

AGRICULTURAL ADVISORY BOARD
JANUARY 22, 2008

1. ROLL CALL

The meeting was called to order at 6:45 p.m. Board members present were Chair Jason Hurley (arrived at 6:47 p.m.), Vice-Chair Jacque Daniels, Julie Aitken, Councilmember Starkey (left at 7:30 p.m.) and Greg Hoover. Also present was Board Secretary Jenevia Edwards recording the meeting.

2. APPROVAL OF MINUTES: August 28, 2007
September 25, 2007
October 23, 2007

Ms. Aitken made a motion, seconded by Vice-Chair Daniels, to approve the minutes of August 28, 2007, September 25, 2007, and October 23, 2007. In a voice vote, all voted in favor. **(Motion carried 5 - 0)**

3. DISCUSSION

3.1 Request for Proposal – Batten Farm Property

Councilmember Starkey questioned whether any of the Boardmembers had an opportunity to discuss the Battens issue with Councilmember Crowley to find out if he had any specific plans for the property. Vice-Chair Daniels questioned if there was a reason why Councilmember Crowley had not been asked to attend a meeting to discuss the issue with the Board. Ms. Aitken advised that she had contacted Councilmember Crowley who indicated that he would be willing to attend a meeting; however, while the issue was being discussed by the Board, Battens had not yet been purchased by the Town and he did not want anything to interfere with the purchase. Councilmember Crowley stated that he would attend a meeting at the appropriate time to discuss the issue and to get ideas from the Board. Councilmember Starkey indicated that the property had been purchased and there were plans from the Land Preservation Advisory Board with Broward County to match some of the funds used for the purchase.

Vice-Chair Daniels indicated that she heard “through the grapevine” that Councilmember Crowley had talked to many of his constituents and had been receiving input from them concerning the Battens property. She believed that Councilmember Crowley had some ideas as to how he would like the property to be used, and, therefore, before the Board got too involved, the proper thing to do was to have Councilmember Crowley attend a meeting to discuss the issue. Vice-Chair Daniels suggested that discussion on the issue be suspended until he could attend a meeting. She suggested that the Board extend an invitation to him to find out when he would be available.

Councilmember Starkey expressed her anxiety to know what was slated for the site and to have things move forward. She feared that the property would fall into disrepair which was typical of most properties acquired by the Town because the properties sat for a while without any actual plan in place. Councilmember Starkey spoke of the Town’s budget process and explained that preliminary meetings were being held with Mr. Shimun and department directors concerning the budget. She added that the goal setting sessions with the Town Council was being held at the end of January and this would provide a good perspective as to how the Town would manage its operational budget. Councilmember Starkey asked if any of the Boardmembers had a chance to see the renderings that Parks and Recreation Director Dennis Andresky had that had been submitted for consideration by the Land Preservation Advisory Board. Ms. Edwards indicated that the information she received was in the form of a cassette tape. Councilmember Starkey indicated that she had attended the Land Preservation Advisory Board meeting and suggested that the Board extend an invitation to Mr. Andresky to attend a meeting or ask that the Power Point presentation and the renderings be sent ahead to the Board for review. Vice-Chair Daniels questioned whether the Board’s involvement would create a conflict with Councilmember Crowley. Chair Hurley stated that the intention of the Board was to get background information to see where things were going. Councilmember Starkey commented that the idea was to see what had been presented, what was the intent, and if Councilmember Crowley had other ideas, the Board wanted to hear them.

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3.2 Wagon Wheel Coffee Lease

Chair Hurley explained that this issue had been presented to the Board by Councilmember Starkey. Councilmember Starkey indicated that a status report was needed as well as a review of the lease. Vice-Chair Daniels asked if the question was whether coffee was growing on the property or whether coffee had been planted in the ground. She indicated that although she had not personally seen it, she had been told by several people that there were coffee plants in the greenhouse. Vice-Chair Daniels advised that she had plans to visit the property to see for herself. Councilmember Starkey commented that the idea was to see whether or not Mr. Nadeau was abiding by the lease.

Ms. Aitken advised that she had visited the property and she highlighted what she observed during her visit. She indicated that when she questioned Mr. Nadeau about the bags of coffee that he was selling, he stated that the coffee came from his plantation in Columbia not from Davie. Ms. Aitken indicated that she had also reviewed the Wagon Wheel website where she observed that potted coffee plants were being offered for sale. Mr. Hoover asked if there were consequences that the Town would face for the property not being used for agricultural purposes. Ms. Aitken responded in the negative and added that from her observation there was no coffee planted in the ground. Vice-Chair Daniels asked if there had been coffee plants in the ground at any point. Mr. Nadeau responded that there were plants in the ground but these were destroyed and he was starting again with plants in the greenhouse; however, due to cold weather the time was not appropriate to put these plants into the ground.

