

June 12, 2002

TRANSCRIPT OF THE MEETING OF THE
COLLIER COUNTY BOARD OF COUNTY COMMISSIONERS
RURAL FRINGE - SPECIAL MEETING
Naples, Florida - June 12, 2002

LET IT BE REMEMBERED, that the Board of Commissioners,
in and for County of Collier, having conducted business herein, met
on this date at 5:05 p.m., at County Commission Meeting Room,
3301 Tamiami Trail East, Naples, Florida, with the following
members present:

CHAIRMAN: JAMES COLETTA
DONNA FIALA
FRED COYLE
THOMAS HENNING
JAMES D. CARTER

ALSO PRESENT:

JAMES MUDD, ASSISTANT COUNTY MANAGER
NANCY LINNAN, OUTSIDE COUNSEL
RONALD HAMMIL, GULF CITRUS GROWERS
ASSOCIATION
ALAN REYNOLDS, WILSON, MILLER, P.A.
GEORGE VERNADOE, YOUNG, VERNADOE &
ANDERSON P.A.

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ROBERT MULHARE, RWA, INC.
JOSEPH SCHMITT, COMMUNITY DEVELOPMENT
ADMINISTRATOR

Public Speakers:

Michael Bower, SWF Audobon Society
Sonya Tuton, Committee member
Brad Cornell, Collier County Audobon Society
Kathy Prosser, SWF Conservancy Judicial Circuit -
Collier County 2770 South Horseshoe Drive - Suite 5
Naples, Florida 34104

**COLLIER COUNTY
BOARD OF COUNTY COMMISSIONERS**



**AGENDA
June 12, 2002
5:05 p.m.**

NOTICE: ALL PERSONS WISHING TO SPEAK ON ANY AGENDA ITEM MUST REGISTER PRIOR TO SPEAKING. SPEAKERS MUST REGISTER WITH THE COUNTY MANAGER PRIOR TO THE PRESENTATION OF THE AGENDA ITEM TO BE ADDRESSED.

COLLIER COUNTY ORDINANCE NO. 99-22 REQUIRES THAT ALL LOBBYISTS SHALL, BEFORE ENGAGING IN ANY LOBBYING ACTIVITIES (INCLUDING, BUT NOT LIMITED TO, ADDRESSING THE BOARD OF COUNTY COMMISSIONERS), REGISTER WITH THE CLERK TO THE BOARD AT THE BOARD MINUTES AND RECORDS DEPARTMENT.

REQUESTS TO ADDRESS THE BOARD ON SUBJECTS WHICH ARE NOT ON THIS AGENDA MUST BE SUBMITTED IN WRITING WITH EXPLANATION TO THE COUNTY MANAGER AT LEAST 13 DAYS PRIOR TO THE DATE OF THE MEETING AND WILL BE HEARD UNDER "PUBLIC PETITIONS".

ANY PERSON WHO DECIDES TO APPEAL A DECISION OF THIS BOARD WILL NEED A RECORD OF THE PROCEEDINGS PERTAINING THERETO, AND THEREFORE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

ALL REGISTERED PUBLIC SPEAKERS WILL BE LIMITED TO FIVE (5) MINUTES UNLESS PERMISSION FOR ADDITIONAL TIME IS GRANTED BY THE CHAIRMAN.

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF

CERTAIN ASSISTANCE. PLEASE CONTACT THE COLLIER COUNTY FACILITIES MANAGEMENT DEPARTMENT LOCATED AT 3301 EAST TAMiami TRAIL, NAPLES, FLORIDA, 34112, (941) 774-8380; ASSISTED LISTENING DEVICES FOR THE HEARING IMPAIRED ARE AVAILABLE IN THE COUNTY COMMISSIONERS' OFFICE.

- 1. PLEDGE OF ALLEGIANCE**
- 2. AGENDA**
- 3. DRAFT OF COLLIER COUNTY GROWTH MANAGEMENT PLAN (GMP) AMENDMENTS ADDRESSING THE REQUIREMENTS OF THE FINAL ORDER (AC-99-02) ISSUED BY THE STATE OF FLORIDA ADMINISTRATION COMMISSION ON JUNE 22, 1999, FOR THE EASTERN LANDS PORTION OF THE RURAL AND AGRICULTURAL ASSESSMENT (*TRANSMITTAL HEARING*).**
- 4. ADJOURN**

INQUIRIES CONCERNING CHANGES TO THE BOARD'S AGENDA SHOULD BE MADE TO THE COUNTY MANAGER'S OFFICE AT 774-8383.

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Item #3

**RESOLUTION 2002-273, TRANSMITTING GROWTH
MANAGEMENT PLAN AMENDMENTS ADDRESSING THE
REQUIREMENTS OF THE FINAL ORDER (AC99-02) ISSUED
BY THE STATE OF FLORIDA ADMINISTRATION
COMMISSION ON JUNE 22, 1999, FOR THE EASTERN LAND
PORTION OF THE RURAL AND AGRICULTURAL
ASSESSMENT AREA – ADOPTED WITH CHANGES -**

(Whereupon, the Pledge of Allegiance was recited and the meeting commenced as follows:)

CHAIRMAN COLETTA: Welcome. Mr. Mudd, who is going to lead us off today?

MR. MUDD: I'm going to turn this over to -- to Joe Schmitt, but the first person on deck is -- is Nancy Linnan.

MS. LINNAN: Good evening. I'm Nancy Linnan. I'm the outside legal counsel for growth management. I'm the designated emcee for this afternoon. If I were to give you a message today, it would be to take heart that you are on the homestretch of the Collier County rural and agricultural assessment. As you remember, under the Governor and Cabinet's 1999 final order, you had to adopt, number one, interim amendments. You did that in 1999. They were challenged. Two weeks ago, we got the word that the county's position prevailed. Secondly, you had to form a rural fringe advisory committee and transmit and adopt comprehensive plan amendments covering 95,000 acres of the rural fringe. You transmitted in March. We have gotten the DCA comments, made changes where appropriate, and that's up in front of you next week. You will meet the end date of June 22nd. That's when they are due. The third thing

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you had to do was form a Rural Lands Assessment Oversight Committee, sometimes referred to as the Eastern Lands Advisory Committee and transmit and adopt comp plan amendments covering the other 195,000 acres of property. And that is the business that we are about tonight. This is a transmittal, not an adoption.

That's going to take place in late October prior to the November magic date which we have to meet. And at that point, they are going to go to DCA and -- in the interim, rather, all the agencies, all the interested parties, dare I say, the world, can comment on the amendments that you are talking about transmitting today. And so all you are doing today is saying we are seriously thinking about these amendments.

