

DAVIE AGRICULTURAL ADVISORY BOARD

JUNE 9, 2010

Dr. Scott spoke of a number of municipalities with established farmers markets and commented that Davie had more people who dealt with agriculture than any other municipality and they were moving ahead and Davie was bogged down in looking at the Farm Park when there was a proposal on the table for decisions to be made concerning the Battens property. He commented that it made no sense to him. Ms. Aitken believed that the establishment of the farmers market was the direction in which the task force was going. Vice-Chair Parrish indicated that a number of task force boardmembers were of the same opinion as Ms. Aitken.

Chair Hurley questioned if the board felt that it was appropriate to direct a representative to the task force to express the opinion of this board, or should a letter be sent to the board chair. Vice-Chair Parrish felt that a resolution should be sent to the task force which should clearly mention Battens Farm. Ms. Daniels commented that Battens Farm was located in Davie and questioned why outside entities were involved. Vice-Chair Parrish believed that this was because Broward County is a stakeholder.

Ms. Aitken saw the issue as a self serving interest with others who wanted to get on board and do what they wanted to do especially when they were not Davie residents and they did not have the Town's interest at heart. Vice-Chair Parrish indicated that he made a point at the meeting that Dr. Scott should attend a meeting a make his presentation of his proposal to the board. He added that one board member commented that there were many other things to consider. Dr. Scott did not have a problem with the "other" things to be considered, he believed that other proposal should be presented and the resources should also be presented. He indicated that the North South Institute had designated the resources to start the development, additionally the institute also got involved with another exercise that would bring in significant resources to enable the program to move forward.

Dr. Scott commented that if there was a private citizen with five or 10 acres willing to sign off to have a farmers market, he would start. He added that it was possible that maybe when "folks" saw the things being done they would give his offer a chance.

Dr. Scott commented that he believed that at the end of the joint meeting the task force would have convened to make sure that some decisions would be made on the proposals that were presented and move the process along. Instead, when the task force convened, discussion went back to the farm park with action pending on it for three years. Dr. Scott commented that if he had the opportunity to move the project to Fort Pierce, he would have left because there is property there however, he is here.

Ms. Aitken commented that members of the task force had independent judgment, but this board could make a resolution concerning the farmers market. Dr. Scott felt that it was a "red herring" when someone questioned how much profit was going to be made. He explained that if a farmers market was being run with vendors coming in to perform their operations, it is the vendors who would supply their materials and the fee they would be charged is the fee that would be used to maintain the designated areas. Dr. Scott questioned if there was the belief that there were extraordinary benefits to be derived. He advised that when he made the presentation at the joint meeting, he indicated that based on the Internal Revenue Service regulations for a 501(c)(3) stipulation, no private benefits could be inured neither could any profit be declared in a 501(c)(3) in terms of the operation. Dr. Scott indicated that it was said that the committee would be involved in the overall insight and management of the exercise. He questioned how it could be suggested that there was no transparency.

Discussion continued concerning the Battens property with Ms. Aitken questioning the presentation concerning the Farm Park involving the McCartney's who were involved with Project Stable and Fred Segal of the Broward Farm Bureau. Ms. Aitken commented that Project Stable did wonderful things for disabled children, but what did that have to do with the Town of Davie. She added that they were located in Southwest Ranches and she did not understand why a big chunk of the farm park should be given over however noble it might be.

Ms. Aitken asked why Mr. McCartney and Mr. Segal wanted to be on the task force and yet they were involved with other interests. Vice-Chair Parrish explained that they did not want to be on the task force although they were appointed at the first meeting. Chair Hurley commented that Mr. Segal wanted to step aside so that he could serve as an adviser and not as an alternate. Vice-Chair Parrish indicated that they both wanted to step aside and not serve even as alternates, hence the reason for the presentation at the second meeting.

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Chair Hurley felt that this board should ask that the task force focus its attention on the Battens property to move forward as this has been languishing for a period of time. He indicated that his understanding when this board agreed to participate in the task force was that the board would be looking at the Battens property, the development of the farmers market there, and the community gardening that was appropriate for the Battens property, and at some later time that was appropriate, other properties throughout the Town and in conjunction with the farmers market at Battens. The Board agreed. Ms. Aitken also thought that Battens project would begin immediately, because the farm park which was a huge project required a lot of money to be spent on it while Battens was ready to rock and roll.

Chair Hurley indicated that he would like a representative to the task force to raise the concerns of this board and for this board to draft a resolution to be sent to the chair of the task force reiterating this board's concern that the task force would look at the Battens property and move that project forward. He added that the farm park, Robbins Park property, Van Kirk property and anything else that the task force was considering for community gardens should wait and work commence on Battens property.

Ms. Aitken questioned if the task force was planning to do something else other than a farmers market on the Battens property because District 2 residents wanted a farmers market in that area. Vice-Chair Parrish commented that one concern expressed by the task force meeting was the presence of arsenic in the soil at Battens and added that Parks and Recreation Director Dennis Andresky was going to follow-up on the issue.

Dr. Scott commented that that was a nonsequitur because the issue was raised in the proposal. He added that individuals brought in from the University of Florida indicated that once planting was done in a covered area in containers there would be no problem. Dr. Scott referred to an organization in Miami called GROW that was using the old railroad area that was extremely contaminated and they were planting in containers. He added that he has travelled all over the world with Will Allen, Executive Director of Growing Power, to set up bio-intensive space. Dr. Scott questioned why the task force re-inventing the wheel when there were things that could be done with people who knew what was happening. He added that the proposal that was presented should not be taken as gospel, but rather put all the proposals together, rank them, rate them, look at the expertise and move on.

