

**Wellington
Equestrian Preserve Committee Meeting
March 3, 2021
Village Hall
12300 Forest Hill Boulevard**

MINUTES

I. Call to Order

Chair Cleveland called the meeting to order at 6:30 PM. Jane Cleveland, Dr. Rachel Eidelman, Glen Fleischer, Haakon Gangnes, and Annabelle Garrett were present. Carlos Arellano and Dr. Kristy Lund arrived late.

Staff present: Jim Barnes, Michael O'Dell, and D.J. Helkowski.

II. Pledge of Allegiance

III. Remarks by Committee Chair

Chair Cleveland stated that she had two discussion items to add to the agenda: a herpes virus outbreak discussion, and Palm Beach Point trail discussion.

IV. Additions/Deletions/Reordering of Agenda

The herpes virus outbreak and Palm Beach Point trail discussion items were added to the agenda.

V. Approval of Minutes

Chair Cleveland asked for a motion to approve both the January and February sets of EPC minutes. Glen Fleischer motioned on both sets, Dr. Rachel Eidelman seconded the motion, and the motion passed unanimously.

VI. Old Business

Comprehensive Plan - Equestrian Element

Village Manager Jim Barnes stated that he has been tracking the committee's work on the Equestrian Element as well as where the various boards and committees are in moving forward with the entire set of elements in the Comprehensive Plan. He noted that a transmittal from the Planning and Zoning Staff regarding the Equestrian Preserve Committee (EPC) showing the Equestrian Element was to go forward to the Planning, Zoning, and Adjustment Board with a recommendation of denial. He then stated that while the Equestrian Element was intended to go forward to PZAB next week, staff has decided to postpone bringing the element forward to them until April. Mr. Barnes said that from his review of the previous sets of minutes as well as watching the videos of previous meetings, he saw three primary issues of concern: the term "exurban", roadway expansion in the EPA (specifically Lake Worth Road and South Shore Boulevard), and limited commercial uses within the EPA.

Regarding the word “exurban”, Mr. Barnes said that he has discussed it with staff, and the decision has been made to take the word out of the document entirely. He said that he doesn’t believe taking it out lessens the intent of what was written, and since it wasn’t being adopted anyway, it doesn’t harm the policies, goals, and objectives of the element. Regarding roadway expansion, Mr. Barnes said that the intersection of Lake Worth Road and South Shore Boulevard, in his estimation, is where the equestrian world and the non-equestrian world meet. Even during the equestrian off-season, there are portions of the week during AM and PM peak hours of travel, South Shore Boulevard at this intersection is a problem traffic-wise, specifically as a choke-point between Pierson Road and Lake Worth Road. Mr. Barnes said that because of this, he believes the language regarding expanding roadways, specifically South Shore Boulevard, should be left in the Equestrian Element of the Comprehensive Plan. He said that the Equestrian Plan of Action, which was approved by the committee, had supported these roadway improvements, so that traffic from both the equestrian world and non-equestrian world could be accommodated while supporting the venues. Lastly, regarding limited commercial uses, Mr. Barnes said the uses are limited to three areas in the EPA: the two existing equestrian venues, and the commercial pod within the original Country Place PUD. He then said these areas either have existing uses, or approvals that already exist today, so leaving this language regarding limited commercial uses in the element versus taking it out wouldn’t affect anything.

Chair Cleveland requested to go back through each issue that Mr. Barnes mentioned one-by-one to discuss. Regarding the word “exurban”, Chair Cleveland asked Mr. Barnes to confirm that the term will no longer be located anywhere in the document, which Mr. Barnes then confirmed. Mr. Gangnes asked if there is any way that the word “exurban” could make its way back into the document. Mr. Barnes responded that council could do whatever it wants to do, but that he can commit to the committee that staff will not bring the word up to them. Mr. Gangnes asked why staff decided to do a 180 on the word “exurban”. Mr. Barnes replied that he wasn’t involved previously, so with his extra guidance, staff decided to remove the word.

