

**BREVARD COUNTY LANDSCAPING, LAND CLEARING  
AND TREE PROTECTION TASK FORCE**

October 10, 2005 Meeting Minutes

Task Force Members Present

Kathleen Burson-Alternate Representative, Florida Native Plant Society  
Robert Day-Primary Representative, Brevard Nature Alliance  
Jackie Gregory-Primary Representative, Commission District 1  
Susan Hall-Alternate Representative, American Society of Landscape Architects  
Vaughn Holeman-Primary Representative, District 4  
Billy Kempfer-Alternate Representative, Florida Forestry Association  
Robert Lee-Primary Representative, American Society of Civil Engineers  
Maureen Rupe-Primary Representative, Commission District 5  
Thomas Schuller-Primary Representative, Florida Farm Bureau  
Lisa Smith-Primary Representative, Florida Native Plant Society  
Jim Spratt-Primary Representative, Florida Nurserymen and Growers Association  
Earl Underhill-Primary Representative, Florida Forestry Association  
Facilitator-Marilyn Crotty, Director, Florida Institute of Government

Task Force Members Absent

Bo Barnavon-Primary Representative, Homebuilders and Contractors Association  
Steve Brown-Alternate Representative, Florida Nurserymen and Growers Association  
Bud Crisafulli-Alternate Representative, Florida Farm Bureau  
Lynn Girling-Primary Representative, International Society of Arborists  
Don Hawthorne-Primary Representative, Garden Club  
Anthony Koromilas-Alternative Representative, District 1  
Rochelle Lawandales-Primary Representative, Commission District 2  
Charlie Moehle-Alternate Representative, Commission District 2  
James Payne-Primary Representative, Cattleman's Association  
Brad Smith-Primary Representative, American Society of Landscape Architects  
Dick Thompson-Primary Representative, Commission District 3  
Dan Zrallack-Alternate Representative, American Society of Civil Engineers

County Staff Present

Ernie Brown-Director, NRMO  
Sherry Williams-Special Projects Coordinator, NRMO  
Liz McDuffee-Secretary I, NRMO

Signed-in Citizens

None

## Call to Order

Marilyn Crotty called the meeting to order at 3:05 pm after a quorum arrived.

- Before approving the minutes from 9/28/05, the task force discussed the paragraph covering the consensus testing for “replacing 2.5 acres with 1 acre” in page 9, item 2, Section 62-3634 of the ordinance draft. A consensus was not reached regarding this change and the minutes stated that a note to that effect will be appended to the recommendations to the Board. Tom Schuller requested that a note also be appended that states the referenced 2.5 acres was approved by consensus in an earlier meeting. The minutes were then approved as written.

## Discussion of the Landscaping, Land Clearing and Tree Protection Regulations

The Task Force continued its discussion of the ordinance draft at Section 62-3635, Violations.

- **Section 62-3635, Violations** – accepted as written.
  - Staff was asked to find out if there is a cap on the amount that the special magistrate can fine a violator.
- **Section 62-3636, Permit Application Requirements and Review Process**
  - **First paragraph, page 10** – Rewrite the last two sentences to reflect that all landscaping and land clearing plans for subdivisions or site plans must be signed and sealed by a professional engineer or a registered landscape architect registered in Florida. In other situations, a recognized, knowledgeable person must prepare the landscape and/or land clearing plans. Ernie Brown stated that he would send new draft language for this paragraph to task force members via email. He suggested that licensed task force members in particular review the new language and respond to him before the next meeting. The new language will be included in the draft sent to the task force before the next meeting.
  - **Item (1)e, page 10** – Replace “Survey of all existing individual trees one and one-half inches or greater dbh and identified to species and dbh” with verbiage referencing “protected trees and aerial canopy coverage.” Tom Schuller asked staff to go back through the minutes to determine when the reference to 4 inches dbh was discussed and within what context. Tom felt that the task force had reached consensus on four inches and did not understand why it was changed to one and one-half inches in the ordinance now being reviewed.
  - **Item (1)i.1, page 10** – Staff will check to see if there is another option to obtaining two copies of a completed and signed Conservation Plan from USDA.
  - **Item (2), Review Process, page 11** – Lisa Smith suggested that review timelines be added to the review process section.
- **Section 62-3632, Definitions** -Develop a definition for aerial canopy coverage.
- **Section 62-3632, Definitions** - Revise the protected tree definition to consider stands of trees as well as individual trees.

- **Section 62-3637, Land Clearing Performance Standards, page 12** – Delete the reference to seven days in Item (2)d. Jim Spratt will draft new language for the task force to consider at its next meeting.

### **Rural Stewardship Program**

Marilyn Crotty summarized a request that she received from an attorney working for Miami Corporation regarding the Rural Steward Program. Ernie Brown suggested that the task force should not add any specific language addressing the program to the ordinance because that is outside the scope of the task force; however, the task force should review the ordinance to ensure that there are no impediments to the program contained in its wording. Marilyn will ask the attorney to prepare a white paper on the Rural Stewardship Program for the task force to review. Kathleen Burson asked if an optional presentation could be arranged for those task force members who are interested in learning more about the program.

### **Citizen's Comments**

There were no citizen's comments.

### **Next meeting**

Our next scheduled meeting is on Wednesday, October 26 from 3pm to 5pm at the Brevard County Agriculture Extension Office. The task force will resume its review of the draft regulations on page 13, Section 62-3638, Canopy and Tree Preservation Performance Standards. Rob Lee asked the task force to review the remaining sections of the draft and highlight any issues before the next meeting in order to focus the meeting time on resolving identified issues.

Please let staff know if you will be unable to attend any of the task force meetings. Also, your prompt arrival would be appreciated. If a quorum of eight members is not present for the meeting, then no official business can be conducted. Alternative Representatives are encouraged to attend all meetings - not just when the Primary Representative is unable to attend so that they will have an understanding of progress to date. Staff will continue to make reminder calls to task force members the day before meetings.

The meeting was adjourned at 5 PM.