World, what do you think? That's all. Just give us your comments and then we will get a DCA report and then we will decide probably about 60 days after that. So what is the test? In other words, what you are graded on are the efforts you are making tonight and then later on when you adopt it. The first thing, and the most important thing, is whether those amendments comply with the substantive requirements of the Growth Management Act and the rules that the Department of Community affairs has adopted under that. That's 9J5. You guys are in a little bit different position though than most other communities because you ended up in front of the Governor and Cabinet, so even though there is no legal requirement that you meet the final order, you just really have to comply with the statute. If you ever messed up and ended up in front of the Governor and Cabinet again, you want to be able to say you did what they asked. And so those charges -- and I will briefly paraphrase those, are protect prime agriculture and prevent premature conversion of agricultural land, direct incompatible uses away from wetlands and upland habitat and assess growth potential of the area while

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discouraging urban sprawl, directing incompatible land uses away from critical habitat and encouraging development that utilizes creative land use planning techniques. Now, the proposed goals, objectives and policies, which is really just a fancy way of saying comprehensive plan amendments that you have got in front of you tonight, emphasize a creative or very innovative land use planning approach. It is not the usual, thou shalt not, regulatory approach that you see in most cases. Somebody said yesterday, think of it as not your father's Oldsmobile, which was good because Oldsmobile has been having some problems lately, and it is primarily an incentive-based program with what I call a regulatory floor. It is a balance of both. No one has ever done this, but I believe, and I have been doing a lot of these, that this is an appropriate way to do this, given the unique land, the unique ownership patterns and the unique citizen-based initiative, two and a half years that you all have just been through.

So given the work that the committee and staff, both public and private have done, and given the outside input by interested citizens and groups, I think you have got a plan before you generally that will receive some DCA comments, but will be found in compliance. I expect those comments to be minor. In the meantime, staff made some very minor amendments to that and I was going to start tonight by saying I would commend the committee's report with minor staff revisions which start on page 13. Those are the four pages in front of the staff report. Okay? However, the moon and stars have definitely aligned. Either that or there is a full moon over Collier County. And I understand there has been an agreement in principle between the East Collier Property Owners Association, the Florida Wildlife Federation and Collier Autobahn. George Vernadoe is going to explain that later, but based on that agreement, let me amend what I

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was going to say. I would recommend you take the committee recommendations as amended by what George is going to describe to you as Exhibit D when he talks about the agreement. And let me change then some of the staff recommendations that are no longer necessary based on those agreements, and we'll have Bob Mulhare go through these briefly later. And the staff recommendations, like I say, they start four pages before the tab that says staff report in your document, and we would go with -- continue to go with Number One, Number Two, Number Three, Number Four; Number Five is no longer necessary. We would go with Number Six and Number Seven is no longer necessary. Now, because we have changed some of the numbering of that, we will have to go back and make some minor changes just to the numbering of those policies that we kept.

COMMISSIONER CARTER: So just to make sure I have everything correct, Ms. Linnan, we are removing five; is that correct?

MS. LINNAN: Yes, sir.

COMMISSIONER CARTER: And seven?

MS. LINNAN: Yes.

COMMISSIONER CARTER: Thank you.

MS. LINNAN: That's correct. So with those changes, I would recommend this to you as a transmittal package. Yes, DCA is going to comment on it. It's the nature of the beast. They can't help themselves. And we will, where appropriate, make amendments, because as I said, I believe those to be minor amendments. Nonetheless, this transmittal allows us to move into the final stage, and I know with all the time everyone in Collier County has put into it, I think you are ready for it. And what I'll do is give you a preview of who is going to talk. Brian(sic) Hammill(phonetic) is going to speak next. He is the chair, long-suffering chair for the two and a

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half years of the committee, web by Al Reynolds. I have asked Al, given the agreement, to slightly abbreviate his presentation. We do need to make a record, but maybe we don't need to make as long a record as was necessary before.

I have then asked Bob Mulhare to come up and talk about very briefly the staff recommendations, but unless you wish it, not go into the EAC recommendations and the Planning Commission recommendations unless somebody has a question about those.

Any interested -- I would then ask George to come up and explain what they have done, the changes they are talking about, and then any interested parties comment on that, and then let George and Bob and Al respond to them, or you, if you have questions.

COMMISSIONER COLETTA: I think we are heading in the right direction on this. This Commission has been briefed on this on a continuous basis every turn of the way. They have also received the tapes of the Planning Commission meeting for review, and I know staff has taken a considerable amount of time to keep them brief, so I think what we are going to be doing is touching on the basis of the whole thing and then they can answer any questions that my fellow commissioners may have.

MS. LINNAN: Fine. Ron?

MR. HAMMILL: Thank you, Nancy. Good evening, Mr. Chairman and members of the Commission. For the record, my name is Ron Hamill and I'm executive vice president of the Gulf Citrus Growers Association and we represent the citrus industry in the five-county region, including Collier County.

And I have the honor of serving as chair of our Rural Lands Assessment Oversight Committee and as Nancy indicated, better known as the Eastern Lands or the Immokalee Study. And I, like thirteen other citizens who served on this committee as volunteers,

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were appointed by you, the Commission, to go through this study and look at all the facts and look at all the details and come up with a plan that would address the final order in those three areas that Nancy had indicated. The committee was actually established in October of '99. We had our first meeting in November, and we have worked over two and a half years on the plan that is before you this evening.

We actually met 33 times and logged in well over 100 hours of time on the study and we are very pleased that we have completed our work and our effort on behalf of the county as of June 3rd.

I would like to take a few minutes to recognize the members of the committee that are here tonight. Mike Bower(phonetic,) Sonya Tuton (phonetic) and Kathy Prosser are here. I don't know -- let me tell you that kind of on the side I was looking. I thought we would have the full committee here after their devotion to this project, but rest assured we had much better attendance at our committee meetings than we do here tonight, Commissioners. I can assure you of that.

But there is a list of these committee members. It covers a cross section of the community. We had agriculturalists, environmentalists, business folks, even they told me as part of my script to say retirees also served on that committee, so it was well-represented by a good cross section of the community.

Nancy had touched on the final order and the three points that were brought to our attention is what we had to -- to address, and I won't go into those, but she indicated that those three areas were critical and as chair of the committee, I tried to keep us focused in those particular areas. The committee participated in a four-stage process. We collected and analyzed data. We received and researched various land use scenarios.

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We received economic analyses of those land use scenarios and we reviewed the amendments to the Collier Comp Plan. The committee spent its first year reviewing the data that was provided by Wilson Miller, and you will probably hear from Al that this is probably the most comprehensive data reconnaissance that's ever been done anywhere as far as trying to study a geographical area in detail with the latest technology.

Following that data collection, all the data that we received, the committee reviewed and then it went to a technical advisory committee. And that technical advisory committee was composed of every relevant regional, state and federal agency that had jurisdiction and activity in the region.

For example, representatives of the Florida Department of Community Affairs, the Florida Department of Transportation, US Fish and Wildlife Services, Southwest Florida Regional Planning Council, Florida Department of Environmental Protection, Southwest -- or South Florida Water Management District, Florida Fish and Wildlife Conservation Commission, the Corps of Engineers and the Department of Agriculture.

So several agencies have participated in this process through the technical advisory committee and again, we'll have another look at this as this is transmitted upstairs. Public participation, as the final order indicated, that this is a public process. It was put together to get the public involved and to look at this issue. One of the first things that came out of our committee was a little publication that went out throughout the public that indicated that this study was going on and where they could get additional information and a look at the web site and all this kind of stuff. So not only was the public made aware through the media and through advertisement on a

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regular basis, but there were documents as well as public participation at each of these 33 different meetings we had.

