

**PLANNING AND ZONING BOARD  
REGULAR MEETING  
JANUARY 4, 2001 – 8:05 P.M.  
COUNTY COMMISSION CHAMBERS**

**MINUTES**

**Planning and Zoning Board**

James Barncord, present  
Don Chancey, Chairman, present  
Roger Conley, present  
Bill Craig, excused  
Dan Graham, present B/Z  
Charles Nicholson, present  
Jerry Rich, absent  
Fred Small, present  
Vida Tomlinson, Vice-Chairman, present

**Staff**

Building/Zoning Official, Malcolm Green, present  
Planner, B. J. Haney, present  
County Attorney, Gary Alan Vorbeck, present  
County Manager, Gary Oden, present  
Executive Secretary, Virginia Stone, present

News Media - not present

Chairman Don Chancey called the Regular Meeting to order at 8:05 P.M. (the public hearing was advertised for 7:30 P.M. The BCC and P/Z held a 6:30 P.M. joint meeting to hear the 2000-2001 Annual Report from IMC Industries, Inc., and that hearing went overtime). Roll was called and a quorum present.

Secretary Stone advised the Public Notice for the Regular Meeting was published in the Herald-Advocate on December 21 and December 28, 2000. Affidavit of Publication on file.

Building/Zoning Official Green advised courtesy notices were mailed to adjoining property owners, and all advertisements were properly posted.

Chancey explained Planning and Zoning Board's General Rules of Procedure and County Attorney Vorbeck administered oath to witnesses who planned to offer testimony.

MOTION by Tomlinson, second by Barncord, to approve Minutes of 12/07/00 Regular Meeting. Motion carried unanimously.

MOTION by Tomlinson, second by Barncord to re-elect Don Chancey as Chairman for the Planning/Zoning Board for the ensuing year. Motion carried.

MOTION by Barncord, second by Nicholson to re-elect Vida Tomlinson as Vice Chairman for the Planning/Zoning Board for the ensuing year. Motion carried.

**Agenda No. 01-12**

Chancey advised of a request from Roy F./Maxine D. Albritton, for a Special Exception to operate a canine kennel, 19 ac, zoned A-1 (Agriculture).

Tomlinson declared a conflict of interest and signed Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers (original on file).

Each Board Member and County Staff received a copy of Application for the Special Exception and Staff Report for review prior to the 01/04/01 meeting.

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Green highlighted the Staff Report including the analysis of findings, conclusion, and recommendation for approval with recommended conditions for the Special Exception. Green added an additional condition that the maximum number of adult animals is not to exceed 30. Green submitted the report to record as evidence; no objections were presented.

Chancey asked for public input. There was none.

MOTION by Barncord, second by Graham to recommend to the Board of County Commissioners approval of the request for a Special Exception as requested on 19ac, zoned A-1, based on staff's findings, conclusion, recommendation for approval with recommended conditions as amended. Motion carried.

Chancey advised BCC will receive a recommendation from the Planning/Zoning Board and will hold a public hearing on 01/18/01, 1:30 p.m.

**Agenda No. 01-11**

Chancey advised of a request from Glen R. and Freida M. Bowen for a request to Re-zone 3.22 ac from A-1 (Agriculture) to R-3 (Multiple Family Residential).

Tomlinson declared a conflict of interest and signed Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers (original on file).

Each Board Member and County Staff received a copy of Application for the Special Exception and Staff Report for review prior to the 01/04/01 meeting.

Green highlighted the Staff Report including the analysis of findings, conclusion, and recommendation for approval for the request to Rezone. Green submitted the report to record as evidence; no objections were presented.

Chancey asked for public input. There was none.

Haney advised that the Bowens were ill or would have been present.

MOTION by Nicholson, second by Barncord to recommend to the Board of County Commissioners approval of the request for a Rezone of 3.22 ac from A-1 (Agriculture) to R-3 (Multiple Family Residential), based on staff's findings, conclusion, and recommendation. Motion carried.

Chancey advised BCC will receive recommendations from the Planning/Zoning Board and will hold a public hearing on 01/18/01, 1:30 P.M.

With no further business to come before the Board, MOTION to adjourn regular meeting at 8:15 P.M.

Next regular meeting, Thursday, February 01, 2001, 6:00 P.M.

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Ginny Stone, Executive Secretary

**PLANNING AND ZONING BOARD  
JOINT MEETING WITH  
BOARD OF COUNTY COMMISSIONERS  
TO RECEIVE ANNUAL REPORT FROM IMC PHOSPHATES, INC.  
JANUARY 04, 2001 :-: 6:30 P.M. -- COUNTY COMMISSIONERS' CHAMBERS**

***MINUTES***

Commissioners:

District I William R. Lambert, present  
District II Clifton (Nick) Timmerman, present  
District III Gordon R. Norris, present  
District IV E. Milton Lanier, present  
District V Walter B. Olliff, Jr., present

Clerk B. Hugh Bradley, absent  
Deputy Clerk Darlene Grissom, present

Staff:

County Building Official Malcolm Green, present  
County Mining Coordinator K.V. (Duke) Clem, present  
County Manager Gary B. Oden, present  
Asst. County Manager J. R. Prestridge, absent  
County Attorney Gary Alan Vorbeck, present  
Executive Secretary Sueann Harrison, present  
Planner B. J. Haney, present  
P/Z Board Secretary Ginny Stone, present  
Mark Frazier, Road & Bridge

