

BOARD OF COUNTY COMMISSIONERS
UNION COUNTY, FLORIDA
PUBLIC WORKSHOP
OCTOBER 15, 2018

NOTE: If any person decides to appeal any decision made with respect to any matter considered at this meeting or hearing, he or she will need a record for the proceedings and may need to insure that a verbatim record is made.

PRESIDING: Karen Cossey, Chairman

RECORDING: Kellie Hendricks Connell, Clerk of Courts

ATTENDING: Commissioner Tommy Nettles; Commissioner Willie Croft; Commissioner Woody Kitler; Commissioner Jimmy Tallman; Dianne Hannon, Board Secretary; Russ Wade, County Attorney

1. MEETING CALLED TO ORDER

The meeting was called to order at 5:00 PM.

2. INVOCATION AND PLEDGE

Commissioner Tallman offered the invocation and led Pledge of Allegiance.

3. DISCUSSION CONCERNING LAND DEVELOPMENT REGULATION AMENDMENTS RELATED TO MINING

Chair Cossey called upon Sandra Joseph to present the proposed amendments. Ms. Joseph highlighted changes from draft presented in August. The first change provided definitions and clarity, added detail for requirements for environmental assessment, added language regarding phosphate mining reclamation, added language regarding the fee for a mining special permit application. In addition, discussion will be presented for proposed setbacks in the current draft.

Ms. Joseph discussed language added to clarify "excavation," "geological features," "mining" and other terms used in the presented draft. She pointed out that an environmental assessment must be conducted, and this draft added what must be done in such assessment, who should conduct it, and that additional information may be required by the Board. She indicated that Florida Statutes address language, and that the Board could require more expeditious reclamation if desired, and what reclamation would entail if the proposed amendments are adopted. She presented additional detail regarding soil stability, berms and swales, and addressed the preservation of native species: animals, grasses, and trees.

An addition from the August draft, this draft addressed fees for submitting an application. The language is drafted so that the applicant bears 100% of the cost of processing and reviewing the application. Prior to conducting a pre-application conference, a deposit of \$15,000 is required, \$5,000 of which is non-refundable. An additional \$35,000 deposit is required with the application. Throughout the review process, the County will request additional funds when the deposit available drops to \$5,000 or below, and activities will cease until the deposit is received. The applicant will have 15 days from receipt of the notice that additional funds are needed to make such deposit. If an applicant wants to make modifications to an application once approved, a \$25,000 deposit will be required. Additional fees for processing will be assessed in the same manner as the original application. Once review is completed by the County, the balance of the deposit will be refunded to the applicant within 60 days from the final payment made by the County.

Clerk Connell inquired from Ms. Joseph if the proposed amendments addressed consequences if additional deposits are not made within 15 days of notice. Ms. Joseph answered that all review activities would cease, and

Clerk Connell asked what the purpose of the 15-day period was. Ms. Joseph indicated that language could be added at the Board's discretion. Clerk Connell indicated that to be clear, either consequences should be added for an applicant not meeting the 15-day deadline, or the 15-day period should be removed, knowing that no additional review would be conducted until receipt of additional funds. Chair Cossey indicated that she believed a deadline should remain in the language. Ms. Joseph stated that even without a consequence, an applicant would be motivated to submit the deposit to continue processing the application. Clerk Connell stated that if the 15-day deadline remains, consequences should be written into the language. Ms. Joseph indicated that the Board would add that language at the direction of the Board. Ms. Joseph volunteered to work with Attorney Wade to determine what options are available for not making a deposit within the 15-day period.

Clerk Connell also expressed concern with having 60 days to refund unspent funds, as that may not be enough time to receive all invoices and reconcile all funds, and recommended changing that to 90 days.

Ms. Joseph then addressed setbacks proposed in the amendments, and reference Table 14.7.1, which adopts the same setbacks as neighboring Alachua County, and also in Desoto, Manatee and Hardee Counties, which have mining activities. It provides setbacks for mining activities and excavation activities, which were differentiated in the amendments. Mining activities must be setback 200 feet from public right of ways, public or private utility easements, 100-year flood prone areas, and wetlands; 1,000 feet from potable water wells, inhabitable residential structures, schools and conservation land use classification; 500 feet from residential, commercial and public recreation areas; 200 feet from industrial and agriculture classification; and 1,000 feet from a designated urban development area. Chair Cossey expressed that 200 feet was not enough from 100-year flood plain and wetlands. Ms. Joseph added that the proposed amendments requires a natural vegetative buffer around these areas, essentially increasing the distance from the wetlands that can be used for mining activities, and provided details for variations of the required buffer. Ms. Joseph gave an example of how changes may affect an area using a map, and offered that she was available to answer any questions.

4. PUBLIC COMMENTS

Jim Tatum expressed support of the proposed Land Development Regulation Amendments.

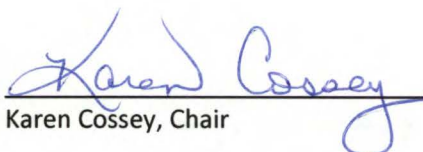
Merrilee Malwitz-Jipson inquired about the proposed buffering around the wetlands, and asked how wetlands are being determined. Steve Hoffstader, Alachua County Environmental Protection, answered that the current maps would be used at the time of permit review.

Carol Mosley commended the Commissioners on their due diligence in making these changes.

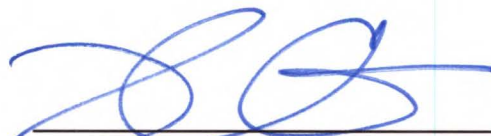
Hearing no further public comments, Chair Cossey adjourned the meeting.

APPROVED:

ATTEST:



Karen Cossey, Chair



Kellie Hendricks Connell, Clerk of Courts