The floor was always available to anybody from the public who wanted to come and comment, and as chair of this committee, I made sure that there was ample time for public participation if the public wanted to speak on these issues. We never would cut anybody off for making a presentation before the committee. As you can well imagine, with the diverse background of individuals serving on this committee, there was a give and take process all the way through. We had lively and challenging discussions on many of the different discussions that we would have on the different subjects related to the final order.

The -- in the final few meetings that we held, where we got into the recommendations in the form of the amendments through the comprehensive plan, they came to the committee rather structured with goals, objectives and policies, or GOP's as they were presented to us.

And following the review of those, the committee looked at them and voted to send those on to those other two advisory committees that Nancy had mentioned, the Environmental Advisory and the County Planning Commission.

Following those sessions, those two meetings of that group and the recommendations there, it came back to the committee. And the committee had its final meeting, as I said, on June 3rd and we reviewed those recommendations. And in a few instances, we either disagreed or suggested compromises to those, but the vast majority of those were incorporated into the final document that you received this evening.

So in closing, I would like to say that I am very proud that our committee has reached a unanimous decision and is offering this plan

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after two and a half years of study. And I would like to close with a quote that I found when I -- I happened to be going to Washington D.C. as part of that in the Spring of this year, and I was walking though the Jefferson Memorial up there and I was reading the quotes on the side of the building which is always inspirational. And the quote that I read under the -- Thomas Jefferson said this in 1798. It was on the side of the monument there. And it said, "Science never appears so beautiful as when applied to the uses of human life nor any use of it so engaging as agriculture and domestic economy," and that was Thomas Jefferson, 1798.

But I thought that is so appropriate of what is going on here, that we are looking at agriculture, we are looking at economic development, we are trying to put the best science in place to -- to get a plan that will work for the county and -- and with that, Mr. Chairman, that concludes my remarks from the committee.

COMMISSIONER COLETTA: Mr. Hamill, I'm sure that I am expressing the desires of this Commission when I tell you that we appreciate the effort that you and your fellow committee members have put into this.

Two and a half years is a long time to spend on a project but the results have been remarkable. We thank you. We can't thank you enough.

MR. HAMMILL: Well, thank you very much and that's obviously on behalf of the committee and -- and all of its members, and it was -- it was an enjoyable process, lengthy, but enjoyable.

COMMISSIONER COLETTA: Now, we'll give you a week off and we'll find a new project for you.

MR. HAMMILL: Thank you, Commissioner.

COMMISSIONER COLETTA: Thank you.

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MR. HAMMILL: I guess -- I would be happy to take any questions.

COMMISSIONER COLETTA: Any questions on behalf of the Commission?

COMMISSIONER HENNING: I would just like to echo Commissioner Coletta's comments. I had the opportunity to come to a couple of meetings and was very impressed on how well prepared your liaisons were and the work that you were doing. Good job.

MR. HAMMILL: Thank you very much.

COMMISSIONER CARTER: Mr. Chairman, he won't get much of a rest because we already got him hard at work on the Water Symposium for next year, so he just never gives up. He just is a go, go kind of person. Thank you, Ron.

MR. HAMMILL: Thank you.

MR. REYNOLDS: Good evening, Mr. Chairman and member of the Commission. I'm Alan Reynolds. I'm the president of Wilson Miller. I have had the pleasure of working with your county staff and -- and with the committee for the past, almost three years now on this process. I was younger and my daughter was still in middle school when we started this and now she's in high school, but it has been very professionally rewarding to work on this on behalf of the entire team. But I would like to start by saying thanks to Ron and the committee, too, because I have never seen any group be so dedicated to a process.

Every meeting that we had, I think with one exception over three years, we had a quorum, they were there throughout this process. They did all the homework and it was really a fantastic experience for me to be able to work with a committee like that, so I -- I echo my thanks to the committee wholeheartedly.

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My job is to give you that two and a half year process in now what is the shortest period of time possible so that we can get, I think, to conclusion of this. I know that you have had updates in the past on this.

We had a good workshop with the County Commission back in September, where we presented to you the results of the stage one analysis and we were just getting into stage two, so if you will indulge me, what I have done is I have put together a power point presentation. It's going to recap very quickly what we have done in all four stages of this process.

It really will pick up on the things that are contained in the detailed report, but we'll highlight just a few of the -- what we think are innovative attributes of this particular plan that's been put together.

COMMISSIONER CARTER: Alan, is this in our books or is this something that's just a --

MR. REYNOLDS: This is not in your books.

COMMISSIONER CARTER: Okay.

MR. REYNOLDS: All of the material is in your books but not the power point slides themselves, and we can provide you with a copy of them if you would like.

COMMISSIONER CARTER: Thank you.

MR. REYNOLDS: As has been said, this was started back in the Fall of '99. It's dealing with essentially the entire northeast corner of Collier County, 195,000 acres. It's very hard to put 195,000 acres into prospective until you spend some time with it. It is the home of Collier County's agricultural industry.

It has a third of the area within the Big Cypress Area of critical state concern and there are two significant wetland flow way systems, in the Keais Strand and the Okaloacocchee Slough that are in

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essentially private ownership but are within this entire study area. And as has been talked about, we had not only to meet the requirements of the state's conference of planning, but the requirements of the final order that deal with agricultural viability, environmental resource protection and long-term economic prosperity and diversification.

Putting it in context for the county, Collier County is already two thirds conservation. The study area is the next largest continuous piece of property and represents 14 percent of Collier County. It's about three times larger than Golden Gate Estates. Agricultural has been really the mainstay of this study area for more than a century. Cattle initially, and followed by row crops and more recently, citrus are the backbone of the industry in the study area. And it's been a relatively stable area for a long period of time.

This is just one example of a comparison of an aerial photo in 1963 and 2000 to show you how the pattern of land use and activity, particularly with agriculture has remained relatively constant for a long, long time. Ron has already given you the oversight committee particulars. They had a detailed scope of work that was presented and approved by this County Commission to follow, so the whole thing went through that step-by-step. The significant things that came out of that study in particular is the orientation towards an incentive-based system. And the fact that they reached a unanimous consensus at the end is, I think, very noteworthy, because everybody gave a little in this process. There were a lot of compromises made but at the end of the day, everybody could support what came out of it. One of the real benefits to Collier County, and frankly, this study could not have worked otherwise, is this study produced the County's first integrated GIS database and it's most accurate large scale

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mapping of this entire area, and it was all done through private funding.

Collier County has now embarked on a very aggressive campaign to get a county-wide GIS system in place. That kind of data is essential to doing this kind of work. A lot of natural resource mapping, about half the study area is in natural wetlands and uplands. We have federally listed species, wading birds, Panthers that had to be dealt with as part of the design of the system. Agriculture is the dominant land cover in the study area. We have mentioned the three types. Nine out of ten acres of every acre out here has an agricultural purpose. Even some of the naturally vegetated areas are used for cattle grazing, so it all essentially has an agricultural purpose with the exception of the public lands. And citrus has increased substantially in the study area, but that has occurred through the conversion of other types of agricultural land that had already been used for predominantly cattle grazing.