Ms. Aitken commented on the farm park stating that it was years away from happening while Battens had everything in place, a parking lot, and facilities. Vice-Chair Parrish commented that the parking lot had been updated for ADA; however, the concern about the arsenic had more to do with the application of red mulch over the years which has proven to be the primary source which got broken down in the soil over time.

Dr. Scott questioned who was scientifically equipped to plant a community garden to ensure that there was no translocation of arsenic into the food source. He commented that information he gathered from the minutes was that the task force was supposed to come up with a comprehensive plan for urban agriculture and he questioned who was leading that plan and what was the status.

Dr. Scott commented that a lot of energy was being vested in a task force and within a year people would not show up for meetings when there was nothing happening. He added that something needed to start to give momentum as every other town was doing something when it came to urban agriculture.

Ms. Aitken made a motion, seconded by Ms. Daniels, recommending that the Urban Farming Initiative Task Force make it their first priority to focus on obtaining proposals for the establishment of a farmers' market at Battens, select the preferred proposal, and enter into whatever agreement is necessary to commence use of Battens property as a farmers market as soon as possible. In a voice vote, all voted in favor. **(Motion carried 5-0)**

Following a lengthy discussion concerning profit, Ms. Aitken commented that this should not be part of the issue. Dr. Scott asked if the vendors were expected to give their products away after they had grown their produce and baked their goods. He questioned if Davie was now socialist. Dr. Scott referred to a nursery that was given production rights and the operators were making an enormous amount of money and commented that their had to be a commonality in the decisions being made.

Ms. Aitken commented on the 10 acre property in west Davie being utilized as a coffee plantation which was not being scrutinized.

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Vice-Chair Parrish advised that the task force decided to meet on the fourth Wednesday of every month at 7:30 p.m. Chair Hurley asked that this board be apprised of everything that happened on the task force.

7. NEW BUSINESS

Ms. Aitken spoke on the leasing of Town property and added that the Property Appraiser's Office had not received any response regarding property that was owned by the Town but not being used by the Town. Those properties were liable for property tax. She asked whether there was some recommendation that the board could make to the Town on the issue.

Jason Curtis commented that Program Manager Phillip Holste was in contact with the Dennis Deveaugh, Fred Segal and JC Nadeau informing them that they had to file the application. He added that the Town would be renegotiating the contract with Mr. Nadeau for one and a half acre for his current operation. Mr. Curtis indicated that Mr. Nadeau would be liable for how the contract was written initially. He added that this contract would have to be presented before the Town Council. Mr. Curtis explained that if Mr. Nadeau did not sign the new contract for the one and a half acre he would be liable to pay taxes on the property. He added that the negotiation was moving forward and it was just a matter of time.

Ms. Aitken explained that if a property was owned by the Town and not used by the Town it was liable for property tax. She commented that for a property to receive agricultural classification, it had to be good faith commercial agricultural purposes use of the land. Ms. Aitken commented that if a property was being leased it had to have a profit motive in order to get the agricultural classification, and yet the task force was saying that Battens could not have a profit which did not make any sense.

Mr. Curtis clarified the issue by stating that if the Town leased a property to a non-profit organization, that non-profit organization did not own the property and must pay full taxes. He further added that state law stated that a non-profit organization could not receive a non-profit tax exemption unless that organization owned the property. Ms. Aitken commented that everything was at cross-purposes because it appeared that Battens was being treated differently and the issue did not make any sense.

Chair Hurley commented that it was important that the Town dealt with the Battens property in a manner that it would be bona fide commercial agriculture as viewed by Broward County Property Appraiser if there was something taking place on the property. Ms. Aitken commented that if the property was being used as a farmers market open to the public as a farmers market, the growing area would need to be a profit motive. She added that if the growing area was being used by private individuals that would need to be for profit in order to add the agricultural classification, otherwise the Town would be spending a great deal of money. Ms. Aitken commented that the issue would need to be discussed further and a recommendation be made to the Town to provide direction to the task force.

Dr. Scott referred to a similar issue in Palm Beach County involving the preserved areas and they implemented a task force that came up with a proposal that extended uniformity conditions.

Chair Hurley suggested that as an agenda item for the upcoming meeting the board should revisit the issue as to how the task force received this board's recommendation and what further recommendations that this board needed to make to ensure that the Town was proceeding on the issue with open eyes. Additionally, how this board see the Town's position with Battens as bona fide commercial agriculture or public recreation.

8. AGENDA ITEMS FOR NEXT MEETING

The following items were suggested for the July meeting:

- Task Force Response to Agricultural Advisory Board Recommendation
- Battens property bona fide commercial agriculture and public use

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A brief discussion ensued regarding the 10 acre property being leased by the Town for use as a coffee plantation. Dr. Scott provided information on coffee growing process indicating the he was speaking as a former coffee plantation owner. Ms. Aitken indicated that the site was visited a number of years ago and there was no evidence that the property was being used to grow coffee. She commented that it was up to the Town to make a decision initially because now the Town would have to pay tax on the 10 acres because someone was allowed to do other things on the piece of land instead of growing coffee. Ms. Aitken indicated that there were residents who wanted a dog park and this was a perfect piece of land for that.

Dr. Scott asked whether or not the urban task force's recommendation to the Town had more bearing than that of this board. Ms. Aitken responded that it was a cohesive force if the task force agreed. Dr. Scott commented that if that was the case, this board should be the board making agricultural recommendations to the Town.

Ms. Aitken provided information on a number of properties that might be of interest to Dr. Scott for use as a farmers market.

9. COMMENTS AND/OR SUGGESTIONS

There were no comments or suggestions.

10. ADJOURNMENT

There being no objections and no further business to discuss, the meeting adjourned at 7:50 p.m.

Date Approved

Chair/Board Member