The second point to be discussed was the widening of South Shore Boulevard. Ms. Garrett asked Mr. Barnes since he said that he tries to avoid the intersection of South Shore Boulevard and Lake Worth Road, if it were to be widened, would he change his driving patterns and start taking South Shore through that area. Mr. Barnes said that he wouldn’t, as he avoids the area for more reasons than just equestrian traffic (park traffic, school traffic, etc.). Ms. Garrett said that if the committee votes to widen South Shore Boulevard, she would like to see a stoplight on 120th Avenue and Lake Worth Road attached. Mr. O’Dell responded a traffic study has indicated that the intersection in question has failed. However, the recommendation to install a stoplight would require a warrant. He said that if a stoplight is added it would likely go along with the widening project. Ms. Garrett said that her second request would be to change the stoplight timing. The linkage between the lights at South Shore Boulevard & Pierson Road and South Shore Boulevard & Lake Worth Road, at least during certain times of the day, needs to be addressed so that people don’t speed up to make the next light. Mr. Barnes responded that the signals are controlled by Palm Beach County, although Wellington can coordinate with them on what they want the signals to do. Ms. Garrett and Chair Cleveland both suggested adding both of Ms. Garrett’s requests to be attached to the widening of South Shore Boulevard and Lake Worth Road in the recommendations to be passed

forward with the Comprehensive Plan to the Planning, Zoning, and Adjustment Board. Dr. Rachel Eidelman asked if there is any safety mechanism in place for the horses that are crossing at Pierson Road and South Shore Boulevard. She said, that even with the roads at two lanes that intersection is dangerous for horses, and adding lanes will only add to the danger. Mr. Barnes said that years ago, the intersection at 120th Avenue South was intended to have a roundabout to slow traffic down. Over the years the intersection of Pierson Road and South Shore Boulevard, have had various types of equestrian/pedestrian crossing ideas, but many of them haven't been feasible. He said that he understands that something will need to be done at that intersection to ensure horse crossing is safe.

Chair Cleveland asked Mr. Barnes and Mr. O'Dell to remind the committee of the improvements that should have been done by the horse show. Mr. O'Dell said that there were two turn lanes that were required to be placed on Pierson Road turning onto South Shore Boulevard, as well as an additional thru-lane going east and west. Mr. Barnes added that in the past staff has discussed trying to get those improvements done sooner and more efficiently by doing surface water management improvements as well as other improvements that wouldn't affect traffic. The plan is to do the same, if there ends up being a widening project on South Shore Boulevard between Pierson Road and Lake Worth Road. The project, if approved would seek to limit inconvenience. He said while he isn't an engineer, he doesn't think this type of project could be completed in one off-season. Measures can be taken to minimize inconvenience and impact. Chair Cleveland asked where in the process we are in getting those improvements by the horse show completed. Mr. Barnes replied that based on state statute, each time a state of emergency goes into effect, the development order deadlines are suspended. Chair Cleveland asked if the suspension of deadlines ever runs out, to which Mr. Barnes responded that it does following a provisional period after the declaration of emergency has ended. Ms. Garrett asked if the property were to change hands, would the emergency order change hands. Mr. Barnes responded that emergency orders affecting development orders ride with the property, not the ownership. Mr. Gangnes asked if a goal in the Comprehensive Plan was to ensure horse safety by slowing down traffic or putting in crosswalks, would the Village need to pursue warrants on the intersection at 120th Avenue. Mr. Barnes responded that the Comprehensive Plan wouldn't have an effect on technical requirements of a warrant as the Comp Plan is aspirational and doesn't address a detailed process. He said the Equestrian Plan of Action would be a better place to address specific safety issues. Although an aspirational goal in the Equestrian Element of the Comprehensive Plan addressing horse safety is a good idea. Mr. Barnes said that one thing that we as staff need to do a better job of village-wide is obtaining community feedback on projects. The widening of South Shore Boulevard is one such project. Ms. Garrett asked if there is any discussion amongst Village staff about changing the right-only turn lane heading southbound on South Shore, at the intersection with Pierson Road. Mr. Barnes said that he would think that a dedicated right-turn lane would remain, even if the roadway is widened. Ms. Garrett noted that local traffic patterns from neighborhoods such as Mallet Hill need to be considered as well in relation to horse safety. Mr. Gangnes agreed, and added that it only takes one person to get hurt and there will be a large lawsuit. Mr. Barnes said that horse safety will certainly be a major consideration, but told the committee not to expect an elevated horse crossing or a horse tunnel. Mr. Gangnes then asked if a mid-block crossing would be considered for that intersection. Ms. Garrett said that couldn't be done because of the location of the trail. Dr. Eidelman stated that she thinks it should be left as is, and then see what happens when Lake Worth Road expands further west,

which might alleviate traffic and thus improve horse safety. Chair Cleveland then stated that the most important thing right now should be getting the improvements at the intersection near the horse show completed. Mr. Barnes said that his recommendation would be to perform the intersection improvements as two separate projects. Mr. O'Dell reminded the committee that whenever the official designs of these improvements are drafted, it will come back to the Equestrian Preserve Committee for review since both intersections are within the EPA. Mr. Gangnes asked if the committee will only be able to look at the improvements through the lens of how it aligns with the Comprehensive Plan. Mr. Barnes said that staff would bring it to the committee as a project during the planning and design phase. Mr. Gangnes then asked if they could deny such a project just because they don't want it. Mr. Barnes responded that the committee does not have project denial authority, and that the committee would be asked for their input and recommendations.