Regarding the items observed by Ms. Aitken on the property, Mr. Nadeau explained why these items were there and how they would aid in the protection of the coffee plants. When questioned how the original plants were destroyed, Mr. Nadeau indicated that they were destroyed by Hurricane Wilma. A lengthy discussion continued with Vice-Chair Daniels asking Mr. Nadeau if he had replanted coffee in the ground twice. Mr. Nadeau responded in the negative. Mr. Hoover inquired if Mr. Nadeau had reported the loss to anyone and were there photographs to substantiate his claim. Fred Segal of the Broward County Farm Bureau stated that coffee was not covered under any government programs so there was no one to whom the loss could be reported. He added that there were no photographs but he had been to the property and observed trees that were planted there.

Mr. Nadeau spoke about vandalism which also affected the loss of plants on the property and indicated that he was attempting to revive the project which would take some time. Councilmember Starkey spoke of complaints she had received from residents in the area as the reason she had brought the issue to the Board. She stated that the Town had been very excited to embark on the venture; however, if the lease was not being adhered to, it should be addressed. Councilmember Starkey asked Mr. Nadeau if he believed the project should be continued if it was not working. Vice-Chair Daniels asked if it was a question of timing or if Mr. Nadeau was not “living” up to the lease. She added that Mr. Nadeau stated that he was trying to adhere to the lease and asked if the Town was going to allow him to do so.

Discussion continued concerning the coffee issue with Mr. Nadeau attempting to answer questions posed by Boardmembers. Ms. Aitken referred to Mr. Nadeau’s website and cited certain items which she stated were confusing and misleading. Mr. Nadeau explained that he was not a computer expert and the company that he hired to manage his website had placed some of their items on his website. He commented that as soon as he observed anything wrong on his website he contacted the company and the necessary changes were made. Mr. Nadeau explained that he was complying with the lease on every angle.

Councilmember Starkey stated that the neighbors who complained to her were concerned that the expansion of activities at the site involved more than that of a coffee plantation. She indicated that the neighbors also expressed concern about the trailers on the property. Mr. Nadeau explained that he received permission from the Town to place the trailers on the property and one trailer was being used as his office and the other was used by someone who lived on the property in order to deter vandalism. He further explained that the additional items growing on the property was grown by the individual occupying the trailer and none of those items were sold on the property. Mr. Nadeau explained that his intention was to

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have the property appear in the manner it was intended; however, there were setbacks due to the hurricane and vandalism and he was a year behind. He indicated that he would begin planting in March and again in July. Mr. Segal indicated that water restriction was also creating a setback for the project. Mr. Nadeau stated that he wanted to comply with everything within the lease and he would never do anything that would prevent him from complying with his lease.

Discussion continued and Mr. Nadeau was questioned about the lease initiation, operation on the property and the length of time it took for the coffee plants to become viable. Mr. Nadeau responded that the lease was signed in March 2005 and planting on the property began immediately thereafter. He explained the technicalities involved in coffee cultivation adding that with the type of technology he was using it would take four years. He reiterated that he wanted to remain in compliance with the lease and to do everything by the book. Councilmember Starkey suggested that Mr. Nadeau return at a later date and provide the Board with another report.

Chair Hurley questioned if approval was given for a septic permit when permission was given to place the trailers on the property. Mr. Nadeau indicated that there was no septic tank; however, there was a portable toilet on the property that was emptied monthly. He also referred to insect infestation which was another obstacle that contributed to the delay of the project; however, barring any other unforeseen circumstances he hoped to begin planting in March. When questioned about his coffee plantation in Latin America and the source of coffee beans that were being roasted in Davie, Mr. Nadeau indicated that he was in a partnership with another person and the coffee beans were from Latin America. Chair Hurley asked if there were any plantations in Broward County that were producing coffee with Mr. Nadeau responding that there was a location in Margate and Boardmembers were welcome to visit. When questioned about the pH of the soil, Mr. Nadeau responded that in all the coffee producing countries the soil was very volcanic and the range was from 5.5 to 6.5; however, the pH in his soil was 7. Mr. Nadeau highlighted the technology involved in producing a soil of 7 pH.

The consensus of the Board was that the property should be visited at a later date to observe what progress was being made. Mr. Nadeau agreed, adding that he would like to be told if he did not appear to be complying with the lease. He stated that he would make every effort to correct whatever he was doing wrong.

Ms. Aitken commented that she believed this issue was brought to the Board for political reasons. Chair Hurley commented that if the Town had a problem with the manner in which Mr. Nadeau was conducting the operation, it was an issue for the Code Enforcement Division. He added that the Town had the apparatus to make the determination which was in the Town Code. Chair Hurley stated that the apparatus was in the Code for other agricultural operations and it should apply to Mr. Nadeau. He commented that if Mr. Nadeau did not meet the agricultural determination, he was in violation of his lease, and if he has met the determination, he should be left alone and it was not for this Board to decide.

Chair Hurley stated that the Board had established criteria by which the Town should make its determination and if there was a problem the Board was willing to assist staff by providing more guidelines for the Town's Code Enforcement Division. He added that the Board had been trying to provide more guidelines for the Town Code Enforcement Division to use. Chair Hurley commented that the Board's recommendation should go forward, and if there were any concerns about Mr. Nadeau's operation, it should be handled in the same manner as it would for any other agricultural operation. He explained that the agricultural classification was clearly laid out in the Farmer's Guide.

