

DAVIE AGRICULTURAL ADVISORY BOARD
APRIL 1, 2013

1. ROLL CALL

The meeting was called to order at 6:37 p.m. Board members present were: Chair Dave Parrish, Vice-Chair Scott Weinstein, Julie Aitken, and Jason Hurley (arrived 6:39 p.m.). Also present were Councilmember Caryl Hattan, Intergovernmental Affairs Manager Phil Holste, and Board Secretary Janet Gale recording the meeting. Sam Scott was absent.

2. APPROVAL OF MINUTES: March 4, 2013

Vice-Chair Weinstein made a motion, seconded by Ms. Aitken, to approve the minutes of March 4, 2013. In a voice vote, with Mr. Hurley and Dr. Scott being absent, all voted in favor. **(Motion carried 3-0)**

4. OLD BUSINESS

3.1 Relocation of Van Kirk Farmers to Coffee Plantation – Intergovernmental Affairs Manager Phillip Holste

Intergovernmental Affairs Manager Phil Holste introduced Edmund Steele and Dunbar Wright, members of the public, who had previously farmed on the Van Kirk property. He advised that they were interested in leasing another piece of property from the Town. The area under discussion was the former coffee plantation.

Mr. Steele thanked Town Administrator Rick Lemack and Mr. Holste for their recommendation of the former coffee plantation. He stated that they planned to plant Scotch Bonnet peppers and pumpkins, and felt their efforts would be successful on this new property. Mr. Wright also thanked Town Staff for their assistance.

Mr. Hurley arrived at 6:39 p.m.

Mr. Holste said the property would need to be cleared, which would be the responsibility of the individuals farming it. He noted that the former coffee plantation would be the best possible property for farming because there were no restrictions attached to it, as there had been on the Van Kirk property. There were bodies of water located near the property that could be used for irrigation if the South Broward Drainage District allowed this use, and generators would be used in lieu of electricity. Vice-Chair Weinstein confirmed that there was an existing electrical infrastructure located on the property.

Mr. Holste continued that the property would be rented “as is” for a nominal fee, and the farmers would be responsible for its upkeep. Vice-Chair Weinstein suggested that this project could be considered part of the Town’s urban farming initiative, as the coffee plantation had been identified as an appropriate location for this effort. Mr. Holste said he did not believe leasing the property would be an issue with the Property Appraiser’s Office, as was the case regarding the Van Kirk property. He expressed confidence that the five farmers on the property would be able to use the entire 8.5 acres.

Mr. Holste said the Town was already working on a draft agreement for the lease. Vice-Chair Weinstein suggested that the agreement come before the Agricultural Advisory Board before it is signed, as the Board had made a previous recommendation that all such leases be brought before them. Mr. Holste explained that the agreement would be on the Town Council’s April 17 agenda for approval; Town Council would need to formally direct Staff to bring leases before the Board for prior review.

Ms. Aitken proposed that the agreement should include the stipulation that the Town apply for the agricultural classification in a timely manner; in addition, the lease should not be so nominal that the use could not be construed as commercial. She emphasized the need for all 8.5 acres to be used for agricultural purposes by January 1, 2014. Mr. Holste replied that the Town would also seek the advice of an exemption attorney when the agreement was drafted.

Vice-Chair Weinstein asked how the Board could ensure that they would see all such leases before they were sent before the Town Council, as per their recommendation. Mr. Holste reiterated that the Town Council or Town Administrator would need to give this direction to Staff; the Board's recommendation would need to be brought forward at a Town Council meeting if the Council decided they would like this to become policy.

Vice-Chair Weinstein suggested that the Board make their recommendation once more. Councilmember Hattan pointed out that if the Town Council approved the Board's recommendation as policy, the Council would still need to make the final decision regarding any such lease. She suggested that this issue should be brought up at a future Council meeting.

Chair Parrish commented that one issue was the use of January 1st as a date on which an agricultural classification must be made, as land was not always being farmed at that time. Ms. Aitken clarified that Town-owned land was considered exempt on that date; if the land was leased, however, the agricultural exemption became necessary and farming must commence before January 1st.