Dr. Eidelman asked if policy 2.2.2 can read "continue to develop Lake Worth Road as a major collector roadway, and then continue to assess South Shore Boulevard". Mr. Barnes said that the committee can recommend whatever they'd like, but staff's recommendations will be to keep the language regarding widening both South Shore Boulevard and Lake Worth Road as is within the Equestrian Element. He added that we can certainly add language that addresses safety provisions for horses, including signage, markings, rumble strips, etc.

Ms. Garrett asked what the policy is on grading Flying Cow Ranch Road. Mr. Barnes replied that the Village's grading schedule exceeds just about any community he has seen not just in the county, but in the state. He added that the end of Flying Cow Ranch Road near the curve is a tough area to grade because of the truck traffic as well as the roadway configuration. He said that he can send the grading schedule to the committee members. Mr. Fleischer said that it sounds like there is a need to adjust policy 2.2.1 as well as possibly policy 2.2.2 in order to integrate the concerns. He suggested that it read "local roadways shall be maintained a maximum of two travel lanes except for possibly Lake Worth Road and South Shore Boulevard if adequate safety measures can be put in place (for the items we just talked about)". So that way, it is clear that it is a possibility from a planning perspective but there are concerns that need to be addressed. He added that a traffic light at 120th Avenue and Lake Worth Road could be addressed in policy 2.2.1. He mentioned addressing safety in general, but particularly equestrian safety. He then stated that the committee should be specific about where the issue points are. Chair Cleveland responded that those issue points are the Pierson Road horse crossing, as well as the stoplight timing that Ms. Garrett had mentioned. She then stated all of these improvements depend on the improvements at Pierson Road and South Shore Boulevard as promised by the horse show. Mr. Barnes responded that he would advise against putting that condition within the Comprehensive Plan, because he doesn't think it belongs within the plan. He added that the owner of the horse show is bound by law to make those improvements, it's just a matter of when the extensions run out.

Mr. Gangnes stated that building a mid-block crossing either at the intersection of South Shore Boulevard and Pierson Road or further down Pierson Road is completely doable. Chair Cleveland responded that the only place equestrians who are riding on the trail along Pierson Road want to cross is at stoplights. Carlos Arellano suggested recommending that if Lake Worth Road is widened, then there should be a stoplight constructed on its intersection with 120th Avenue. He also suggested recommending that if South Shore

Boulevard is to be widened from Lake Worth Road to Pierson Road, then Southfields Road, Santa Barbara Drive, Mallet Hill, Palm Beach County Fire Station 27, and the old Boys and Girls Club (currently Wellington Community Park) crossings will have easy access in and out. Ms. Garrett added that whoever was responsible for putting in the Lake Worth extension, never put in a continuum of a proper trail to cross that road.

Mr. O'Dell in response to Ms. Garrett's statement about stoplight timing said that the timing of lights can be programed to move a certain amount of traffic through the light and then create a break between the traffic movements. He said that this discussion gets into the design phase of roadway and stoplight improvements and that the committee should refrain from discussing tonight. He summarized the committee's concerns regarding roadway improvements as wanting appropriate safety measures in place, as well as putting mechanisms in place for stoplight timing, and said he agreed with these concerns and when the design phase comes the committee, and staff will attempt to implement solutions for these concerns. Mr. Fleischer suggested to have policy 2.2.1 read "local roadways within the EPA shall be maintained at a maximum of two travel lanes except for possibly Lake Worth Road and South Shore Boulevard between Pierson Road and Lake Worth Road as long as adequate equestrian safety measure can be put in place". For policy 2.2.2, Mr. Fleischer suggested that it read "develop Lake Worth Road as a gateway into the EPA by possibly expanding the section from 120th Avenue South to South Shore Boulevard from 2 to 4 lanes as long as adequate equestrian safety measures can be put in place, including things such as a traffic light at the intersection with 120th Avenue". Mr. Arellano added that school traffic safety is also an important justification for the stoplight at Lake Worth Road and 120th Avenue. Chair Cleveland requested that for policy 2.2.1, language be added to address the intent to time the stoplights for speeding & safety as well as access to the adjoining communities. Mr. Barnes suggested using the strategic language "including but not limited to" to discuss these specific types of remedies within policy 2.2.1. He added that the committee should use a word other than "possibly". Mr. Fleischer suggested using the word "conditionally" in place of "possibly". Mr. O'Dell suggested combining language about having to get a warrant for the intersection stoplight with language about equestrian and vehicular safety. Mr. Fleischer said he agreed with the idea. Mr. Barnes suggested that policy 2.2.1 read "local roadways within the EPA shall be maintained at a maximum of two travel lanes except for Lake Worth Road and South Shore Boulevard between Pierson Road and Lake Worth Road, providing any expansion/improvement also consider equestrian safety measures including but not limited to (whatever specific measures the committee wants to delineate)". The committee agreed that this specific language should be used. Mr. Barnes said that all of the safety measures can be addressed within policy 2.2.1, and those specific measures will include signal timing at Lake Worth Road and South Shore Boulevard, traffic signal installation at Lake Worth Road and 120th Avenue considering both equestrian traffic and school traffic, and equestrian safety measures at Pierson Road and South Shore Boulevard. Ms. Garrett then said that something should be included to address the trail to cross the Lake Worth extension. Mr. Barnes suggested that language stating that all affected intersections shall incorporate equestrian crossings should be added. Mr. O'Dell noted that the focus is on residents as opposed to cut-through traffic. Mr. Barnes said that the sum of roadway improvements will likely take more than one equestrian off-season to complete. Mr. Gangnes said that he wants to hear assurance that there will be provisions for horse safety if the roadway improvements move forward. Mr. Barnes responded that the Village will be focusing

