

**Wellington
Equestrian Preserve Committee Meeting
July 6, 2016
Village Hall
12300 Forest Hill Boulevard**

MINUTES

I. Call to Order/Pledge of Allegiance

Jane Cleveland called the meeting to order at 6:15 p.m.

Members present: Jane Cleveland, Dr. Kristy Lund, Doug Hundt, Carol Cohen, Robert Bushey, and Dr. Rachel Eidelman.

Members absent: Dr. Sergio Guerreiro was excused.

Staff present: Robert Basehart, Michael O'Dell, Aaron Dunlap, and Ryan Harding.

II. Approval of the July 6, 2016 Equestrian Preserve Committee Agenda

The July 6, 2016 Equestrian Preserve Committee Agenda was approved with the addition of Assistant Village Attorney Aaron Dunlap speaking about The Sunshine Law, public records, and social media.

Mr. Dunlap stated the Village attorneys gave two presentations the previous week regarding public records and ethics; and if anyone didn't get a booklet from the presentations, let Mr. Basehart know and Mr. Dunlap will send one to them. Mr. Dunlap reminded the committee members that anything that could foreseeably come before them for action has to take place in a publicly noticed meeting. There should not be any individual communication regarding such items between committee members outside of a public noticed meeting. Communication means emails, phone calls, blogs, Twitter, Facebook; any type of communication. Committee members may discuss items with staff members. Mr. Dunlap stated if they have any questions regarding communication, they could contact him or Village Attorney Laurie Cohen.

A public record means anything that is made or received in connection with the transaction of official business. It is an incredibly broad definition. Any types of communications – emails, twitter, Facebook, which are related to official business are considered public record and should be retained in case of public records information requests. In the state of Florida, anyone is authorized to request public records. They are not required to provide their name or any other identification.

III. Approval of the March 9, 2016 Equestrian Preserve Committee Minutes

Dr. Lund made a motion to approve the March 9, 2016 Equestrian Preserve Committee minutes. Ms. Cleveland seconded the motion and it carried unanimously (6-0).

IV. Workshop – Comments and Recommendations Related to the Equestrian Plan of Action

The committee members introduced themselves and described their involvement in the equestrian community.

Ms. Cleveland stated she would like to start by getting everyone's views on the Plan of Action. Ms. Cleveland started by saying one of the objectives of the Plan is to have a world class equestrian community. There are two parts to being world class: there is the city/municipal side which manages the residential farm areas and then there are the venues. The EPC is the advisor to the municipal side. Ms. Cleveland stated she thinks the question should be asked of the venue operators, "What do you think it takes to be world class?"

Dr. Lund stated she was confused about the milestones; because when surveys were done, the public rated the trails as a high priority, but she didn't see it listed as a high priority in the milestones. She also stated she thought the equestrian overpass should have been a higher priority because it is part of the trail system and its connectivity. Dr. Lund stated some of the priorities might be off and we should maybe revisit the surveys that were done and shift some of the priorities. Dr. Lund also stated the report is broad and she does not want to have a lot of meetings without getting anything done. She suggested putting a method in place where we talk about a topic, get it done, then move on to the next, rather than talking about the entire plan, talking in circles, and complaining about what we don't like. We should come up with solutions.

Mr. Hundt stated he had some of the same questions Dr. Lund had. There are a lot of items in the Plan, but how do we get them all done? He would like to prioritize the items. The roads and the overpass should be a higher priority; they are huge projects that cannot be done overnight.

Dr. Eidelman stated she agreed. The plan needs to be prioritized so the milestones will be achieved.

Mr. Bushey stated the thing that came to his mind while reading the Plan of Action was "The only way to eat an elephant is one bite at a time." Tackling the whole thing will be impossible. We need to pick out the most important things and try to get them solved.

Ms. Cohen stated she hates inertia. She thinks traffic and flow are the most important issues. We need to put them at the top of the list and get going. She stated, personally, she wants to get things done; stop talking, make a decision, and move on.

Mr. Basehart stated staff emailed the committee a letter from Dean Turney that morning. The letter was given to the committee to be used as part of the discussion. It is not an official document; it was a privately submitted request to be considered by the committee.

Mr. O'Dell stated the Plan of Action is labeled a draft purposely because staff would like the committee to read through it and give them feedback. The information gathered began in 2012-2013; the community was in turmoil at that time. Some data could be skewed or need to be updated and we're prepared to do that. He continued, If we have missed an issue, or misstated an issue, or there is another angle to look at it, let's talk about it. This is a fully open discussion as it should be if we are looking to get things done, and I'm glad to hear you all want to move forward.

Mr. O'Dell stated the milestones are what we want to get accomplished. He recommended prioritizing the milestones and that staff could provide as much information as the committee wants related to the

milestones. We could workshop the items if needed, then make recommendations and move forward. That is one way to go about tackling the entire plan.

Ms. Cleveland asked Mr. O'Dell to briefly go over the milestones.

Mr. O'Dell described the milestones including creating an economic impact study and addressing the agricultural exemption.

Dr. Lund stated the agricultural exemption was never brought up as part of creating the action plan, it's complex, and people are upset about it. She asked why it was included as part of the action plan.

Mr. O'Dell replied the issue of state statute 604.50 resonates over the entire plan. Mr. O'Dell stated the statute exempts non-residential buildings, signs, and fences from all permits and fees. The issue is that structures are not built to zoning regulations that have been in place for years; for example, setback requirements.

Dr. Lund stated she had a barn built recently with an ag exemption and Wellington still came out to check the setbacks.