Vice-Chair Weinstein asked if the final outcome of the Van Kirk property and Batten's Farm had determined that these were municipal lands leased for agricultural use, resulting in nominal taxation. Mr. Holste stated that Batten's Farm had not qualified for an agricultural exemption, but had instead been classified as a nonprofit exemption. The Van Kirk property had received an agricultural exemption for the part of the property being farmed; the remaining property had received a nonprofit exemption. Vice-Chair Weinstein asked if this meant it did not matter when planting occurred on the property. Mr. Holste responded that some planting or other physical use must take place prior to January 1st in order to receive an agricultural exemption due to the lease.

The Board members confirmed their support for the use of the former coffee plantation. Vice-Chair Weinstein asked if the farmers would be interested in expanding their operations if other land became available for lease. Ms. Aitken proposed that the Board could act as an intermediary to facilitate this use by introducing the farmers to individuals who may be interested in leasing part of their lands for agricultural use.

The Board members thanked Mr. Steele, Mr. Wright, and Mr. Solly for their input and wished them success on the new property. It was noted that they would begin farming the former coffee plantation as soon as possible.

Chair Parrish requested that Mr. Holste provide the Board with a map showing the roadway and water jurisdictions of the Town. He explained that this would show which entities have jurisdiction over certain bodies of water, which could affect irrigation and other water management issues. Similarly, roadways may be maintained by the Town, the County, or the State.

3.2 Davie Farm Guide

Ms. Aitken reported that the updated Farm Guide was nearly complete, and was awaiting a sign ordinance that had not yet been approved by Town Council. An introduction by Mayor Judy Paul and a statement by Property Appraiser Lori Parrish have been prepared.

Mr. Holste stated that a workshop would be held on Wednesday, April 10, at 4 p.m. by the Town Council for discussion of the sign ordinance. He noted that no date had been set thus far for its appearance before the Town Council for approval. The Chamber of Commerce and the local business community have been encouraged to attend the workshop. It was clarified that the entire sign ordinance was being revisited, not just the part of the ordinance pertaining to agriculture. Ms. Aitken said the final wording of the ordinance would be necessary for inclusion in the Farm Guide. She noted that the Town would need to update the online version of the ordinance as well.

The Board approved of the double columns and all the photographs and copy thus far. It was decided that the Board would continue its discussion of the Farm Guide at its May meeting.

3.3 Status of Southwest Ranches Proposed Local Bill

Ms. Aitken stated that when several residents had spoken out against this proposed legislation, Southwest Ranches had withdrawn their support for the bill.

Vice-Chair Weinstein suggested again that the Board make a recommendation to Town Council that any leases pertaining to agriculture first come before the Board, or that staff confirm that the Board has already made this recommendation. Councilmember Hattan noted her previous suggestion to mention something at a future Town Council meeting.

Vice-Chair Weinstein continued that he would like to see more farmers come forward to express their desire to farm either Town properties or privately owned parcels. Ms. Aitken proposed that the Board discuss the possibility of acting as facilitator between farmers and private landowners at their next meeting. Mr. Holste cautioned against this, as the Town is facing a significant deficit in the coming fiscal year and removing more properties from the tax rolls would not be to its benefit. He pointed out that the Board was a representative body of the Town. Ms. Aitken withdrew her suggestion of further discussion.

Ms. Aitken concluded that she would email the updated Farm Guide in draft form to the Board members, Mayor, and Council members.

4. NEW BUSINESS

There was no new business discussed.

5. ITEMS FOR NEXT AGENDA

It was determined that the Board would revisit and discuss the Farm Guide as necessary, and would review the progress of the farmers leasing the former coffee plantation if possible.

Ms. Aitken requested an update on the quarterly meetings. It was noted that this meeting had been scheduled but was later canceled.