on the warrants in order to complete equestrian safety measures along with roadway improvements. Mr. Gangnes asked if one of the traffic signals would need to go in front of the firehouse. Mr. Barnes replied that there is already a signal at that location, and it is operated by the fire department and maintained separate from every other Wellington signal. Mr. Gangnes asked if a crosswalk could be constructed at that location. Mr. Barnes responded that staff had looked at that location previously for potential overhead crossings, but any crossing would be better located where people are already crossing which is the shortest path to get across the roadway. He then said the Village will do all it can to ensure that the shortest path is as safe as possible.

The final item to be discussed regarded limited commercial uses. Mr. Barnes reminded the committee that there are three locations that are affected: the two equestrian venues, and the existing commercial piece within Country Place PUD. All three have existing uses or approvals that remain in place. So to leave the language regarding limited commercial uses in the plan doesn't make a difference. Ms. Garrett asked what the Commercial Recreation Pieces are. Mr. Barnes and Mr. O'Dell both responded separately that they are IPC, the horse show, Global Dressage, and the 59-acre site off of 50th Street and South Road. Chair Cleveland added that Grand Champions Polo and Lassergut are also classified as Commercial Recreation. Ms. Garrett then asked if there are any Commercial Agriculture pieces, to which Mr. O'Dell responded that the Commercial Agriculture classification no longer exists. Ms. Garrett asked what the two nurseries in the EPA are classified as. Mr. O'Dell replied that they are grandfathered in as nurseries until they stop their operation as such, and then they will be residential. Chair Cleveland asked staff if they could read the latest language regarding limited commercial uses. Mr. Barnes read the following language from Item #3 under policy 1.1.1: "permit limited commercial uses as defined in the Land Development Regulations which support the equestrian industry within properties approved as land developments or within Commercial Recreation land uses". Chair Cleveland asked about the uses that are allowed on Commercial Recreation pieces in the EPA that aren't the two venues. Mr. O'Dell said that these properties were approved some time ago with a Commercial Recreation classification prior to the Village's incorporation, so they have been grandfathered in as Commercial Recreation designated properties. The specific uses for Commercial Recreation properties are shown in the Land Development Regulations. Mr. O'Dell displayed the Use Matrix in the Land Development Regulations for the committee to view. Ms. Garrett noted that last time the committee discussed uses, Mr. O'Dell had stated that a transfer station could be considered a use under Commercial Recreation. Mr. O'Dell replied that a transfer station would be an ancillary use to a commercial operation, which was the nursery operation previously. Mr. Barnes added that on its own, the Village would look at a transfer station either as industrial, or agricultural, depending on what kind of transfer station it is. Ms. Garrett asked if any of the Commercial Recreation properties could qualify to become waste transfer stations. Mr. Barnes responded that it would depend on what they classify as agricultural. He said once a piece is considered to be agricultural, it becomes exempt from Village zoning and land development regulations under state statute 604.50. So it's a gray area and litigation would likely follow.