And this is one of a series of maps that we have that show all the various kinds of data bases that were used to put this study together. This one just indicates the allocation of agricultural activities throughout the study area. At the end of Stage 1, there were some fairly significant findings to this. The first is that there had been no new subdivisions, no major rezoning or any significant population growth occurring out here for a -- essentially forever. Prior studies had driven a concern that there was a large scale conversion of natural areas over to agriculture over the past fifteen years. That was not the case and was disproven during the Stage 1 study. In fact, only about 5000 acres have been converted. So what -- what this lead to was the idea of a very creative, very future oriented long-term prospective for the planning process. And what came out of that through a lot of work and -- and frankly, a coincidence process

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occurring at the state leading towards rural stewardship, is to take stewardship as the guiding principle for this plan, and simply put, the stewardship concept and the goal of -- of the stewardship plan is to create an incentive-based system that encourages voluntary preservation and private stewardship of natural resources, retention of rural uses and agriculture and accommodates economic growth and diversification in a sustainable rural character, and that's -- that's really it in a nutshell. So all the scenarios that we went through, and there were three different scenarios, had common characteristics. They all were designed to discourage sprawl, deal with not having incompatible uses with critical habitat. You can see some of the other ones. They all work with incentive-based innovative approaches.

Now, I think, importantly, they did not rely on limited public funding to accomplish the natural resource protection goals. The committee had some visioning workshops with the public. They identified a whole list of tools that could be used to address each of the requirements under the final order. This is an example of the tool box, and you can see that each tool is identified as to which type of -- of goal it orients to. You will see that predominantly natural resource protection is -- is the orientation for most of the tools that were used. And what came out of this is this concept of creating sending areas that are based on the natural resource value of the land, and that sounds like a fairly simple thing, but, in fact, as we had researched it, there were no models that we could use that did that well.

And as we got into it, we identified that really, we had three different classifications of areas for sending or protection, and those are the flow ways, the habitat areas and the water retention areas. The sending areas remain substantially in private ownership and even though we don't have to depend on public funding, the public funding

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can accelerate the protection of these areas and we have designed it in such a way so that it can work with a public funding mechanism. Flow ways, 31,000 acres; it's the Camp Keais Strand and the Okaloacocchee Slough. There are provisions in the policies to give restoration credit at certain locations to enhance wildlife corridors in these -- in these flow ways. The second group is the habitats stewardship areas. These are substantially upland areas that are used as habitat for the Panther or other kinds of listed species. There are substantial amounts of farm lands that have been mapped inside of these stewardship areas.

In fact, there is about 11,000 acres of agricultural fields that because of the desire to keep a contiguous area for habitat stewardship, it's all been put together in this designation. So under this program, we are going to be protecting things for habitat that don't enjoy protection under other regulatory devices. And the 91 percent capture of Panther telemetry is just one indication of the good science that went behind the mapping of these habitat stewardship areas. And the third category is water retention areas. These are areas that today serve agricultural land, will continue to serve agricultural land for water retention, treatment and conveyance, but will also serve as water retention for any new uses that would occur in the study area.

Natural resource protection after these areas are put into a stewardship sending area is enforced through conservation easements that are perpetual. The easements run in favor of two entities, Collier County and another statewide environmental agency. And those agreements have to set forth not only what you can and cannot do but how stewardship of the land is going to occur on an ongoing basis.

The part of this that -- that is truly unique to Collier County today, and frankly, unique to the State of Florida is the way that the

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credits are generated, because they are created using the natural resource values of the land. And there is a work sheet that you have seen in the package that goes through them all, the math that stands behind that, but the way it worked, quite simply, is that all of the land is scored based on a series of natural resource characteristics that deal with its land cover, whether it has water resources, whether it has wetlands, whether it has listed species. So you score all the land using the GIS database and here are some examples of some of those and each one has a point value attributed to it. When you add all those natural resource values together, you get a score, and that score is applied to every acre of land in the 195,000 acres that we are dealing with. So there is a whole series of layers that have been created within the data base that accumulate to give you that -- that total score. As I mentioned, every acre, you couldn't do every acre but for the use of the technology and the good data that have been put into this -- this study. And when we got done with that, that really showed you where the stewardship areas needed to be. And if you look at this map, which is the computer scoring and you compare that to the -- to the overlay map, you are going to see a striking similarity between the two. And you can drill down to it to a very high level of detail. Essentially, every pixel is an acre.

Then, on the other side of the formula are the land use layers. And what we did was to take the various types of rural land uses that are allowed today and we put them into eight different layers that are similar to each other. Going from top to bottom being the most intensive to the least intensive.

And we also assigned a value to each one of those so that they could selectively be removed from land that needed to be protected, and the more layers of use you give up, the more credit you get, and here are the layers. If you have read all the details of the policies,

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they do have to be lifted off of the land in sequence and each one is assigned a percentage of a full unit value. So once you have determined how many -- in this case, if you were to take all the layers off down to agriculture, you would be getting 60 percent credit applied against the natural resource value. And that's basically how the credit system works.

It's automated now so that any property owner can go in and say, I'm going to give up these layers, and I take the score, it will generate how many credits per acre that they would receive by doing so. And this, again, just really walks you through all the details of that map. This is all incorporated into the comp plan, too, which is another feature. There is a lot of detail that has been put into this so that when it's adopted, a lot of it will be self-implemented. And then to test all this, when we last presented to you all in the Fall, we were just starting to do the testing on these scenarios. We did select a 20,000 sub-area to test each one of these concepts. We went through and scored it.

The darker shading represents the higher natural resource value. We looked at different alternatives. We compare those to a base line, which is what happens if you don't make any changes to your comprehensive plan. In other words, your comp plan today allows one unit per five acres and this is the kind of grid pattern of development that results from no change. So we compare these scenarios to see what kind of positive effect occurs as a result of the stewardship program. And this is an example of one of the scenarios that was looked at replacing a grid pattern over 8000 acres with three -- a village, a hamlet and a commercial village that occupy 900 acres. So we reduced the footprinted development for the same population ten-fold, which obviously frees up land to be kept in agricultural and environmental preservation. There has been discussion about

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receiving areas as to why you can't put those on the map and how they get designated.

There are a whole series of suitability factors that are built into the policies that guide the location of receiving area, and these are listed briefly here in detail in the policies. And there are also characteristics, so if you are talking about proposing a rural village, there are a whole series of -- of details that go into what kind of characteristics does a village have. And what was important here is that there be some diversity here and housing type and that we provide the support services, the school, the -- the -- the neighborhood goods and services, the -- the civic facilities. All of those things have to be there so that it can be sustainable and self-contained, and that's all contained within the proposal. And this just goes through some of the testing where we came up with hypothetical blends and used those to test the validity of -- of the process. What happened through all of that, using this concept, is that the benefits of stewardship were pretty profound. In the sub-area test, 90 percent of all the native wetlands and uplands were in the receiving areas. We significantly reduced the impacts to the environment.

