

BOARD OF COUNTY COMMISSIONERS
UNION COUNTY, FLORIDA
BOARD OF PLANNING AND ZONING
SEPTEMBER 18, 2017

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: Jimmy Tallman, Chairman

RECORDING: Noah Wright, Finance Officer

ATTENDING: Commissioner Willie Croft; Commissioner Woody Kitler; Commissioner Karen Cossey; Commissioner Tommy Nettles; Dianne Hannon, Board Secretary; Kellie Connell, Clerk of Courts; Russ Wade, County Attorney

PRESS: None present

1. MEETING CALLED TO ORDER

The meeting was called to order at 4:30 PM by Chairman Tallman.

2. INVOCATION AND PLEDGE

Commissioner Nettles delivered the invocation and led the Pledge of Allegiance.

3. PUBLIC WELCOMED

4. CONSIDERATION OF CPA 17-01 (Evaluation Amendments of the County's Comprehensive Plan and Future Land Use Plan Map 2027)

5. PUBLIC COMMENTS

Courtney Snyder is concerned about the restriction of 500 feet will not protect potable water supply and the aquifer. Mrs. Snyder recommends that all hazardous materials be banned instead of 500 feet. She was also concerned about water wells and people living out of city-maintained water lines

Katie Ellison was in favor of the comprehensive plan but revise section 34 and allow County Commissioners to determine buffer zones independently.

Mike Roth was concerned about roadways that are not designed for the consistent weight of heavy trucks as well as, believes that the Board should limit more areas defined as swamp lands and floodplains as defined by FEMA.

Terri Phalan objected to the comprehensive plan due to the fact that section A1-A4 did not follow scientific findings regarding mining operations, there for section 1.3 of the comprehensive plan should be changed to prohibit those actions.

Whitey Markel is in favor of the Comprehensive Plan because the Board of County Commissioners could change the comprehensive Plan at any time to fit the needs of the people.

Daniel Dukes requested the Board table the Comprehensive Plan amendments because there was not enough information at the time of the presentation.

Frances Rossano stated that the comprehensive plan failed to meet the sanitary sewer aspect of the application.

Russ Wade explained that the first agenda item was CPA 17-01, which dealt only with state-required comprehensive plan updates; CPA 17-02, the second agenda item, related to the proposed mining comprehensive plan amendments.

6. PUBLIC COMMENTS CLOSED

7. ACTION

The motion was made to adopt the resolution by Commissioner Kitler and seconded by Commissioner Kossey

8. Consideration of CPA 17-02 (Attachment A for Application CPA 17-02, the Comprehensive Plan Mining Text and Mining Areas Map Amendment, Including the Mining Map Data and Analysis Methodology.)

9. PUBLIC COMMENTS

Merrillee Malwitz-Jipson objected to the comprehensive plan due to the fact that it did not protect native wildlife. She objected to section B subsection 3.4 because it will need more scientific study to better understand the consequences and benefits.

Wayne Griffis had questions about the possibility of mining in Raiford.

Mark Lyons hired 2 scientists with 40 years of experience regarding the Florida Aquifer and the side effects of phosphate mining causing sinkholes and fracturing. The scientist research stated that fracturing occurs from phosphate mining by changing the flow of water and opening cracks within the aquifer.

Avery Roberts believes that the County has not had enough public workshops on the Comprehensive Plan amendments. He recommended to the Board that the item of business be tabled and schedule more public workshops so that the amendments be furthered reviewed.

Mary Alford stated that her associates and she were working on reducing the amount of waste in the Silver River and had been conduction test to measure a number of harmful chemicals in the river to restore it to what it once was.

Brian Rosanno stated that the terms groundwater and aquifer are redundant and one should be deleted. The plan also fails to mention the depletion of groundwater from mining. The comprehensive plan must be revised to fix that provision.

Randy Kaufman encouraged the Board to listen to the citizens of the county.

Steve Hofstetter presented to the Board finding that his organization has found and made five recommendations.

