

PLANNING AND ZONING BOARD  
JOINT MEETING with BOARD OF COUNTY COMMISSIONERS  
to RECEIVE 2007-2008 ANNUAL REPORT FROM CF INDUSTRIES INC. and  
CONSIDER NOTICE OF PROPOSED CHANGE (NOPC) to  
HARDEE PHOSPHATE COMPLEX DEVELOPMENT OF REGIONAL IMPACT  
MAY 08, 2008, 6:00 P.M.

Hardee County Board of County Commissioners Board Room  
412 W. Orange Street, Courthouse Annex, Room 102, Wauchula, FL 33873

**MINUTES**

**Planning and Zoning Board**

James Barncord, present  
Don Chancey, present  
Roger Conley, Chair, present  
Oscar Ortiz, absent  
Charles Parker, excused  
Carl Saunders, present  
Mike S. Thompson, present  
Vida Tomlinson, present  
Max Ullrich, Vice Chair, excused

**Staff**

Planning/Development Director  
Nicholas Staszko, excused  
BJ Haney, Planner II, present  
West Palmer, Mining Coordinator, present  
Brian Pohl, Mining Permitting Specialist, present

No News Media identified

**Board of County Commissioners**

Minor L. Bryant, Vice Chair, present  
Clifton "Nick" Timmerman, present  
Gordon R. Norris, present  
Bobby Ray Smith, present  
Dale Johnson, Chair, present

District I  
District II  
District III  
District IV  
District V

**Staff**

County Manager Lexton H. Albritton, Jr., present  
County Attorney Ken Evers, present  
Sandy Meeks, Office Manager, present  
Clerk B. Hugh Bradley, absent  
Deputy Clerk Laura Barker, present

Board of County Commissioners Chairman Johnson called the Commissioners to order at 6:00 P.M.; quorum was present.

P/Z Board Chairman Conley called the Planning/Zoning Board to order at 6:00 P.M.; quorum was present.

Office Manager Meeks advised the Public Notice was published in The Herald-Advocate on April 17, 2008 with Affidavit of Publication on file.

Pertaining to the Notice of Proposed Change, the Boards were provided copies of:  
application from CF Industries Inc. to Amend the Hardee Phosphate Complex DRI  
Development Order dated February 06, 2008;  
letter of recommendation dated April 07, 2008 from Central Florida Regional Planning  
Council,  
Hardee County Staff's Report dated May 05, 2008 determining the change poses no  
substantial deviation to the Master Mining and Reclamation Plan  
prior to the Public Hearing.

Mining Coordinator Palmer pointed out the proposed change is seeking to reclassify 3.6+/- acres from "Not Disturbed by Mining Operation:" to "Disturbed by Mining and Reclaimed" to construct a pipeline corridor to reduce the pumping distance from the dragline to the plant. Palmer noted that in return there will be 4.19+/- acres not disturbed by mining operations.

Pertaining to the 2007-2008 Annual Unit Review, the Boards were provided a copy of the Annual Review prior to the Public Hearing.

Palmer advised that Staff reviewed the report and found no significant problems; CF has met the reclamation schedule for the 2007-2008 unit review; Staff recommends approval.

A question was posed to Gary Blicht, Superintendent of Environmental Affairs, CF Industries Inc., 6209 CR 663 North, Bowling Green, FL. Blicht responded that the silt fences will be in

place and maintained. Blich noted that when the berms are stabilized the fences may be removed with the pipeline in place until 2027.

Nick Kazaras, General Manager, CF Industries, Inc., 6209 CR663 North, Bowling Green, FL introduced the Annual Review and the speakers. Kazaras advised CF is a safe company, has 171 employees of which 69% are Hardee County residents; plans are for 3.67 million tons of product projected for this year. Kazaras spoke to tax contributions of ad valorem, real estate and tangible and advised of the payment this year of 9.6 million dollars of severance tax.

Kenny Miller, 2008 Griffin Rd., Wauchula, FL, Maintenance Manager, CF Industries Inc. spoke to Economic Development and Land Acquisition activities. Miller identified unmined properties that are leased for cattle grazing and the use of reclaimed water from City of Wauchula.

David Gossett, Technical Services Manager, CF Industries, Inc., 6209 CR663 North, Bowling Green, FL spoke to the 2007 operations and projected 2008 operations including East and West Pasture mining activities and the environmental activities.

Gary Blich spoke to Permitting Activities including water use permits. Blich identified the North and South Pasture reclamation projects and noted that the reclamation progress is in compliance with the 2006 Master Mining and Reclamation Plan.

Randy Selgrad, Treasurer, CF Industries Inc., 4 Park Way North, Deerfield, Ill 60015 spoke to financial responsibility.

RECESSED at 6:45 P.M.; RECONVENED AT 6:55 P.M.

Richard Ghent, CF Industries Inc., 6209 CR663 North, Bowling Green, FL spoke to Aquifer Recharge and Recovery Process and enumerated the positive benefits.

Kazaras requested the approval of the Resolutions.

MOTION by P/Z Board Member Chancey, second by Board Member Thompson to recommend to the BCC to find that CF Industries Inc. presented clear and convincing evidence to determine the proposed change does not constitute a substantial deviation to the Hardee Phosphate Complex Mine Development of Regional Impact Development Order and recommend changes be approved as presented and contained in Resolution No. 08-23. Motion carried unanimously.

MOTION by Chancey, second by Thompson to recommend to the BCC to approve the 2007-2008 Annual unit Review for CF Industries Inc. as contained in Resolution 08-22. Motion carried unanimously.

MOTION by BCC Smith, second by BCC Norris to approve and authorize Chairman to sign Resolution 08-22 approving the 2007-2008 Annual Unit Review for CF Industries, Inc. Motion carried unanimously.

MOTION by BCC Timmerman, second by Norris to find that CF Industries Inc. presented clear and convincing evidence that the proposed changed does not constitute a substantial deviation to the Hardee Phosphate Complex Mine Development of Regional Impact Development Order and approve the changes as presented. Motion carried unanimously.

MOTION by BCC Bryant, second by Timmerman to approve and authorize Chairman to sign Resolution 08-23 modifying the CFI Hardee Phosphate Complex Mine Development of Regional Impact Development Order (Resolution 77-5) as amended, finding the modification does not constitute a substantial deviation. Motion carried unanimously.

Chairman Johnson adjourned the BCC.

MOTION by Chancey, second by P/Z Board Member Barncord to close the meeting and adjourn the P/Z Board at 7:20 P.M. Motion carried unanimously.

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B.J. Haney, Acting Recording Secretary