Councilmember Hattan stated that she had recently visited Batten's Farm and seen fliers advertising a restaurant on the premises, as well as a biweekly fish fry from 6 p.m. to 1 a.m. She advised that these hours were not part of the property's original agreement with the Town, and that she planned to report this violation to the Town Council, which may take action in response to it. She added that two parking spaces on the side of the market had been appropriated for the placement of picnic tables. She expressed concern that this may not be part of the Town's contract with the property, or the perception they wished Batten's Farm to set forth.

Chair Parrish observed that Batten's Farm had been serving food on the property since its inception. Councilmember Hattan reported that this corner of the property has been expanded into a restaurant. She added that she did not know if this use was appropriately licensed and approved, and did not wish the Town to be implicated if the use was not proper.

Ms. Aitken recalled that individuals had expressed interest in selling his produce at the Farmers' Market, but had been turned away. She remarked that the Market was intended to be a community use.

Vice-Chair Weinstein stated that he liked the food at Batten's Farmers' Market, and had eaten there many times. He asserted that he was glad the food was being prepared and served there. Councilmember Hattan explained that there were laws regarding preparation, training, and licensing if food is served on a property. Chair Parrish added that these were Health Department regulations. Vice-Chair Weinstein said his experience had been very positive, and he found the facility to be clean, well-kept, and well-run. He noted that he regularly purchases fruits and vegetables from the Market.

Ms. Aitken recalled that there had been a Town Council meeting at which this issue with Batten's Farmers' Market was discussed. Vice-Chair Weinstein said this meeting had resulted in a modification to the original agreement, which has not yet been signed. He asked if there were still issues regarding the agreement and/or the performance of the contract. Mr. Holste replied that there was still no revised agreement at this point, which meant that the original agreement was still in effect.

Councilmember Hattan stated that her objection was not to the food served on the property, but to the possibility that the Town could be held liable for any operations that were not part of the agreement. She added that other ventures, such as children's parties and activities, were allowed on the property as part of the agreement.

Chair Parrish commented that he had followed this issue from its inception, when there had been only two respondents to the Town's RFP. He had attended the bid opening and presentations, and noted that both bids seemed to be very similar, and were very far-reaching. He concluded that he also purchased food from the Batten's and was disappointed to see the lack of business there.

Vice-Chair Weinstein stated that if the North-South Institute was experiencing issues with their advertising and other efforts, he felt the Town should consider the fact that they were struggling to keep the Farmers' Market in operation. Ms. Aitken noted, however, that the Town should ensure the facility had not branched out into private enterprise rather than public purpose. She stated that if the Market was intended to serve the people of the Town, other residents should be allowed to sell their produce there rather than allowing a single entity to control the entire operation.

Vice-Chair Weinstein observed that allowing other individuals to sell produce at the market could be a problem for the North-South Institute, as they would have to manage this operation. Ms. Aitken pointed out that stall space could be rented on weekends or for set amounts of time. Vice-Chair Weinstein stated that as long as the facility could operate without jeopardizing the Town in any way, he felt they should be allowed to continue; however, operations that were outside the scope of the agreement were another issue.

Mr. Hurley asked if the canceled quarterly meeting would be rescheduled. It was noted that the status of this meeting was not presently known. Mr. Hurley also requested that an update on the community garden project be an Agenda Item at the next meeting. He advised that if there was significant lack of interest, the Town should not spend any additional resources on the project. He suggested that Matt Mlodzinski of the Parks and Recreation Department, who was in charge of the community garden effort, be invited to discuss the project with the Board at their next meeting.

Mr. Hurley also proposed inviting a representative of the North-South Institute to discuss the status of the Batten's Farmers' Market with the Board as an agenda item. Vice-Chair Weinstein agreed with this suggestion. The Board agreed that they wanted the project to succeed with no negative effects to the Town.

The members agreed that they would also follow up on the Town's lease of the former coffee plantation as an agenda item at the next meeting.

6. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions made.

7. ADJOURNMENT

There being no further business, Vice-Chair Weinstein made a motion, seconded by Ms. Aitken, to adjourn. With Dr. Scott being absent, all voted in favor and the meeting was adjourned at 7:52 p.m.

Date Approved: _____

Chair/Board Member