We protected the environment at no cost to the tax payer and we protected the environment without destroying property rights, because we gave the property owners something of value in return for giving up the rights to their land. It also benefits agriculture because it provides an economic incentive to retain agriculture. It also eliminates a competitive disadvantage which is the pressure to convert to -- to ranchettes. It maintained essentially all the agricultural protection while accommodating 25 years of population growth and it converted less than eight percent of the agricultural land in the sub-area.

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The base line converted 50 percent to accommodate the same population. It produced higher residential values because you now are dealing with villages that have services and facilities that can support the residents. It also enables mixed use commerce centers so that rural residents can have a place to work which helps us to diversify the economy and it promotes self-sufficient communities. And, I think, very importantly to the county, it has a net fiscal impact, and what we did, or what Hank Fish and I did was ran analyses comparing the baseline conditions to the stewardship program, and the result of that is that under the baseline, one unit per five acre. You have a recurring deficit to the Collier County tax payer for the cost of supporting that development. Under the stewardship program it generates a substantial surplus over its costs annually throughout the entire horizon of the study. And those numbers right there are -- are thousands and that's just based on ten percent of the study area, so you are looking at 300,000 annual surplus on just the sub-area that -- that was analyzed. It sets up a good frame work on the map for conservation, natural resource protection and agriculture. Everything has been put on the map, and as a result, it creates a sustainable future because it's -- it's -- it protects the natural resources, it protects agricultural, it helps to diversify the rural economy. It creates compact mixed used rural character development rather than sprawl and it -- it specifically gets to efficient and approximate public facilities and services for residents, which is essential. Now, the goals, objectives and policies, I'm not going to go through those. You've had them and they get into a lot of detail, but when you look at it, you will see that it matches the final order pretty much identically. We -- we patterned all the goals, objectives and policies after the final order. It does all of these things. The objective basically says that we are going to create a stewardship overlay

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system based on the principles of Rural Land Stewardship which is now embodied in a state statute. The policies are put into five groups. The first group deals with the structure of the overlay. The second relates to agriculture. The third group relates to natural resource protection, the fourth to dealing with the conversion of land to accommodate population, and the fifth are the regulatory policies that Nancy described as the regulatory framework for the insurance policy for the people that choose not to use them during this system, and there are 68 different policies.

They are all internally consistent and meet, in our opinion, all of the requirements that the county has to meet. Just as a final note, you would be interested that -- that during this process, we have been going around the state for the last two or three years presenting this in stages as it has gone out. We have been to environmental organizations, planning organizations. We have been to the State. We have been to the state's new stewardship program. Everybody that has seen this thinks that -- that it is innovative. They have favorably received it and they believe that this could be a model that the state could use for other rural communities.

And I've been invited to serve on the new Rural Land Stewardship Council and they specifically want to take this once it's finalized and use it around the state to promote this concept in other locations. So that's -- that's a summary of what we have been doing for the last couple of years, and as I said, the -- all the goals, objectives and policies are in there. I know Bob is going to walk through some of the changes to that, but -- and then we can answer any questions you would have about any of the structure of this program. Thank you.

COMMISSIONER COLETTA: Mr. Reynolds, I just want to thank you. Wilson Miller has done a wonderful job coming through

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on this. When you get it to the point where the average person can understand it, you have done a remarkable job.

MR. REYNOLDS: Thank you very much. I appreciate that.

COMMISSIONER CARTER: Thank you, Alan. I was here when we started the program, and I remember the long discussion on this as to whether or not we should do it, that there might be a shorter, quicker way to the goal.

Three of us prevailed in that discussion that day and that's what initiated the hard work and results that have taken place, and I can't thank you enough for staying the course and doing what is really, what we always call smart planning, and that's exactly what we are doing here. We are doing the right thing so that we can manage the growth process. My sincere thanks to everything that you have done.

MR. REYNOLDS: Well, I appreciate that very much and I just have to say that this truly has been a collaborative effort. Your county staff has put in, you know, countless hours in this process, along with the committee and our team and all the people who have participated, so it's truly been a great group effort. Thank you.

MS. LINNAN: If you don't mind, I would like to change the order of the presentation and ask George Vernadoe to come up. Before Bob talks, it might make sense to hear what the -- what the various groups have been talking about the last couple of days.

CHAIRMAN COLETTA: Thank you.

MR. VERNADOE: Good evening, Mr. Chairman. For the record, George Vernadoe with the law firm of Young, Vernadoe and Anderson. I am here tonight representing the Eastern Collier property owners which is a collaboration of Baron-Collier Partnership, Collier Enterprises Limited, Alico, Inc., Pacific Beta Growers and Jack Price and Russell Pretty. As you can imagine, we have been fairly interested in what the committee has been doing

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over the last two and a half years, and I would be remiss if I didn't also thank the committee on behalf of the Eastern Collier Property Owners for all their hard work.

They have been very diligent in pursuing this difficult and oftentimes, complex process. We are firm on the opinion that the work product of the committee as brought to you by their goals, objectives and policies has resulted in a very innovative program that carefully balances the various interests, including Private Property Rights, protection of AG, protection of natural resources and devised some incentives for long-term economic growth in this area. We have met with various entities and organizations over the last few months that have been interested in working with the committee and listening to their comments on the proposed GOP's. In the last few weeks, we have met on several occasions with, in particular the Florida Wildlife Federation and the Collier County Audubon Society in an attempt to address some of their concerns. Without attempting to put words in their mouth, I think their concern was -- or were that there was not enough protection for wildlife, listed wildlife species and their habitat, in particular, the Florida Panther. As a result of that meeting, we have reached an agreement with the Collier County Audubon Society and Florida Wildlife Federation on some proposed changes to the GOP's that were part of the Eastern Collier Lands Group and to add some areas to the habitat stewardship areas that will address their concerns.

If the Commission would support these changes that I'm about to go through with you, this would allow the Florida Wildlife Federation and the Collier County Audubon Society to generally support the concepts and the programs and to allow us to go forward without objection to the Department of Community Affairs.

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First, I would like to walk you through some changes to the map, and what I have identified here is areas A, B, C, D and E, in general to give you some ideas where these areas are and across that green area, the light green area. It may be a little hard to pick out on here because it blends with the other green, but you can see the general locations. Those areas that we are proposing to add are habitat stewardship areas. Those areas would add approximately 4877 acres to the habitat stewardship area. Although we might not agree that -- that science requires the addition of these, in an effort to compromise and address the concerns of these organizations, we have agreed to add those if the -- if the Board so desires. You will see that most of them are along Camp Keais Strand, and as an attempt to Camp Keais Strand and to address some perceived choke points in Camp Keais Strand that might not allow that to -- to allow wildlife to go up and down Camp Keais Strand.

This map is simply the same map but with some acreage on it, and I'll run through those for the record. In Area A, we are adding 214 areas -- acres -- excuse me. In Area B, approximately 812 acres. In Area C, approximately 440 acres, Area D, approximately 381 acres and in area E, which is so-called Stove Pipe, approximately 3030 for a grand total of 4877 acres. Those are approximate.