Planning and Zoning Board:

James Barncord, present  
Don Chancey, Chairman, present  
Roger Conley, present  
Bill Craig, EXCUSED  
Dan Graham, present  
Charles Nicholson, present  
Jerry Rich, ABSENT  
Fred Small, present  
Vida Tomlinson, Vice Chairman, present

No news media present

IMC Phosphates, Inc.:

Bob Kinsey, Director of Operations Support  
Bryant Grant, Manager of Mine Permitting  
Lee Cawley, Sr. Reclamation Engineer  
Diana Youmans, Manager of Public Relations  
Ron Hall, Land Manager

Board of County Commissioners Chairman Timmerman called the joint meeting to order at 6:30 P.M.; quorum present.

Planning and Zoning Board Chairman Chancey called the Planning and Zoning Board to order; quorum present.

As information, IMC Phosphates, Inc. presented, as required by Ordinance, copies of the 2000-2001 Annual Report of Operations for Mining and Reclamation, together with a copy of the Statement of Financial Responsibility (copy on file) to Planning and Zoning Staff and each Commissioner and Board Member.

Executive Secretary Sueann Harrison advised Notice of Public Hearing was published in The Herald-Advocate on December 28, 2000 and affidavit of publication is on file.

BCC Chairman noted the purpose of the joint meeting is to receive the 2000-2001 Annual Report of Operations for Mining and Reclamation from IMC Phosphates, Inc.

Bob Kinsey, Director of Operations Support, IMC Phosphates, Inc. addressed the Boards, and introduced IMC staff.

Kinsey highlighted the events that occurred during the past year:

Name change for IMC Agrico to IMC Phosphates, Inc. with no structural changes made;  
3200 acres mined and 3400 acres reclaimed;  
Received 3 Reclamation Awards (an award for,  
an award for growing citrus in Polk County, and  
a Career Award to Bob Kinsey);  
Employs 190 Hardee County residents with a 6.5 million dollar payroll;  
6.9 million dollars to State of Florida for phosphate taxes; and  
1.2 million dollars paid in intangible real estate taxes.

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Bryant Grant, Manager of Mine Permitting IMC Phosphates, Inc., presented an overview of the annual report including:

- fees;
- annual operating expenses (\$66,696);
- monitoring fee (\$91,706);
- financial responsibility;
- reclamation of 71,000 acres;
- total liability (\$54,500,000);
- estimated incremental liability (\$5,025,000)
- total combined liability (\$59,525,000); and
- mining/reclamation:
  - acres mined 12,831;
  - acres mined in clay settling areas 3,832;
  - acres available to reclaim 8,900; and
  - acres reclaimed thru revegetation 5,731.

Commissioner Lambert inquired about the company's net operating income for the 1999/2000 period. Grant reported the net operating income was 76.9 million dollars.

insey reported that if they fall behind in reclamation then the Department of Environmental Protection comes to them and requires full bonding.

Grant presented an overview of the financial statement for the period of July 1, 1999 through June 30, 2000.

Grant presented overview of the DRI boundary:

- total acres mined 1,096;
- acres available to reclaim 1,096; and
- acres reclaimed

Lee Cawley, Sr. Reclamation Engineer, IMC Phosphates, Inc., presented an overview of the reclamation:

- County Line Road reclaimed;
- LP6 – all work has been completed this past year;
- LPC7 – 131 acres, wetlands are holding water;
- LPC6 – 81 acres of drainage have been tied in;
- OB3 and 4 – stormwater berm, in the process of checking with DEP to tie this area in, Reclamation complete; and
- LPC9 – trees are up to 7-9 feet high.

Cawley reported that DEP requires IMC to file five-year blocks of reclamation at a time. If they fall below DEP requirements then they are required by DEP to bond.

Cawley reported in 1999 IMC was 927 acres ahead of planned reclamation. Next plan to be finalized for 2001 will put the reclamation 2100 acres ahead of schedule. IMC has reclaimed more acres than they have mined.

Grant presented an overview of the mining operations:

- North Pasture:
  - acres mined 628;
  - acres mined in clay settling areas 529;and
  - acres available for reclamation 59.
- Ft. Green - Southern Reserves along Manatee & Hardee County lines:
  - 5 draglines in operations (mostly south of SR 62);
  - acres mined 6,918;
  - acres mined in clay settling areas 2,426; and
  - acres available for reclamation 4,492.

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There will be 3 species of wildlife relocated.

Post Reclamation Land Use:

Lake acres reconstructed	250;
	374; and
	333.

No mining is planned during the next report period in the Ft. Green/Payne Creek mines.

Cawley reported that IMC spent \$100,000 in reclamation preparations.

MOTION by P/Z Board Member Nicholson, second by P/Z Board Member Conley for the Planning/Zoning Board to recommend to the BCC approval of the 2000-2001 Annual Report of Operations for Mining and Reclamation as presented by IMC Phosphates, Inc. Motion carried unanimously.

BCC will receive the P/Z Board's recommendation at its next regular meeting and offer action.

The joint meeting adjourned at 8:00 P.M.

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Ginny Stone, Secretary  
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