and added that the definitions were outlined in Section 12-503 of the Town's Code. Chair Hurley commented that in California, a pet horse was defined as a companion animal.

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The Board devoted a lengthy discussion to the type of animals that were classified as livestock with Ms. Aitken quoting from a section of the Davie Farmer's Guide. Disposal of these animals was discussed with Ms. Aitken adding that some of the fines in Davie was \$100 per day, while the cost to remove a dead animal was \$200. Ms. Aitken believed that the fine should be enough to encourage the owners to dispose of the animal themselves. Chair Hurley asked if Boardmembers were in favor of forwarding the proposed draft ordinance to the Code Compliance Division or present it to Council. Ms. Aitken commented that Councilmember Marlon Luis had expressed an interest in the issue and suggested that the amendment accompanied by a letter, sent to Councilmember Luis asking him to present it to Council. She further suggested that as a courtesy, a copy be sent to the Code Compliance Division.

Ms. Aitken made a motion, seconded by Vice-Chair Daniels, that Chair Hurley write a letter to accompany the carcass ordinance, copy it to Code Compliance and ask Councilmember Marlon Luis to put it on the agenda for Council's discussion and hopefully approval. In a voice vote, with Councilmember Starkey being absent, all voted in favor. **(Motion carried 4-0)**

#### 4.4 Barn Checklist

The Board reviewed the barn checklist and was satisfied that the changes had been made and were pleased that the suggested changes had been accepted by Development Services Director Mark Kutney.

Mr. Hoover questioned the information on the barn checklist indicating that non-residential farm buildings were exempt from electrical permits. Vice-Chair Daniels explained that this was correct if the agricultural exemption was in place.

A lengthy discussion ensued regarding permit exemptions with Ms. Aitken explaining about the Broward County and Davie farm amendments, and the South Florida Building Code amendments. Mr. Hoover questioned if the permit exemption applied to electrical permits for barns with Ms. Aitken responding in the affirmative. Chair Hurley commented that he understood that sugar mills were built without electrical permits. Ms. Aitken explained that there was a controversy on the issue at State level and there were fire chiefs who had attempted to re-define what a farm building was because sugar refineries were built without permits for everything. Chair Hurley commented that the only compliance for these was with OSHA regulations. Mr. Hoover commented that the permitting issue appeared to be very complex.

Chair Hurley explained that in some states, there was no Building Department and anyone who wanted a building inspection, had to hire a building inspector. He commented that it appeared that what had been forgotten was that the purpose of a Building Department was to protect the individual from the contractor. The building inspector's job was to inspect the structure to make sure that the contractor was doing everything correctly. Chair Hurley stated that was the reason taxpayers supported the Building Department, the inspections and the permits.

Mr. Hoover asked if the permit exemption was only for Broward County with Chair Hurley responding that it was for the State of Florida. He questioned whether permits were required to install a bathroom in a barn and for the septic system with Ms. Aitken responding in the negative. Chair Hurley indicated that a permit for the septic system might be required through the South Florida Water Management District as that agency still had jurisdiction where other agencies did not. Ms. Aitken responded that she would review the Florida Building Code to see what was required.

Discussion continued regarding permitting issues with Mr. Hoover questioning if there was an exemption for wells. Ms. Aitken responded in the affirmative and made reference to the Davie Farmer's Guide where exemptions were outlined. Mr. Hoover commented that he had properties in the Town of Southwest Ranches and had been experiencing permitting problems. Ms. Aitken commented that that municipality had completed the farm amendments but they had not yet come to terms with the issue. Mr. Hoover highlighted the problems and the Board offered to assist him in resolving them. Ms. Aitken explained that the Town of Southwest Ranches had to comply with State law.

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Ms. Aitken asked about the status of the livestock identification issue. Chair Hurley indicated that the Police Department was supposed to assign someone to be a liaison officer for the Board. He advised that he would contact Chief John George and inform him of the next meeting, ask for the name of the representative and advise that the issue would be an agenda item.

**5. NEW BUSINESS**

There was no new business to discuss.

**6. AGENDA ITEMS FOR NEXT MEETING**

Following a brief discussion, the following items were suggested for the June meeting:

- Liaison from the Police Department
- Light containment issue
- Equestrian Signs and Trail Connecting Signs

**7. COMMENTS AND/OR SUGGESTIONS**

Vice-Chair Daniels referred to the homeless situation in Davie. She added that she was aware that this was not an agricultural related issue but it was out of control. A lengthy discussion ensued with Vice-Chair Daniels highlighting several incidences that had occurred on the clinic property which was adjacent to the pavilions along Orange Drive. Vice-Chair Daniels stated that when called, the Davie police had stated that they could do nothing because these homeless individuals were living in the pavilions which was a public area. She commented that these individuals have been on the clinic property where they have taken baths using hoses and this has created a great deal of fear in the female employees. Vice-Chair Daniels explained that on occasion, she had called the Hollywood Police Department. She commented that on several occasions, she has had to return to the clinic at night to treat a sick animal and expressed fear of coming to the location.

Vice-Chair Daniels highlighted an incident that took place on the clinic property when one of the veterinarians returned to the clinic late one night to treat a sick patient. She stated that when the police arrived, they advised the doctor that the individual had medical issues. Vice-Chair Daniels questioned why those homeless individuals were allowed to take up residence in the pavilions along Orange Drive. She commented that the homeless situation had turned into a nightmare. Vice-Chair Daniels stated that these homeless individuals had moved from the pavilion adjacent to the clinic property and had now taken up residence in the pavilion directly across from Town Hall. She reiterated that this was not an agricultural issue but it should be addressed. Ms. Aitken commented that she had also heard similar complaints from many business owners in the area regarding the homeless issue. Vice-Chair Daniels questioned who was responsible for addressing the issue. Mr. Hoover commented that there had to be numerous rules and regulations about vagrants and suggested calling the police. Ms. Aitken commented that the pavilions were paid for by taxpayers and were to be used by the residents of Davie. She added that there was a serious problem when residents were afraid to use the pavilions because they were occupied by these homeless individuals. Vice-Chair Daniels commented on alcohol consumption and some of these individuals were often seen urinating in public. Ms. Aitken suggested bringing the situation to the attention of Sy Dorn and Tom Gill of the Davie Community Redevelopment Agency. She indicated that the CRA's idea was to make downtown Davie into an area similar to Las Olas Boulevard and this could not happen with the homeless issue that now existed in the area. Ms. Aitken expressed the opinion that this would be the first step to get a group together who had a vested interest in the area. She added that the group could "push" the information towards Council for some type of enforcement.

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Vice-Chair Daniels commented that there were a number of violations taking place by these individuals and reiterated that the issue needed to be addressed. Mr. Hoover asked Vice-Chair Daniels if she believed the reason these individuals were not picked up by the police was because they were contaminated to which she responded in the affirmative, commenting that she had called the police at least 20 times.

Renee Hoover asked if there was a timeframe when no one was allowed to be in the pavilion with Vice-Chair Daniels commenting that she was not sure. Mr. Hoover commented that the time issue would be perfect for an ordinance. Ms. Aitken commented that a group was needed to work on the timeframe ordinance. Discussion continued without any firm resolution being made regarding the issue.

**8. ADJOURNMENT**

There being no objections and no further business to discuss, the meeting adjourned at 8:00 p.m.

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Date Approved

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Chair/Board Member