They haven't been digitized but we have -- we have laid them out on aerial photographs so we know the exact boundaries, and those are a pretty good approximation of what those acreages would be. The other changes I want to talk to you about are some changes or support for certain policies that are in your GOP's and I would like to -- I've got a handout, if you would allow me, and I'll be very brief with these. But the first one is simply a support for a policy that came out of the -- the Rural Lands Assessment Committee and the staff also supports. And it merely states that there is going to be a

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stewardship agreement that mandates what exactly is going to happen with the land and who is going to be responsible for it in each area that is -- that is designated as a stewardship sending area. The second policy, and it was the committee's recommendation and this staff's recommendation to delete this policy.

And we had a lot of discussion about how you could change these lines on the map and whether you could change them without a growth management plan amendment. It became too complicated, so we just decided to delete it and you are going to have to do a growth management plan if we want to change any of the lines on the map. The third one is Policy 4.13, and Policy 4.13 said that if you establish a stewardship receiving area, that is, you wanted to do a hamlet, for example, and it was adjacent to a habitat stewardship area or a flow way stewardship area, that within the receiving area, you would have to have a 300-foot buffer, so you would have to set back 300 feet from that area. And in that, that would be an open-spaced buffer and there are certain things you could do, but within the first 200 feet, you could not do any turf areas, like, for a golf course. There is, again, trying to address the Camp Keais issue, we are proposing to add language which would say along the west boundary of the flow away stewardship areas and habitat stewardship area, to compromise the Camp Keais Strand along the areas south of the Immokalee Road, this open space buffer shall be 500 feet wide and shall preclude golf courses, fairways and other turf areas within the first 300 feet.

So if you are on the east side, you have a 300-foot setback. If you are on the west side, you have a 500-foot setback. It comes into play if you make that a stewardship receiving area. Otherwise, it remains in AG and provides some sort of opportunity for wildlife habitat, but if you are going to convert it, you are going to have a greater setback on the west side. And we -- we would recommend

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that -- that policy change to you. Policy 5.3, and these are the regulatory components that -- that I think Al and Nancy both referred to, that the underpinning, in the event that the landowner does not choose to participate in the stewardship program. And the only change there is that before, if you had land in a habitat stewardship area and you weren't in the program, you had a 30 percent limitation on the amount of natural vegetation you could clear.

We have now agreed to -- to reduce that to make it more astringent and you can only clear 20 percent for the natural vegetation in a habitat stewardship area. That is another change that we, as a settlement, recommend to you. Finally, Policy 5.4, the -- the wildlife -- excuse me, the environmental organizations want some recognition so that the county will help evaluate with the applicable state and federal acts agencies the need for some wildlife crossings whether it be in Okaloacocchee Slough or the Camp Keais Strand.

We do not oppose that as long as it's based on, you know, a needs assessment, we do not oppose that. There are some other issues that we are going to continue to work on with the Florida Wildlife Federation, the Collier County Audubon Society and Conservancy, and your staff during the interim process between your transmittal of these goals, objectives and polices and your final hearing for adoption. We'll continue to work in good faith with these groups to address the concerns that they have. And unless you have other questions, Mr. Chairman, Members of the Board, I appreciate your indulgence.

CHAIRMAN COLETTA: Commissioner Henning.

COMMISSIONER HENNING: Do you represent all the property owners with the recent changes in the map?

MR. VERNADOE: Yes. The -- all the property owners that are affected by these changes, I represent, yes.

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COMMISSIONER HENNING: Thank you.

CHAIRMAN COLETTA: Mr. Vernadoe, I think it's absolutely wonderful when we have an attorney representing the landowners that will sit down to work out the details with the environmental community to a point where we can reach an accord that's acceptable by all. It's a new day in Collier County. Thank you, sir.

MR. VERNADOE: Thank you.

MR. MULHARE: For the record, Bob Mulhare with RWA Inc., and I guess I don't want to be the only person that stands up here and doesn't recognize the outstanding efforts of everyone involved in this -- this process. And I also just want to indicate that personal gratitude from a professional perspective, I would mirror Al's comments. It's been very rewarding and gratifying to be involved in this process. My job has been really short and quite a bit based on the efforts of others involved tonight. And I need to go over just briefly the EAC, CCPC and Eastern Land's Committee recommendations. I'm not going to go over them in detail, just suffice to say to you that you have that information in your packet. The EAC met on two distinct days, the 22nd and 23rd of May and did vote five to nothing unanimously to support transmittal of these amendments. They had several points that are contained in your packet. And the Planning Commission met on the 24th of May and that was a six or seven-hour hearing and they also voted unanimously to transmit these amendments.

They also raised a number of points that are contained in your -- in your report, and then, again, as I think as was already stated by Ron, the Eastern Lands Advisory Committee met on June 3rd and considered the EAC's comments, the CCPC's comments, Wilson Miller's input into those comments, as well as the staff's, and they made their final recommendation, which I -- I'm not -- I would not

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have believed two and a half, or almost three years ago, that in the end we would have had an unanimous approval, but -- but we did, and it was eleven to nothing from the committee. If you'll turn to page 20 of your agenda, stamped page 20, I'll go over the staff recommendations. There are relatively few at this point in time based on the other agreements that were represented by Mr. Vernadoe. And I'll just go over them by number because I think you have already actually looked at them. And I don't believe that there is any opposition to -- to the staff recommendations.

If you remember, Number One is -- is a minor amendment and we'll have to, as Nancy Linnan indicated, we'll have to change the reference numbers there because obviously 5.5 is coming out, so it would be 5.4. Just some minor changes that -- I do want you to understand there will be some minor changes. Number Two, I don't think there is any strong opposition to the staff recommendation to eliminate Policy 2.5. Number Three, the language is acceptable as the staff recommends it. Number Four, that's acceptable on a very minor revision. Number Five, we've just talked about. Mr. Vernadoe gave you some alternative language that would cover that issue and cover it, in fact, better. And Number Six, there is no objection to. And again, Number Seven, Policy 5.5 would -- would be deleted and some additional language would probably replace that before we come back for adoption.

There are some minor changes that need to be made. I noted a couple of typographical and spelling errors. We will go through the docket obviously before we transmit it and correct those, and, I guess, I would appreciate when you do get around to making your motion that you would recognize it for me, there will be some number reference changes and some housecleaning. And, like I said, I have a very short presentation tonight. Thank you. Any questions for

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myself, Al, Nancy Linnan, there are several other technical experts in attendance tonight if you -- if you have some questions, that -- that we are probably not the best people to answer, we do have that support as well.

CHAIRMAN COLETTA: Commissioner Coyle is going to put you to the test right now. All right, Commissioner Coyle.

COMMISSIONER COYLE: It's simple question.

MR. MULHARE: I like that.

COMMISSIONER COYLE: In view of the recent negotiations, have there been any changes, omissions or additions which would likely result in disapproval by the EAC or CCPC?

MR. MULHARE: No. I think the changes that were made would be -- would be considered to be favorable. That's my opinion, obviously. We are not bringing those back to them, but I don't think any of those changes would be objectionable to those bodies.