Attorney Jeff Kurtz was in attendance and asked to approach the podium to clarify what is exempt and what is not under 604.50. He stated Wellington's Engineering Department currently takes the position that even though a building permit is not required, one would still need a land development permit and go through the engineering permitting. They still enforce water quality standards because the state statute exempts from building codes and zoning codes; it does not exempt from fire codes or stormwater management standards.

Mr. Basehart stated one of the issues is that building permits are required to ensure buildings meet minimum standards to protect the health, safety, and welfare of people. It protects people during storms from structures that were not built to standards and protects others who may suffer damage or injury from debris blown over that was part of a structure that was not built to code. So the intent is to protect the public welfare. If you exempt structures from that requirement, nobody can provide assurance that that will happen.

Mr. Basehart continued, "The code is our planning tool." The EPC's purpose is to develop plans for the Equestrian Preserve. That would include the means to get the plan accomplished. If people are exempt from having to meet any of the codes that are adopted, then there is no point in doing the planning because nobody is going to have to comply with it. Limitations on density, intensity, height, etc.; if you get an exemption, you are not required to meet those standards. If you want to put your barn five feet from your neighbor's property line, you can do that.

He stated the EOZD was designed purposefully with limitations on intensity in mind. For example, if you have under a five acre property you are allowed four stalls per acre. If you have four acres, you're allowed 16 stalls. There are people that have gotten exemptions and have built, on a similarly sized property, 30, 40, or 50 stalls. Is that good for the welfare of the horse or the people? If nobody has to meet the standards, then why do the planning?

Mr. O'Dell stated one of the reasons for including the agricultural exemption in the report is to advise the citizens it's out there. He continued, stating, one of the questions we've talked about tonight is "what is world class?" How do we achieve that if we have no standards? The community can self-police. Roughly 85% of this community has been built to these standards up until 2013. If we now have no standards, how will we continue to call ourselves world class in the future? The community is in charge of this.

Dr. Lund asked Mr. O'Dell to provide examples of cases where 604.50 has caused problems over the past three years. Mr. Basehart replied he could not give that information because they're currently in lawsuits. He also stated if the committee feels that people in the Equestrian Preserve should not have to comply with standards such as stall limitations, setbacks, height restrictions, and parking limitations; that's fine. The committee can save itself a lot of time because what is suggested in the Plan of Action doesn't make a lot of sense if there isn't a way to implement it.

Carol Cohen stated land in the preserve is expensive, land costs millions, no one she knows of would not care. It is very difficult to build in Wellington. It's not a simple procedure. The people who build here care very much and want the best. When you bring this up, it's a very hot subject.

Mr. O'Dell stated if it would suit the committee, he could come back at the next meeting with the Village Attorney and the Village Manager to talk with the committee and give them more time to discuss this topic and get a better understanding. It was agreed upon that the next meeting would be on only this topic.

Ms. Cleveland stated she had sorted the milestones into categories. The milestones can be sorted into Land Development Regulations, water, infrastructure, and the economic development study. She asked if the committee thought that would be a good way to tackle the Plan of Action. Ms. Cleveland stated she thought the infrastructure needs would be at the top of the list and Dr. Lund agreed.

Mr. O'Dell stated as far as the trail system goes, the village has an Equestrian Circulation Plan with a 10 year capital improvement plan and there is money in the budget this year to start working on some of those improvements. The equestrian overpass has been an issue for a long time; that is a difficult subject with a lot of debate, but you're welcome to discuss it. Golf carts are another issue. They may be the number one mode of transit or very close. He stated the village has a lot of information, and if you want to group the milestones and go at it that way, that's fine.

Ms. Cleveland asked if we had enough information from the venue operators to plan for trails and infrastructure. Mr. O'Dell replied he did not think so. He stated it would be a great discussion to have with the venue operators. Ms. Cleveland asked the committee their thoughts on meeting with the venue operators. They agreed it would be good to meet with the operators. Ms. Cleveland stated it might be good to meet with the operators before the infrastructure discussion to get an idea of their plans moving forward.

Mr. Bushey asked if there were any plans for horse crossing at South Shore and Pierson. Mr. O'Dell replied there currently aren't any plans. Mr. Bushey stated he thinks it should be considered. It was agreed to discuss the crossing during the infrastructure meeting.

Ms. Cleveland asked about the economic development study. Dr. Lund replied it should be done; those numbers should be available. Ms. Cleveland asked how we go about getting that accomplished and Mr. O'Dell replied it would have to go through the RFP process; it is not something that can be done in house. First it has to be budgeted for.

Ms. Cohen made a motion to recommend the Village of Wellington work with the Palm Beach County Sports Commission to create an economic impact study of the equestrian community in Wellington. Mr. Bushey seconded the motion and it passed unanimously (6-0).

Ms. Cleveland reviewed the plan for the upcoming schedule stating August would be 604.50, September is local zoning, October is venue operators, November is water, and December will be a review of what has been done so far and what to plan for in the upcoming year.

V. Staff Comments

There were no staff comments.

VI. Board Comments

There were no board comments.

VII. Public Comments

Attorney Jeff Kurtz of 12012 South Shore Boulevard, Suite 8, recommended the Agricultural Exemption and Exurban discussion be postponed until after other items in the Plan of Action have been addressed.

VIII. Adjournment

Dr. Lund made a motion, seconded by Mr. Bushey, and approved (6-0) to adjourn the meeting. The meeting adjourned at 8:05 p.m.

Jane Cleveland, Chair

Ryan Harding, Recording Secretary