

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

July 20, 2005 Meeting Minutes

Task Force Members Present

Bo Barnavon-Primary Representative, Homebuilders and Contractors Association
Robert Day-Primary Representative, Brevard Nature Alliance
Jackie Gregory-Primary Representative, Commission District 1
Susan Hall-Alternate Representative, American Society of Landscape Architects
Rochelle Lawandales-Primary Representative, Commission District 2
Thomas Schuller-Primary Representative, Florida Farm Bureau
Lisa Smith-Primary Representative, Florida Native Plant Society
Brad Smith-Primary Representative, American Society of Landscape Architects
Facilitator-Marilyn Crotty, Director, Florida Institute of Government

Task Force Members Absent

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
Vaughn Holeman-Primary Representative, District 4
Billy Kempfer-Alternate Representative, Florida Forestry Association
Anthony Koromilas-Alternative Representative, District 1
Robert Lee-Primary Representative, American Society of Civil Engineers
Charlie Moehle-Alternate Representative, Commission District 2
James Payne-Primary Representative, Cattleman's Association
Maureen Rupe-Primary Representative, Commission District 5
Jim Spratt-Primary Representative, Florida Nurserymen and Growers Association
Dick Thompson-Primary Representative, Commission District 3
Earl Underhill-Primary Representative, Florida Forestry Association
Dan Zrallack-Alternate Representative, American Society of Civil Engineers

County Staff Present

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

Signed-in Citizens

Kathleen Burson
Richard LeAndro
Jeremy Reiderman

Call to Order

While there were 8 representatives at the meeting, only 7 counted towards the quorum since both Brad Smith and Susan Hall represent ASLA. The meeting was called to order at 3:12 for informational purposes only since no official business could be conducted without a quorum. No action was taken on the minutes from the July 6th meeting.

The task force members and Natural Resources Management Office staff introduced themselves. There were three citizens present: Kathleen Burson from the American Society of Landscape Architects, Richard LeAndro, a private citizen, and Jeremy Reiderman of Lee Engineering who was attending to make a presentation for Rob Lee.

Sunshine Law

Ernie Brown reviewed the Sunshine Law requirements. Any problem or even the perception of a problem will taint the whole task force process and make its findings suspect. Ernie discussed the following situations:

- Any discussion about a task force topic that will lead to a decision must be done during the task force meeting (not over the phone, at another meeting, over dinner, etc.).
- If an alternate representative attends a meeting for a primary representative, he or she can give the meeting information to the primary representative at a later time. However, the alternate cannot give information regarding how he or she would vote and the primary representative cannot respond to the information in any way other than a statement that he or she will review it. This is the only time that interaction is allowed between representatives outside of the task force meeting.
- Task force representatives can call NRMO staff and ask questions. The purpose in this situation is to give information – not to influence other team members.
- Do not give updates at other meetings. It could lead to questions and problems with the Sunshine Law.
- Do not discuss task force topics with County Commissioners, members of the Local Planning Agency or anyone who works for them unless you are presenting at a board meeting (since it is open to the public, the Sunshine Law requirements are met).
- Task force representatives may give information/opinions in writing to County Commissioners and other advisory board members but the person cannot respond.
- It is acceptable to discuss your opinions with others who are not on the task force or who do not report to the board.

Tree Canopy Presentation

Sherry Williams gave a presentation on existing tree cover canopy data in Brevard County and distributed a handout with estimated canopy percentages for different habitat types.

Commercial Site Plan Presentation

Jeremy Reiderman gave a presentation of the Casabella site plan for Rob Lee and discussed the betterment plan that was developed for it.

General Discussion

It was noted that a “cylinder” canopy may not have a place in commercial property, but it would have a place in residential. There is a large place for incentives. Brad Smith would like to see specific inducement examples at a future meeting. Ernie Brown mentioned that there are two things that can’t be mitigated offsite: aesthetics and the heat island effect.

The focus at the next meeting will be the following items:

- Definitions of Canopy.
- Treatment of softwoods versus hardwoods in tree preservation requirements.
- Canopy preservation requirements for different land uses.
- Incentives for preservation beyond the minimum.
- Meeting canopy requirements through additional plantings and mitigation.

Ernie Brown received general agreement from the task force members that they would like to see staff go beyond what they have been previously asked to do. Staff will research and provide examples of other codes that address the four issues above.

Citizen’s Comments

Marilyn Crotty asked the attending representatives how they would like to proceed with the rest of the meeting since any discussion would need to be repeated when a quorum was present. The representatives decided to move to the citizen’s comments portion of the meeting.

Kathleen Burson stated that she would like to see more projects presented like the one that Jeremy Reiderman presented today. Kathleen has some case studies that could be presented. She has some pictures in digital format that she will forward to staff. A task force member asked that, if possible, please show a “before” tree survey with any projects presented in the future.

Richard LeAndro worked for FPL for 42 years. A large part of power outages are caused by trees planted within 25 feet of power lines. Trees need to be the correct distance from underground and overhead power lines. Many trees have been weakened by the hurricanes and are now hanging over power lines. He would like the ordinance to help address tree problems with property owners who don’t live here and dead trees on county property. He loves trees, but if it affects his or a neighbor’s quality of life (with power outages), then they should be removed. It is also important to keep trees out of the right of way. It is not a question of having a nice canopy, but rather a consideration of utility easements and hurricanes. He does not want to see the new ordinance affect the safety of the community. Richard also asked that the task force not just talk about new developments, but also address existing property owners.

Next meeting

Our next scheduled meeting is on August 3, 2005 at the Brevard County Agriculture Extension Office. Lisa Smith asked that all representatives be prepared for the next meeting by reading the material ahead of time. Amanda Elmore stated that most of the items in the package that are mailed out before each meeting are also available on the county website the Friday before each meeting. Ernie Brown reminded the task force that if it can't reach a consensus on a recommendation for the board, the existing ordinance would remain in effect. It was also noted that the meeting list in the front of the task force binders shows the meeting following August 3 to be on August 10. It is on August 17 – not August 10.

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, 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 4:45 PM.