

Minutes

Agricultural & Natural Resources Advisory Committee
Thursday, March 11, 2021, at 9:00 am
E. Jay Carlson Building
Large Conference Room
18400 Murdock Circle
Port Charlotte, FL 33948-1094

MEMBERS PRESENT

Andy Dodd, Chairman
Nigel Morris, Vice-Chairman
Lindsay Harrington
Dan Ryals
David Kemeny
Joel Beverly

MEMBERS EXCUSED

MEMBERS ABSENT

GUEST SPEAKERS

STAFF

Shaun Cullinan, Planning and Zoning Official
Kellyann Eller, Sr. Administrative Assistant

GUESTS

Brandon Moody, Water Management Manager
Mitchell Aman, applicant for ANRAC

CALL TO ORDER/ROLL CALL/DETERMINATION OF QUORUM

The **March 11, 2021** the meeting of the ***Agricultural and Natural Resources Advisory Committee*** was called to order at 9:01 a.m. by ***Chairman Dodd***.

ADDITIONS/DELETIONS TO AGENDA

None

APPROVAL OF MINUTES

None

NEW BUSINESS

- **Mitchell Aman new member application**
- **Excavation Ordinance Revision**

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Chairman Dodd introduced Mitchell Aman and Mr. Aman gave his background.

The other ANRAC members introduced themselves to Mr. Aman and gave a little bit of their background.

Shaun Cullinan introduced himself and also introduced Brandon Moody, our new Water Management Manager.

Brandon Moody introduced himself and gave his background.

Nigel Morris made a motion to approve Mr. Aman's application and forward to the BCC, seconded by Lindsay Harrington, with a unanimous vote.

Chairman Dodd reminded the others that we still have two openings left.

Mr. Morris said he spoke with Trisha Hobson regarding the BMP program for agriculture administered by FDACS. She informed him that following direction from Gov. DeSantis, FDACS staff members have been tasked with following up with all signatories to the program. Trisha said she has been very impressed with the compliance and while the record keeping is not always perfect, overall compliance was very good.

There was discussion about excavation changes and fee structure.

Mr. Morris said we were only given this change to review after it had been presented to the BoCC. He said we should have been apprised of it much sooner. He added his main concern was a possible conflict with Right to Farm Act, some of the contents of which he quoted to the committee.

What he was hoping to get from Ms. Vernon was a sense of why was it necessary in the first place. He noted that 4 to 1 side slopes were required. This would result in unacceptable loss of arable land.

Shaun Cullinan said he could not speak for the details of that because it is not his role. I can explain the reasons why the changes were made in general, what was the chances of this. We brought it forward because it is a change to Land Development regulations. We are the gate keeper for the Code. The work was done by Ms. Vernon's folks. There was a mining operation (Watermelon Pit) they had gone way outside the scope of her mining permit. She went into the prohibited area. The County has an injunction on this project. There were a lot of big issues with that pit. They started looking at what our policies, procedures and codes were relating to mining operations. Not farming operations, but mining operations. The Board wanted stricter regulations and I believe that part might have been do to some people trying to utilize that small pond exemption to get around that actual excavation and all the things required. The Commissioners wanted more

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restrictions and a heavier hammer. That is why the changes were made. They had 3 or 4 workshops.

Mr. Morris said so now we have something which puts an additional burden on farmers if they want to reduce significantly their reliance on groundwater by catching and reusing surface water by excavating a pond. We need to prevent this from happening. No one is going to come in and put requisite 4 to 1 side-slopes for that.

Mr. Dodd said you have mini farm ponds and you have small farm ponds. Mini farm ponds are also an exemption. You have to submit for the exemption and there is a fee. If you want to dig a waterhole, based on the fee schedule it could be a \$400 fee.

Lindsay Harrington said we could write a Resolution, as a committee, saying that the ANRAC committee had an opportunity to first meet and consider what has been done by the County, and that we are in opposition to it because it violates State Law.

Mr. Morris said I would add to that, that we let the Commission know that stuff like this should come up to us on ANRAC for our comments and input while it is being developed. Not after it's been through all the other workshops and the Commission itself. They don't use ANRAC like they should.