Chair Cleveland reminded the committee that several years ago when they had looked at the application for a hotel to be placed in the EPA, the actual legislation that was presented to the committee said that if the hotel was to go forward, it was going to have to go on land that would need to be removed from the

EPA, and the recommendation was that Commercial Recreation areas could be removed from the EPA. She then said that she is bringing this up because there is a lot of Commercial Recreation area within the EPA. Mr. O'Dell said that the former hotel being discussed would have been located on the perimeter of the EPA, and so the perimeter could have been adjusted to remove that piece. Commercial Recreation areas internal of the EPA would not have qualified for this. Chair Cleveland then said that the language regarding Commercial Recreation sites for a potential hotel that came to the committee in 2017 said if a piece was permitted to be taken away from the EPA, it would have to apply to all of the Commercial Recreation pieces, not just the one chosen for the hotel. Chair Cleveland asked what the permitted uses are that fall under Commercial versus Commercial Recreation. Mr. O'Dell responded that one of the permitted uses that falls under Commercial Recreation is equestrian venues. Mr. Barnes added that in the EOZD (Equestrian Overlay Zoning District), Commercial Recreation is under Commercial use.

Mr. Gangnes suggested revising the language of policy 1.1.1 to read "provide for the limited commercial uses that support the equestrian industry; so long as that entity or activity is not deemed a nuisance to the community". Mr. Barnes said that the language Mr. Gangnes suggested sounds good, but it's very subjective in nature. Ms. Garrett suggested ending the language with "given that it doesn't degrade property values". Mr. Gangnes said that sounds good as well, and brought up how in the City of Destin vs. Windward Marina case, they talked about the incorporation of the term "nuisance in the Comprehensive Plan. Mr. O'Dell said that he accepts adding the word "nuisance" to policy 1.1.1. Ms. Garrett asked how one determines what a nuisance is. Mr. O'Dell responded that one point to look at is the approved uses in the table. He said if a property owner would be coming in looking for an approval for a use on their property that isn't within the current use matrix, and it provides some sort of nuisance to the community, from a noise, visual, smell, etc. point of view, there would be a solid argument to be made against that use that it would be a nuisance to the community. Ms. Garrett responded that under the previous Attorney General, there was a ruling regarding an agricultural entity that existed in conjunction with a community that changed their operation to spraying manure which produced a foul smell for the neighbors in the community. The AG ruled in favor of the residents. She then asked if that ruling still stands. Mr. O'Dell replied yes. Ms. Garrett then asked if the first transfer station in Wellington where everyone complained once it changed to that type of operation would have qualified as a nuisance, and thus the operation would have had to have been ceased based on the ruling in question. Mr. O'Dell said that if it was still an agricultural use, under state statute 604.50 then it would have remained viable. He also said that the transfer station in question was still composting, so they had a claim that their operation wasn't changed entirely. Mr. Barnes then said that item 3 of the Equestrian Element could be taken out entirely, and Commercial Recreation and Commercial pods in PUD's wouldn't be affected at all.

Dr. Kristy Lund stated that the term nuisance is subjective. Mr. Gangnes responded that the City of Destin defined "agricultural nuisance" as a condition that has sustained interference with the use and the enjoyment of the land causing unreasonable discomfort or annoyance to a person or subsidiaries attempting to use or enjoy that land". Mr. Barnes said that staff has no problem adopting the language that incorporates the term "nuisance", but they aren't going to define it within the Comprehensive Plan. Mr. Barnes added that specific issues can be identified and defined within Wellington's Code of Ordinances (noise over a certain level, lighting that shines on the surrounding community, etc.) that then

can fall under the category of nuisance. Mr. O'Dell said that he was okay with the language along with the term "nuisance".

Chair Cleveland asked what the protocol is from here as far as getting changes agreed to by staff approved. Mr. Barnes responded that the various changes agreed to by staff at this meeting will be incorporated by staff and sent back to the committee, and the committee can vote now to approve the Equestrian Element. Chair Cleveland then asked what the mechanics of it would be since the committee had already voted to deny it. Mr. Barnes responded that they would probably need to have a motion to reconsider. If the motion to reconsider passes, they can vote on approving the plan as it has been submitted and subjected to the modifications as discussed in this meeting. Mr. Barnes summarized those modifications as the elimination of the word "exurban", the language modification as discussed for items under policy 2.2.1, and the language modification for policy 1.1.1 (including the word "nuisance").

Annabelle Garrett motioned to reconsider the Equestrian Element of the Comprehensive Plan. Mr. Fleischer seconded the motion, and it passed unanimously (7-0).