COMMISSIONER COYLE: Okay.

CHAIRMAN COLETTA: Any other questions? Thank you.

MS. LINNAN: Now would be the time to take public comments from any of the folks or parties in the past or just interested citizens.

CHAIRMAN COLETTA: How many speakers do we have?

MR. SCHMITT: Mr. Chairman, we have three public speakers. The first public speaker is Mike Bower, followed by Sonya Tuton.

CHAIRMAN COLETTA: And who is the last one just to --

MR. SCHMITT: And Brad Cornell.

MR. BOWER: Good evening, Commissioners. My name is Mike Bower. I'm the Southwest Florida policy director for Audubon of Florida. I represent a statewide organization and I -- I'm particularly pleased that my home county may be used as an example throughout the state of what can be done when people get together to protect the environment with people of diverse interests and very

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diverse outcomes possibly that -- that this has been able to -- I'm just very excited to see that this has happened. I joined this committee at -- at the very end of it. I -- I felt a gap that was there. I am feeling guilty that I didn't participate in all the hard work for two and a half years that my fellow committee members did. But I'm very pleased to have seen what's happened and been a part of it in the end. Was it perfect? No. But I certainly voted to send it on. I think it has many, many wonderful points, but that's not really my -- my point tonight. My point is that a diverse group of citizens came together and worked on a plan that will protect the environment, protect agriculture and direct development at the same time. Private land owners have said that they are willing to exhibit some trust, and I certainly am willing to do that at this point, so I really commend the work of this committee. What I say at the end, it was -- it was really a wonderful experience. Thank you.

CHAIRMAN COLETTA: Thank you.

MR. SCHMITT: Sonya. Next speaker followed, Brad Cornell.

MS. TUTON: Sonya Tuton for the record. Over the past two and a half years, myself and actually 22 other people all together, have participated on the Rural Lands Oversight Committee. It has been a tough and long battle. We didn't always agree or have the same ideas, but through this long process of workshops and reviewing every piece of data available, it has finally come together.

We have put in numerous hours of volunteer time, but the education I received is priceless. We received reports and -- and presentations from experts on planning, agriculture, ecology, stewardship and economics. The county staff and the Wilson Miller team have worked hard to provide the committee with any information we asked for and needed through the process. Sometimes, I'm sure it was like a wild goose chase.

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One point I would like to make clear, and several others have already done this, is that the committee, during the process, asked for a technical advisory committee made up of nine state and federal agencies that received every piece of information we received to review.

We also had public participation for anybody that wanted to come listen or speak their minds. It was nice to see some of our County Commissioners participating and even coming by to a meeting every now and then and see how we were doing in the process. At the end of May, the EAC and the Collier County Planning Commission had their chances to pick and poke at the committee's policies. After minor changes to the policies, we, the committee, voted unanimously to the goals, objectives and policy amendments. Two policies that are very important for me that I want to point out that I feel is important, especially coming from an agricultural community, is Policy 2.3, to establish an agricultural advisory council which will have representatives of the AG industry. Also, Policy 2.6, Collier County acknowledges and supports the Florida Right to Farm Act. Both of these policies are not only for Collier County but for farmers in America. We, the committee have worked really hard for the future of our county, preserving agriculture, protecting wildlife, waterways, wetlands and providing a Smart Growth plan for our county. Personally, I would like to see the Board of County Commissioners review our work and approve the plan which we feel is ready for state. Thank you.

COMMISSIONER HENNING: Thank you.

CHAIRMAN COLETTA: Thank you for all the efforts you put into it.

MR. SCHMITT: Brad Cornell followed by Kathy Prosser. We have one additional.

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MR. CORNELL: Good evening, Commissioners. Thank you for the opportunity to speak to you tonight. I'm Brad Cornell and I'm here on behalf of Collier County Audubon Society. And I also would like to extend out appreciation and gratitude to Eastern Lands Oversight Committee for their work and dedication. Collier County Audubon Society does support the committee's recommended goals, objectives and policies with the changes that are being recommended by the parties to this recent settlement. While Collier County Audubon Society does not mean to make any less of the predacious work of the committee, the Conservancy, Audubon of Florida and citizens of this county, we did feel it was important to take an opportunity to sit down with the landowners to discuss our strong concerns we had with the committee's goals, objectives and policies. We did this in our role as one of the original interveners to the challenge that did result in the final order. We feel and hope that the result of these settlement discussions are in the best interest of the unparalleled natural resources of these rural eastern lands and the citizens of Collier County. Thank you.

CHAIRMAN COLETTA: Mr. Cornell, I just want to thank you and Nancy Peyton for coming in on the eleventh hour. If anything, my wife wants to thank you, too. I had originally booked this thing to go until about 1:00 or 2:00 in the morning. So I can't tell you how much I appreciate it. One of the things I'm going to ask you to do is to write a letter endorsing what work has been done to go along with the transmittal to see if we can help move it along. If you would give consideration of that and take it up with your –

MR. CORNELL: We will be writing a letter, yes.

CHAIRMAN COLETTA: Thank you.

MR. CORNELL: Thank you.

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MR. SCHMITT: Kathy Prosser.

MS. PROSSER: Good evening, Gentlemen. For the record, Kathy Prosser with the Conservancy of Southwest Florida. First of all, I would like to say on behalf of the Conservancy how proud we are to have been a part of this effort from its inception. We have had three different representatives over the almost three years that we have been working on this and feel that tremendous progress has been made in great part, not only due to the commitment of the Commission, but the working members of this committee and everybody who has been involved in this very tedious, complex, but innovative process, so we are supportive of this overall process.

I also want to particularly thank Wilson Miller and the landowners who supported an entire survey of the lands to get a more accurate read on these almost 200,000 acres so that we could make better decisions as we went along in this process. And also, as always, to thank the county staff. We do, however, have a few concerns left that we would like to express here tonight and recognize that some of those concerns can be addressed over the coming months as we continue to work on this, so it's more for your information that I express a couple of things.

First of all, the Conservancy strongly supports the regulation of land use in the HSA's and the FSA's, whether or not the owner is included in the stewardship program. We believe that the restrictions should be included on permitted and conditional uses. And we also believe that the plan should include some restrictions on agricultural uses in the HSA's and the FSA's, particularly for those owners who are participating in this program. We also strongly support further delineation of the receiving areas within the plan, and unlike the rural fringe area with which you are so familiar, we believe that there should be clearer identification of where these receiving lands

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are going to be located. And there is still a large area of almost 115,000 acres of land that could be receiving area, so we would like to see a lot more definition put into that. We are also concerned that the character of the land uses in the receiving area haven't been defined sufficiently. Specifically, I would ask you tonight to consider one change as this moves forward, and that is in Policy 4.6. In Policy 4.6, the language currently says that Collier County may establish additional rural design forms, guidelines and standards within its LDC.

