

JOINT MEETING/PUBLIC HEARING
PLANNING/ZONING BOARD AND BOARD OF COUNTY COMMISSIONERS
June 17, 2010, 6:00 P.M.
Hardee County Board of County Commissioners Board Room
412 W. Orange Street, Courthouse Annex, Room 102, Wauchula, FL

MINUTES

PLANNING AND ZONING BOARD

Ralph Arce, present
Don Chancey, present
Roger Conley, present
Gordon Norris, Vice Chairman, present
Oscar Ortiz, excused
Charles Parker, present
Monica Reas, present
Mike S. Thompson, Chairman, present
Vida Tomlinson, excused

STAFF

Lex Albritton, County Manager, present
Doug Knight, Interim P/D Director, present
BJ Haney, Planner II, present
Sandy Meeks, BoCC Office Mgr., present
West Palmer, Mining Coordinator, present
Ken Evers, County Attorney, present
Deputy Clerk of Court Laura Barker, present

BOARD OF COUNTY COMMISSIONERS

Minor L. Bryant, Vice Chairman	District One, present	
Clifton "Nick" Timmerman	District Two, present	
Terry Atchley, Chairman	District Three, present	
Bobby Ray Smith	District Four, present	
Dale Johnson	District Five, present	No News Media present

Following the Board of County Commissioners Zoning Matters Public Hearing, the BCC Chairman Johnson Atchley called the Board of County Commissioners to order. A quorum was present.

P/Z Chairman Thompson called the Planning/Zoning Board to order. A quorum was present.

Board was advised that the Public Notice for the Joint Public Hearing to receive CF Industries Inc. 2009-2010 Annual Unit Review for the Hardee Phosphate Complex was advertised on June 03, 2010 in *The Herald Advocate* with Affidavit of Publication on file.

Boards and County Staff were provided with a copy of CF Industries Inc. 2009-2010 Annual Unit Review for the Hardee Phosphate Complex and Staff Summary prior to this Joint Public Hearing.

Mining Coordinator Palmer presented Staff's Report (copy attached to original Minutes) citing Staff's correspondence with CF's Staff pertaining to certain areas of concern and stated that Staff recommends approval of CF Industries 2009-2010 Annual Unit Review. Palmer entered the Staff Summary into the record.

Nick Kazaras, General Manager, CF Industries introduced CF staff present and presented an overview of the unit review and gave an introduction of the presentation. Kitharas advised of the company's safety record, noted of CF's 183 employees 124 are Hardee County residents; reported that the company mined 3.09 million tons of rock in 1009 and project to mine 3.5 million tons of rock in 2010. Kitharas spoke of CF's tax contributions that include ad valorem, severance, real and tangible.

CF Staff gave Power Point Presentation of CF Industries, Inc., 2009-2010 Annual Unit Review for the Hardee Phosphate Complex

Kenny Miller, CF Land Management, 2008 Griffin Rd., Wauchula, FL 33873 offered land acquisition information and spoke of mining operations that included acquisition of 73 acres of Albritton property and 20.05 acres of Davis property. Miller reported that in 2008 the Bucyrus Erie 1370 dragline was relocated here from Mexico, reassembly began in 2009 and the dragline became operational in April, 2010. The purpose of the dragline is blending rock quality; the dragline's service will not result in any increase in production.

Miller noted that *West pasture*:

<i>Year 2009</i>	<i>Year 2010</i>
actually mined 211 acres	projected to mine 237 acres

East pasture:

actually mined 162 acres	projected to mine 144 acres.
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Gary Blitch, CF Environmental Supervisor, 4245 Whelan Dr., Mulberry, FL offered an environmental presentation that cited 53 inches of rainfall for 2009 and noted that the deep well pumping was 34% of the total actual water used. Blitch advised that the company recirculates 95% of its water use. Blitch highlighted permitting activities including the Aquifer Recharge and Recovery project.

CF Reclamation Supervisor, George Opderbeck 6545 Longwood Trace South, Lakeland, FL gave a detailed presentation of the reclamation activities in the North and South Pastures.

Randy Selgrade, CF's Vice President Treasurer, Deerfield, IL spoke to financial responsibility, results of operations for 2009, key credit stats and leverage.

BCC Chairman called for public input.

Thomas Petro, 2784 Center Hill Rd., Bowling Green, FL 33834 spoke to the immediate developmental use of released reclaimed land.

Frank Kirkland, (3846) Fussell Rd., Bowling Green, FL 33834 inquired about the thickness of the consolidated area when the dam's walls are ready to be pushed in.

Henry Kuhlman, 5186 Ollie Roberts Rd., Bowling Green, FL 33834 spoke of an abandoned slime pit on CR 663 and gave his opinion on why it is allowed to remain. Kuhlman expressed a desire to see the slime pit reclaimed and expressed concern over heavy industry being allowed so close to the creek and neighboring property owners. Kuhlman expressed concern that the County just takes the mining company's word for what has been accomplished.

Carl Weis, 1969 Hampton Rd., Wauchula, FL 33873 inquired of additional public hearings. Weis was advised that this is the required joint public hearing with the BCC and Planning/Zoning Board, but that if he had additional questions, the County's staff would be glad to meet with him.

P/Z Board Member Conley inquired as to how 100% reclaimed is calculated.

Palmer advised that the County staff recommends that CF is in compliance with the Hardee County regulations and complies with the State regulations to the best of his knowledge.

MOTION by P/Z Board Member Norris, second by P/Z Board Member Chancey to recommend to the Board of County Commissioners approval of CF Industries Inc. 2009-2010 Annual Unit Review for the Hardee Phosphate Complex. Motion carried unanimously

MOTION by Commissioner Smith, second by Commissioner Bryant to accept the P/Z Board's recommendation, and to approve of CF Industries Inc. 2009-2010 Annual Unit Review for the Hardee Phosphate Complex, and authorize BCC Chairman to sign **Resolution No. 10-13** approving the annual unit review. Motion carried unanimously.

Chairman Johnson adjourned the BCC and P/Z Joint Public Hearing at 7:45 P.M.

Respectfully submitted,

"BJ" Haney, Acting Recording Secretary