The Committee opened the meeting up to a public hearing. Cynthia Gardener of 13268 Polo Club Road stated that she had previously spoken at the January 6th EPC meeting to oppose the widening of South Shore Boulevard and Lake Worth Road, and she's hear again to voice her opinion on the matter. She said that 4-laning these roadways would destroy the Equestrian Preserve Area. She said that none of the three main goals in the Equestrian Element can be met if these roadways are widened. She then said that the traffic problem on these roadways is caused by two sources: the residential traffic from Wellington and the cut-through traffic from Palm Beach County. She said that many of the people who use these roads as a cut-through are from Wellington, but many of them are from the Acreage as well. She stated that several years ago she did a trial for the Federal Government (South Florida Water Management District), and there were approximately 22,000 residential units planned to go along Southern Boulevard. A great many of those people work south of Wellington. Dr. Lund asked Ms. Gardener which route they take through Wellington, to which she replied that they come down Binks Forest Drive to Greenview Shores to South Shore to Lake Worth Road. She said that this information doesn't come from her, but rather from the police telling her this. Dr. Lund asked which roads they use after Binks Forest Drive. Ms. Gardener replied that after driving down Binks Forest Drive, cut-through commuters go on Aero Club Drive, then to Pierson Road, then to South Shore Boulevard, then they head west on Lake Worth Road to Florida's Turnpike. Dr. Lund asked how that is a more efficient route to take than taking Southern Boulevard straight to Florida's Turnpike. Ms. Gardener responded that there is less traffic when cutting through Wellington, to which Dr. Lund disagreed. Ms. Gardener then said regarding commercial development, the Commercial Recreation designation was created so that places like the Polo Club could sell liquor, food, and retail items at the polo games. However, if the committee approves this commercial language in the Comprehensive Plan, they are opening the door to large shopping centers and other commercial uses that have been proposed in years past. Mr. Gangnes motioned to close public comment. Ms. Garrett seconded, and the motion passed unanimously (7-0).

Mr. Fleischer requested to revisit policy 3.2.2. He asked for the white trail to be added to the policy regarding shared use before it is completely resolved. Mr. Barnes agreed that it would be added. Mr.

Gangnes asked if there is any urgency for the committee to approve the plan now rather than wait until April when all of the changes agreed to will be incorporated in a new version of the draft. Mr. O'Dell said that they moved the Equestrian Element back because they want to have their packages prepared for when they go to PZAB. Since PZAB meets the following Wednesday, staff doesn't have enough time to incorporate all of the changes needed and advertise, they have decided to wait until April to move the document forward to PZAB. Chair Cleveland noted that the committee already has a plan in place to voice their opinion at the PZAB meeting when they review the Equestrian Element, and that they should have a vote to approve it tonight. Mr. Gangnes noted that they could vote to reconsider if the revised document isn't up to their standards. Dr. Eidelman asked if it would be possible to do an EPC-PZAB co-meeting. Mr. Barnes said that a co-meeting wouldn't be advisable at this point. Mr. Gangnes suggested that the committee could just have a representative to speak at the PZAB meeting.

Ms. Garrett motioned to approve the Equestrian Element of the Comprehensive Plan with the changes brought forth to the committee by staff, and with the amendments made here in the meeting tonight by the committee that will be in the minutes and will be submitted to the Planning, Zoning, and Adjustment Board. Dr. Eidelman seconded the motion, and the motion passed unanimously (7-0).

VII. New Business

Herpes Virus Outbreak

Chair Cleveland noted that there has been a very serious outbreak of the herpes virus which started in Valencia, Spain. All of the horse shows in Europe have now been canceled because of this. She said that today, there was a case recorded in Ocala, not related to the outbreak in Valencia. USEF has issued a statement urging caution. She noted that there were no cases recorded in Wellington as of this meeting date. Annabelle Garrett added that WEF has just emailed a list of the measures they're taking regarding the herpes virus outbreak. No horses that hadn't already been registered at the show are allowed at the show. Equestrians also will need to sign a declaration stating that the horses that they have competing at the facility have not competed at other Florida venues. Starting on Monday, any horses shipping onto the property will require a health certification which needs to be dated within 7 days of arriving. WEF is also requiring all barns to maintain a temperature log with twice-daily temperatures. They are also asking strongly that horses do not ship around the state of Florida. Any horse with a fever needs to be reported to management. Mr. O'Dell requested that Ms. Garrett send the email from WEF to him. Chair Cleveland said that she would send the USEF statement to Mr. O'Dell as well. Glen Fleischer asked Mr. O'Dell if he could send the WEF email out to the entire committee once he was sent it, to which he complied. Dr. Kristy Lund noted that the strain of herpes virus observed in Florida is not the same as the strain identified in Europe. She also confirmed that the strain in Europe, which is neurological, isn't covered by vaccines.