What we believe the change should be is that Collier County shall establish the standards, not may, because there has been an emphasis on rural towns and villages and hamlet concepts and an acknowledgment that we want to avoid urban sprawl. I believe it's an important criteria that the development take place within the SRA's. We don't understand why Policy 4.6 should state that -- that these should state shall -- I'm sorry, should state may, and instead, should state shall. We also believe that there should be more detail in the rural village land use such as was added by the county staff to the rural fringe plan based on objections that the DCA presented.

We also believe that the procedures for designation of sending and receiving areas should be spelled out in more detail in the GOP's, particularly with regard to the public participation process. We are concerned also about the impact of the early bonus program and we would recommend its deletion at this time along with an assessment as to whether some of the incentives are necessary after the program is underway. We also see no compelling reason to re-establish the Rural Planning Area Commission and we would ask that that be deleted. And finally, we are opposed to golf courses being considered as part of buffer areas between rural villages and surrounding lands. Thank you.

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CHAIRMAN COLETTA: Thank you. Is there any questions on behalf of the Commission?

COMMISSIONER HENNING: Just for legal counsel and our staff members, Ms. Linnan and Bob Mulhare.

MS. LINNAN: Yes, sir.

COMMISSIONER HENNING: The plans with the changes that are made tonight, the ones that Mr. Vernadoe explained to us.

MS. LINNAN: Yes.

COMMISSIONER HENNING: Is this legally defensible?

MS. LINNAN: Yes, sir. I believe it is.

COMMISSIONER HENNING: Okay.

MS. LINNAN: Like I say, there will be some tweaking. I would not be surprised, for instance, to have DCA come back with some of Ms. Prosser's comments, particularly providing more specificity as to the location of some of the rural villages. I'm not sure they will require a map, but I would not be surprised to find those things, so I think you will be finding us working on many of the items she is talking about in the interim, knowing that we can expect that.

COMMISSIONER HENNING: Did we meet the goals and objectives of the Governor's orders?

MS. LINNAN: Yes, sir, we did. But the important thing is, like I say, it's a tough thing to think of legally. Those are kind of aspirational goals and we need to meet those in case we ever have to go in front of the Cabinet. But the legal requirements are contained in the Growth Management Act and I believe we are there or very close to there right now.

COMMISSIONER HENNING: Okay. So, Commissioners, I would be in favor of taking under consideration Ms. Prosser's

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comments after it comes back from DCA with their comments, because it sounds like, from my understanding and in watching this process go through, they will want some more -- more of those details.

CHAIRMAN COLETTA: I think you've got agreement there. I see the nodding of heads.

COMMISSIONER CARTER: I don't disagree with that. It has to go to the reasonable planning counsel. They will make some input. DCA will make input. I -- my experience tells me I would rather give them the opportunity to share what their thinking is and then integrate that with Ms. Prosser's comments this evening, rather than for us to try to second guess other review agencies in this arena. If we are solid here to go forward, I would recommend what you are saying, Commissioner Henning, is to -- and go along with your recommendation is wait until it comes back, and then use it as far as the final review.

I'm ready to make a motion the -- for discussion for the Board that the Board transmit the attached GMP amendments to the Department of Community Affairs subject to the specific staff recommendations identified in Attachment A as long as it does not conflict with Exhibit D. And I'm not clear on that, but if it's okay, and I would add that Exhibit D and for the transmittal and a number of reference changes that Mr. Mulhare indicated to us and due to housecleaning on words and spelling, grammar, et cetera, to the DCA.

CHAIRMAN COLETTA: And I'll be happy to second that, Commissioner Carter. So we have a motion by Commissioner Carter and a second by myself, Chairman Coletta. And now I open this up for discussion. Commissioner Coyle.

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COMMISSIONER COYLE: I -- I just have a brief comment before we -- we vote on this. You know, our community has been divided for years in what has been sometimes, an acrimonious debate between landowners, developers and environmentalists. I -- I think it's remarkable that a group with such diverse interests have been able to come together and in such a short period of time, craft a plan which is landmark in proportions, in my opinion, and is a clear blueprint for the future as we move forward. And I -- I do believe this should serve as an example for the things we do. To create communities in which we can all take great pride, so I -- I commend all of those who participated in this effort. I -- I hope that it is as rewarding for you to have done this, perhaps more so, as it is for this Board to endorse it. You -- you have made our job a lot easier and I sincerely hope that this is -- this is the beginning of a process that will heal the divisions in our community so that we can begin to work together to solve many of the other problems confronting us, so thank you very much, all of you.

CHAIRMAN COLETTA: Is there anything from legal counsel at this time that we should be aware of?

MS. LINNAN: Yes, sir. If I could just clarify and make sure what I understand is part of this motion. It would be the resolution contained in your packet as it pertains to the whereases and we'll attach what we are talking about transmitting. It would be the committee report as modified by Exhibit D, which Mr. Vernadoe explained and gave to you, as further modified by the new map, which the folks have talked about, and as further modified by the staff recommendations which I deleted five and seven on tonight.

CHAIRMAN COLETTA: That's correct. Is there anything else that we are missing that you can see?

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MS. LINNAN: Not that I know of, but let me check. And I have just been advised that in all the discussions, there wasn't a closure of the public hearing.

CHAIRMAN COLETTA: Okay. I hereby close the public hearing, and Mr. Carter, do you want to restate your motion or just say, as -- as previously stated?

COMMISSIONER CARTER: As previously stated with the additions and corrections by legal counsel, Ms. Linnan.

CHAIRMAN COLETTA: And I -- my second also followed.

MS. LINNAN: Thank you.

CHAIRMAN COLETTA: With that, there is no further discussion.

COMMISSIONER COYLE: I would just like to comment one more comment because I have never felt better than I do tonight as a County Commissioner. If anyone says, "What did you do while you were there," I'm proud to say that I was a part of working with landowners, environmentalists, developers, the whole gamut of people who represent this community who sat down over time and negotiated their differences, so that we walk out hand-in-hand, unified as a community to look to the future.

And this is so much of our future that I will always take pride and say, "I was there when it happened," so thank you. Thank you all for everything that you have done.

CHAIRMAN COLETTA: And the lambs will lie down with the lions and there will be peace throughout the land. And with that, I'll call the question. All those in favor, indicate by saying aye.

THE BOARD: Aye.

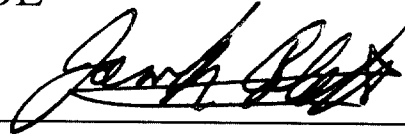
CHAIRMAN COLETTA: Opposed? The ayes have it four to zero. Thank you all. Is there any closing statements by staff?

June 12, 2002

(Whereupon, the meeting was adjourned.)

There being no further business for the good of the Country, the meeting was adjourned – Time 6:30 p.m.

BOARD OF COUNTY COMMISSIONERS
BOARD OF ZONING APPEAL/EX
OFFICIO GOXERNING BOARD(S) OF
SPECIAL DISTRICTS UNDER ITS
CONTROL



JAMES N. COLETTA, CHAIRMAN

ATTEST
DWIGHT E. BROCK, CLERK

By: Carlton G. Edwards, D.C.

Attest as to Chairman's
signature only.

These minutes approved by the Board July 30, 2002

As presented _____ or as corrected _____.