The meeting was recessed at 5:30 to reconvene at the close of the Final Budget Hearing.

The Meeting reconvened at 5:45

Garth Rooster expressed her comments on the mining operation butting up against the river.

Courtney Snyder expressed her concerns for the families that will be affected by the mines that can't afford to move to avoid it. Mrs. Snyder stated that people have the right to a peaceful place to live.

John Middleton represented the citizens against phosphate mining. Mr. Middleton submitted a document that contains scientific research on the comprehensive plan and provides recommendations.

Ed Murawski gave the Board an update on the mining plan. He stated that there will be no gypsum stacks on the property because the mine will focus on the phosphate ore extraction. He also updated the Board on voluntary BMP's that the mining operation will take.

Jim Taylor is an attorney for HPS and stated to the Board that HPS is for an open engagement with the County and wants to share their facts with the citizens of the County. Mr. Taylor requested the Board table the motion so that the county can have more public hearings.

Laura Daily asked the question as to what the County would do to prevent the spilling of toxic waste.

Stacey Breheny asked the Commissioners to proceed with caution on the Comprehensive Mining Plan.

Terry Fayln claimed that the New River will experience the environmental deterioration of the Santa Fe River. She hopes that if the Board passes the new plan they will modify it further down the road.

John Sterpe presented a story from the perspective of the earth.

Michal Roth stated that the property rights of the public are greater than that of the private landowner's rights. The mine is not in the public interest but is in the interest of a few private families.

Harriett Jones reiterated that once a wetland has been lost it cannot be recovered. She stated that no person can discharge any harmful chemicals into a river or into the earth groundwater.

Whitey Markel stated that the County Commissioners cannot outlaw phosphate mining in the County but can rather restrict the mine to a point that it is not economically worth operating the

mine. He recommended to the Board that they table the motion to tighten the restrictions on the mining.

Kathleen Hernandez read an excerpt from her book on the environment: "If we are always degrading the fertility of the soil we can always pour fertilizers to fix the problems but this is only capable until we run out of fertilizer."

Paniato Cholkes presented an article on the environmental harm that impacts prisoners who cannot leave the area.

Jimmy Bieling stated that he was offended that people are saying that he is not a good steward of his own land.

Ken Cornell thanked the Board for taking the time with the project and looking into it properly. He asked that if the Board tables the motion they strengthen the regulations around water.

Yvonne Hayes Henson stated that the same feelings as Mr. Cornell

Becky Parker asked the question as to how much water will be used in a day. She also asked about her property value once the mines start.

Eric Thomas expressed his concerns over property rights outlined in the plan but is still happy with the Commissioners work on studying the mining project.

John Quarterman expressed his concerns about the refurbishing of the land after the mines had passed. He stated that the restoration of the land to once it was is impossible to do.

Billy Ray Elixson brought a petition with 290 signatures of Union County residents that believe in property right of the individuals. He believes the County Commissioners should only consider Union County Voters opinions.

Carol Mosely urged landowners to take into consideration of other landowners. She stated that HPS has not received any permits from DEP because the DEP has questions for HPS.

Billy Joe Benedict thanked the commissioners for supporting thinking of smart growth for the county.

Luella Phillips Whittford brought water samples from various sights around Polk County. She stated that she conducted a survey. In the survey, ADHD was the most predominant in children. In adults, cancer was the most dominant.

10. CLOSED TO PUBLIC COMMENTS

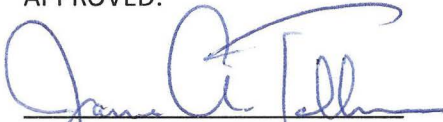
11. ACTION BY THE BOARD

The motion was made to table the Comprehensive mining plan by Commissioner Cossey and seconded by Commissioner Kitler. The motion passed without opposition. The next public workshop will be announced at a later time.

12. ADJOURNMENT

Chairman Tallman adjourned the meeting at 7:25 PM.

APPROVED:


Jimmy Tallman, Chairman

ATTEST:


Kellie H. Connell, Clerk of Courts