Ben Myers of 15450 Estancia Lane approached the podium to give a public comment on the matter. He said that his barn ships in and out a lot of horses, and there's currently a time restriction between approximately 6:30-8 or 9 AM when you can't ship. He said if that restriction could be eased up, he believes there would be less traffic when shipping of horses does occur.

Haakon Gangnes noted that this relates back to the Comprehensive Plan discussion held previously regarding notifying the public and quelling rumors. Annabelle Garrett asked if this notification comes from the Department of Agriculture, to which Chair Cleveland replied yes, and also from USEF. Chair Cleveland then asked Ms. Garrett if there is a polo association that put out a notice, to which she replied yes. Dr. Lund said that the USDA will release a statement if they think it's necessary, but she hasn't been notified yet. Ms. Garrett said that there is a rumor that there are a few horses in Wellington that are sick with high temperatures, but it has not been confirmed that they have been infected. Annabelle Garrett asked if she is correct in saying that this virus is spread through noses, shared water buckets, and things like that. Dr. Lund said that she is correct, and the virus can survive on surfaces. Mr. Gangnes asked if the Village has a mechanism in place to be able to quell rumors and notify equestrians on the facts. Dr. Lund asked what the Village did when the last herpes outbreak struck Wellington. Village Manager Jim Barnes responded that the Village didn't do a whole lot in that regard, but the state of Florida declared a state of emergency and activated the EOC. So that put into place a lot of measures that normally wouldn't happen without the state of Florida's decision to do that. Palm Beach County then followed suit and so did the Village of Wellington. Until then, the Village does have the Civic Ready System which is a notification system. Mr. Barnes said that in this case, all that system would be used for would be to repeat messages that have been put out by other sanctioning bodies or regulatory agencies. He said that people either have to voluntarily sign up to be notified by the system, or the Village can geo-fence a particular area so that the Village can notify people within that area without them having to sign up. He also said that in a situation like this, the Village would post notifications to their own website. Ms. Garrett asked if the horse show shut down during the last herpes virus outbreak from 2006. Dr. Lund responded that it did shut down and the early part of equestrian season was basically cancelled that year. Ms. Garrett asked what the incubation period of this virus is, to which Dr. Lund responded that she assumes it is 3-5 days.

Mr. Gangnes asked Mr. Barnes if he thought it would be a bad idea within the Comprehensive Plan to talk about an open channel between the venues and the Village to be able to get this information out if there was an emergency. Mr. Barnes said that he doesn't think it is a bad idea but he doesn't know how that would be accomplished within the Comprehensive Plan. He said there's already a lot of informal communication between the venues and the Village, and he isn't sure how they would formalize that. Chair Cleveland noted that the incubation period for horses is actually 5-10 days for exposed horses, and the quarantine period is 14-21 days. Mr. O'Dell said that he has notified the Village's EOC Manager about the situation, and she has reached out to the state health department and we are waiting on a response back from them. Chair Cleveland said that the committee will continue to forward any information that they receive to the Village.

Palm Beach Point Trail Discussion

Mr. Fleischer requested Mr. O'Dell and Mr. Barnes give an update on the latest information regarding the topic. Mr. O'Dell read a statement which said that the committee should be cautioned that there is litigation pending concerning the (former) Lake Worth Road right of way that passes through Palm Beach Point. Mr. O'Dell displayed a map in order to show where the right of way he was referencing is located. Mr. Fleischer added that the piece of land being discussed is a half-mile long, sitting between Palm Beach Point Boulevard and the C-2 Canal. It is 120 feet wide. Mr. O'Dell said that it is council's position that the

deed from Wellington to the adjacent property owners conveyed nothing, and that ACME still owns the property and it is council's desire that ACME continue to own it. Mr. Fleischer stated that in this particular case, the plat of Palm Beach Point dedicated this piece of land in fee simple to ACME in 1977. Chair Cleveland stated for the record that the committee is discussing this issue for informational purposes and isn't to have any official opinion on it. Dr. Lund asked who is litigating the Village. Glen Fleischer said that there were a few adjacent property owners who had initially petitioned the land, but had withdrawn and now are litigating individuals outside of the Village of Wellington and ACME. Mr. Gangnes asked in a perfect world, if this was to be brought into the trail system, what that would look like, and is that something that anyone would desire to do. Mr. Barnes responded that at this point, given that there is litigation, to ponder about anything beyond what is currently happening would be too speculative, so the Village and the committee shouldn't discuss it at this point.