Mitchell Aman said before we take that step, did that mining company solve the problem they created to get all of this started in the first place?

Mr. Cullinan said no.

Mr. Dodd said then why did they have to make changes?

Mr. Cullinan said Joanne will be at the next ANRAC meeting and she can explain it.

David Kemeny said the watermelon pit went way off the reservation big time. Staff told them many times they were wrong and to stop, but they continued to abuse the operation.

Mr. Harrington asked if there are penalties when something like this happens?

Mr. Cullinan said yes, they have been through the Code Enforcement process. The fines are accruing. They are trying to work through a settlement agreement.

There was some talk about lineal ditches, the width, using shell or sand and a few other procedures.

Mr. Dodd said lets get our questions and ideas together for the next meeting when Joanne is here. He asked Lindsay if he wants to make a letter to the Board.

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Mr. Harrington said it is a big overreach.

Mr. Morris moved that we have Mr. Dodd call our Commission Representative and express the fact that this issue, which is a major problem, could have been avoided. Second by Mr. Williams with a unanimous vote.

OLD BUSINESS

- **Community Development Update**

Mr. Cullinan said we are transmitting our Evaluation and Appraisal Report (EAR) letter, back when Scott was in office, he minimized the growth management laws and what we need to send up, so by April 1 of this year, we have to send up a letter to Tallahassee. It is one paragraph saying we are going to make changes based on Community input and anything to match State law. There is some new stuff put in for resiliency, things like that along the coast lines. We will be working with various departments and other groups to come up with any changes that might need to be made to any Goals, Objectives and Policy (GOP) updating data and analysis for the Comprehensive Plan and that will be due by April 1, 2022. We got through the first stage, we had our initial kick off meetings with citizens, open advertising, meetings in various locations throughout the County, one in each Commission district so the people could come and talk about what they think they want to see in the county. Most like it the way it is and there were water issues. Babcock is doing great. 31 widening – Babcock is still working with them on that. We do have another mine operation in house for a large mine across the street from Babcock, they are looking at doing the next phase of that. We have lots of people coming to Charlotte County. There are about 230 new housing permits a month. The building needs more people to help build.

Mr. Harrington said he saw some people at Sunseekers. He didn't know if they were working or closing up the place.

Mr. Cullinan said Sunseeker, because they took Federal Paycheck Protection Plan money, they could not extend any money on non-airline related projects. That is why they had to stop and use the money they had on hand. It is for a period of 24 months. We have regular discussions with them maybe once a month. They are still looking for a strategic partner because those folks can spend money. We have not heard of any work starting up and the permits are still valid.

CORRESPONDENCE AND COMMUNICATIONS

None provided

PUBLIC COMMENTS

None provided

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STAFF COMMENTS

None provided

MEMBER COMMENTS

Joel Beverly said he just wanted to bring up the point the young man that came in working with SWFWMD used the term big sugar. I feel that is alarming, especially with this field, and should know better. He just wanted to mention that.

Mr. Aman said we have conservation districts work within RCS and until recently, Glades and Hendry had conservation districts and they are 90%, many of the members are sugar cane growers.

Mr. Dodd said our rules, we have to have one citrus person, one cattle producer, we got rid of that and just said commodity production and non-commodity production.

Mr. Harrington said while we were absent during Covid, the County approved Life Soils Florida on Neal Road and I was wondering what Shaun has to say about it. It looks like a good commodity for groves and nurseries.

Mr. Cullinan said that is what we understood. Their product is all organic. They got their special exception and are in site plan review. Their product is high quality and very well done and organic. They make compost.

Mr. Harrington said he would just be worried about fire. Compost piles can catch fire.

FUTURE MEETING TOPICS

- Excavation Ordinance with Joanne Vernon

NEXT MEETING

❖ May 13, 2021 at 9:00 a.m. in the E. Jay Carlson Building large conference room.

ADJOURNMENT

Chair Dodd asked for a motion to adjourn. David Kemeny motioned to adjourn; seconded by Dan Ryals; the Motion passed unanimously. The meeting was adjourned at 10:00 a.m.



Andy Dodd,
Chairman

Minutes of the Agricultural & Natural Resources Advisory Committee
Approved this 10 day of June 2021.