Ms. Aitken recalled when Code Enforcement Official Danny Stallone sought assistance from the Board regarding an agricultural classification issue. Vice-Chair Daniels commented that if Mr. Nadeau's claim about weather problems and vandalism were legitimate, that should also be between him and the Town. She added that if the vandalism was reported to the police that could be easily checked by the Town.

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Chair Hurley commented that if Mr. Nadeau been a private operator it would be common knowledge whether or not he had the agricultural classification, but because the agricultural classification was not a consideration in this instance it fell on the Town to go to the property to make the determination.

The consensus was that this was an issue for the Code Enforcement Division to make sure that Mr. Nadeau was in compliance with the lease. Vice-Chair Daniels stated that it did not make sense that the issue was brought before the Board. She added that this was not an issue for this Board. Vice-Chair Daniels stated that the Board should be trying to assist genuine farmers. Ms. Aitken commented that there were people claiming to be farmers and they were not, and care should be given when offering assistance. Chair Hurley explained that this issue was presented to the Board by Councilmember Starkey because she received complaints regarding the activities on the property and there was question whether or not it was a legitimate agricultural operation. Vice-Chair Daniels reiterated that this was not something that the Board should be spending its time on, it should be dealt with by the Town through the Code Enforcement Division.

Ms. Aitken made a motion, seconded by Vice-Chair Daniels, that for future reference these type of issues, specifically to do with whether somebody is entitled to be called a farm or not, is a matter for the Town's determination and not this Board. In a voice vote, with Councilmember Starkey being absent, all voted in favor. **(Motion carried 4 -0)**

3.3 Review Livestock-At-Large Ordinance

Chair Hurley indicated that Councilmember Starkey had promised to contact the police chief and Mr. Stallone to find out if any agreement had been entered into by the Town. He suggested tabling the item until the Board had a chance to consult with Councilmember Starkey on the issue or whether Sergeant Themis had any information to provide to the Board.

Ms. Aitken referred to the carcass disposal issue and reminded the Board that Councilmember Starkey had informed the Board that the Town Administrator Gary Shimun had stopped this and other issues from moving forward. Chair Hurley explained that Councilmember Marlon Luis had been contacted on a number of occasions. He was first contacted on May 30, 2007, and he indicated that he was very happy and asked where the Board wanted to go with the issue. Chair Hurley added that Councilmember Luis was again contacted on June 4, 2007, and advised that the Board wanted the issue to be presented to Council. He indicated that the issue was never presented to Council and on November 6, 2007, a letter was sent to Councilmember Luis regarding the issue and there has been no response. Chair Hurley commented that if Mr. Stallone was taking all the issues submitted by the Board under advisement and did not feel that he needed the Board's help, he would like to be informed.

A brief discussion ensued with Vice-Chair Daniels commenting that she received a telephone call about a resident burying two dead horses on their property. She told the caller that this was illegal. Mr. Hoover indicated that on one occasion he reported a neighbor to Code Compliance because the individual buried three horses on a race track in Davie. He stated he also called Councilmember Crowley regarding the issue. Ms. Aitken referred to State Law and how it related to the issue of carcass disposal.

Chair Hurley commented that all the issues submitted by the Board were at a standstill. Ms. Aitken suggested contacting Mr. Shimun as he might not be aware of the issues. She commented that if the issues were not resolved, agriculture would get a bad name because there were no rules. Chair Hurley commented that in the past there was someone who felt that the issues were important for the Town and they helped to move things forward; however, things were different now. He added that now the Board was trying to help and staff did not appear to want the Board's help.

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Ms. Aitken made a motion that the Board Chair contact the Town Administrator personally to try to determine if there was a problem and find what the hold up was concerning the issues. The motion died for lack of a second. Chair Hurley suggested writing a letter to the Town Administrator to include the following and the Board agreed.

- Carcass Issue
- Livestock-at-Large Issue
- Livestock Identification
- Agricultural Definitions

3.4 Light Containment Issue

Chair Hurley reminded the Board that the letter concerning this issue had been forwarded to the appropriate department and was no longer an issue for the Board. He added that this item was beyond the scope of expertise and knowledge of the Board and should no longer appear on this Board's agenda unless there was an ordinance forthcoming and additional support of the Board was required. The Board agreed.

4. OLD BUSINESS

There was no old business to be discussed.

5. NEW BUSINESS

Ms. Aitken commented that it had been brought to her attention that when riders were injured on trails, EMS had a difficult time locating those individuals. She suggested numbering or naming equestrian trails. Vice-Chair Daniels suggested that this issue be placed on the agenda for further discussion at the next meeting.

6. AGENDA ITEMS FOR NEXT MEETING

Following a brief discussion, the following item was suggested for the agenda for the February meeting:

- Batten's Property
- Numbering or Naming of Equestrian Trails

7. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions made.

8. ADJOURNMENT

There being no objections and no further business to discuss, the meeting adjourned at 8:10 p.m.

Date Approved

Chair/Board Member