Manure Discussion

Chair Cleveland asked Mr. O'Dell to give the committee an update on the current manure situation. Mr. O'Dell said that the week started off pretty rough with some illegal manure dumping on the Florida Crystals property as well as Santa Rosa Groves in the Acreage. The Village has identified one of the haulers involved in the illegal dumping. Chair Cleveland mentioned that this is due to the cessation of the ability to dump legally on U.S. Sugar farm lands. Mr. O'Dell said that the Village has engaged PBSO, Palm Beach County Environmental Crimes Unit, Solid Waste Authority Crime Unit, Florida Fish and Wildlife Commission, as well as Palm Beach County Code Enforcement. PBSO has been taking a lead in trying to locate the people who were dumping illegally, and take action. Also, the Village has methodologies for getting the message out to haulers so that they can try to do the right thing. Mr. O'Dell then said that if anyone sees a truck going in a direction that they don't need to be going in, that truck will be automatically stopped by law enforcement at this point. Ms. Garrett asked if Oswaldo De Armas' operation is still taking in manure, to which Mr. O'Dell replied yes, and the Village has alerted PBSO that it is okay for trucks to be headed to his farm and they shouldn't be stopped if they are going there. He said that in March, we will be down to three locations that haulers can take manure to. Those locations are the Solid Waste Authority, the composting operation at the Brighton Indian Reservation, and Atlas Peat and Soil on U.S. Route 441. Mr. Gangnes asked if the Village has reached out to U.S. Sugar to see if they could postpone the date that they stop taking in manure, to which Mr. O'Dell replied that they have already stopped taking manure and it's a done deal at this point. Mr. Gangnes asked if the Village had explored that option. Mr. O'Dell responded that option was explored long before the February 12th manure taking cessation date. Mr. Gangnes asked if there were any negotiations regarding pushing the date back, to which Dr. Lund responded that there were no negotiations because there were pressures from environmentalists in Tallahassee and there were no extensions in the deadline. Mr. O'Dell said that the Village is continuing to look for other manure dumping solutions. He mentioned that HiPoint Bedding's operation continues to move forward through the permitting process. There are other farm operations that have noted through the Western Communities Council that they are interested in the product. Dr. Lund stated that sod farmers want the product but we can't get it to them without a transfer station outside of the Village of Wellington. She then asked what the fine is for illegal dumping. Mr. O'Dell responded that in the Village it is illegal and you would face a fine of \$250 along with whatever comes with the environmental regulations (from the Village

government), and then state statutes regarding environmental and water quality regulations would elevate the overall penalty. This is based on tonnage, and the higher the volume, the higher the fines. Dr. Lund asked if it's possible to take the permit away from haulers that dump illegally. Mr. O'Dell responded that the Village would pull their permit and pull the trucking company's name from the website which says that they are not permitted to haul within the Village. The Village would then notify all of the farm owners that utilize that hauler that they are no longer a licensed hauler in the Village of Wellington, and that they need to seek alternatives. Chair Cleveland asked if there is any progress potential for a waste transfer site. Mr. O'Dell responded yes. He then said the Village is working hard on finding solutions, and Chair Cleveland added that the committee will help with whatever work they can.

Chair Cleveland asked if anyone on the committee had any other business. Dr. Lund said to correct her if she's wrong, but that in Village parks, people are not allowed to shoot air pellet guns. She was wondering if that could be applied to the Equestrian Preserve Area, as she has had a lot of trouble with iguana hunters nearby. She said that if you call the sheriff's office and say that there is somebody shooting iguanas, it takes them about 45 minutes to respond, and if you tell them instead that there is somebody with a gun, they send 7 units out which is unnecessary. She asked how the rules set up on air pellet guns in Village parks could be applied to the EPA. Mr. Barnes said that the Village needs to talk to PBSO some more to get the response time down for these types of calls. He said that there would need to be discussion on what to classify as a gun, since guns cannot be fired anywhere in the Village of Wellington. He then stated that they will look into applying the rule set up in Village parks to the EPA, and will keep the committee informed on the progress of that. Mr. Gangnes said that since iguanas have been identified as an invasive species, shooting at them, so long as you are not trespassing on someone else's property, is fair game. Mr. Barnes said that on public property, the Village can restrict what certain activities can happen. He noted that the Village doesn't want to restrict carrying air pellet guns, just the use of them. Dr. Lund then said that what the sheriff's office did to stop motorcycles from using horse trails in her neighborhood was commendable.

VIII. Staff Comments

There were no staff comments.

IX. Board Comments

There were no board comments.

X. Public Comments

Public comments were noted in both the Old Business and New Business sections.

XI. Adjournment

The meeting adjourned at 9:19 PM.

Jane Cleveland, Chair

D.J. Helkowski, Recording Secretary