

## MINUTES

### Levy County Planning Commission

October 11, 2001

6:30 p.m.

The Levy County Planning Commission was called to order by Chairman Mr. Tommy Thompson. Other members present were as follows:

Susan Haines  
Duncan McCallum  
Eugene Pollock

Also present was the County Planner, Mrs. Krista Kelly.

Chairman Thompson explained the purpose of the meeting was to hold a public workshop to review proposed changes to the Mining and Excavation Land Use Regulations. He requested that those who were in attendance and would like to speak to the Commission to limit their comments and concerns to five (5) minutes due to the number of people in attendance.

Chairman Thompson recognized Mr. C.R. "Rowdy" Lowman, who recently passed away. Mr. Lowman was an original Planning Commission member and had been on the commission since 1970. Mr. Thompson asked for a moment of silence in memory of Rowdy and for the brave people who lost their lives in the September 11, 2001 National tragedy both in New York and Washington D. C.

Chairman Thompson asked Krista Kelly to begin the workshop. Mr. C. W. Gilbert questioned the procedure and purpose of the workshop. Mr. Gilbert stated the Legal Ad for the workshop was a moratorium which had not been approved by the BOCC, hence we should not continue with the meeting. Mrs. Kelly explained there was not a moratorium and the BOCC approved having the workshop. Mrs. Susan Haines clarified the BOCC directed Mrs. Kelly to schedule workshops to discuss the LDR's concerning the mining permits at the Sept. 18, 2001 meeting.

Chairman Thompson directed Mrs. Kelly to continue with the Workshop.

Mrs. Kelly explained outline of proposed changes. Topics that are included are as follows: Definition Section, Prohibited Areas, Assess requirements, Regulated activities, Exempt activities, Filing requirements, Fee schedule, Small & Large scale excavation review criteria, and Review process for special exceptions.

Each Planning Commission member listed their questions/concerns as follows:

- Susan Haines - Pg. 3 application needs to be completed and at least 3 of 5 criteria met before it is accepted for processing the permit. Pg. 4 Mining Impact Assessment – does it deal with blasted being involved as to where we get the information from on how many times, how deep, who will do blasting or what contractor will do work? Pg. 5 Exemptions – clarification on Bonafide Agricultural and Silviculture. What criteria will we use to base them as Bonafide? Will we use Property Appraiser etc? Are we going to be unified with rest of County or make up our own. Pg. 7 Transfer Permit – concerned the applicant will go thru permit process get approved then later sell property. New owner should reapply for new permit if they plan on continuing the same use of land. Pg. 10 Sanitary or Refuse Landfills – Doesn't feel it belongs under the Mining section but should be placed in its' own section. This has not been a fast track process. It has been in the process for the past three years since working on the EAR report. Have been waiting for the codification of ordinances to be completed so LDR's could be fixed.
- Gene Pollock - Definitions – wants them grouped together in the beginning of document instead of throughout document. Pg. 2 Small & Large Scale Excavation – do we have a super scale to cover over 1000 cubic yards area greater than Large Scale? Pg. 2 Permit required (1) – wording confusing “No commercial mining or extraction of natural resources for sale”. Pg. 3 Regulated Activities – be consistent with use of definitions explaining some of the wording. Remove Sanitary Landfills from list. Pg. 5 (c) Only fill-dirt may be removed – Do you mean removed from site? Pg. 7 Duration of Permit – From the County's view, what is duration of permit? (Krista – County would request that information as has been done with previous applications.) DEP reviews applications yearly, if not in compliance with guidelines of permit they will remove permit and place a cease and desist order.
- Duncan McCallum - Pg. 2 Large Scale Fill Operation – How did we come up with the number of less than 1000 cubic yards, is it a standard number? (Krista – Standards used by other counties and Rob Corbitt chose number based on trips generated by truck traffic.) Under large scale – some septic systems have required 75-80 loads of fill dirt, would that be an exempt item?

Members of the audience comments.

- Vera Rich - We are more concerned with what local level policies are than at the state level, FDEP or Water Management does, should be independent to what decisions are made here. Need to set standards in our county. This is our chance to get it right. Pg. 4 Mining Impact Assessment- Need more specifics.
- John & Sandy Fink - Hope people elected and appointed make sure the common good is reflected in any decisions that are made.
- Cynthia Munkittrick - Pg. 3 Access Requirements – sentence “Mining & Land excavation shall be encouraged...” is too broad a statement and also “Access & truck routes to the site through residential areas is prohibited”. It needs to be defined. Pg. 5 (f) same wording needs to be better defined.
- Kevin Kelly - Questions why Mr. Pollock is involved in discussion and any decisions considering he is an employee of Luther White (Mr. White submitted mining application, later withdrew) (Mr. Pollock – We’re not voting on anything, just adding expertise to discussion) (Mrs. Haines – If a conflict of interest then he will step down).
- Bill Campbell - Pg. 3 Prohibited Areas (c & d) within xxxxx Miles, how many miles? 5 miles may be reasonable. Concerned with water supply. (Mrs. Kelly – Other counties allow 1 mile from any residential area for blasting.
- Liem Redmond - What we are doing is crucial. We have an opportunity to preserve what we have.
- Jim Boyle - Pg. 2 Prohibited areas (a) – Does this include affluent ponds and agricultural? We need to preserve water supply.
- John Brocious - Has there been geological studies done on blasting how it affects the stress points of the caves so we protect the divers.
- Annette Long - Testing can be done called dye tracing to help determine affect of blasting on land. Are there assessments done on traffic, residential impacts etc...? (Krista – applications do address impact on surrounding areas.) The legality of the document produced should be determined by Greg Beauchamp. Pg. 7 top of page 1<sup>st</sup> paragraph talked about being in compliance- What is not compliant?
- Paul Paris - If codes don’t comply with Comp Plan we need to address those areas to ensure public is protected. Consider economic impact to area. The goal of county is to promote tourism.
- Karen Fishbaugh - Complimented Krista on job she is doing. Troubleshooting good to determine what policy will be the best. Doesn’t oppose businesses wanting to mine but want to preserve community.
- Tammie Truitt - Submitted letter.

- Wilma Wilby - We need to protect citizens and animals who retire to area.  
Lee Emerson - (President of Save our Suwannee) – process need to be slowed down. DEP doesn't recognize how mines are polluting the land. Recommend having a citizens committee. Need to be at least as stringent as DEP but also more stringent.
- Jim Gutolio - Not opposed to White having a mine just not at Manatee location. Definitions need to be revised. Public notice should be increased to include farther that the "within 300 feet of property". Increase from ½ to 1 mile of property around entire property. Monitoring of site should have short & long term included in policy. Suggest monitor every 6 months. Duration of permit is too long (currently 20 yrs.) suggest 5 years. Questioned variation of permit application.
- Bill Ellison - Spoke up for DEP. Currently DEP require all necessary tests. Look at blasting requirements.

Citizens who submitted letters & handouts:

Vera Ellen Rich  
John & Sandy Fink  
Tammie Truett

Chairman closed discussion. Mr. McCallum made a motion to recommend to BOCC a moratorium of 6 months. Mrs. Haines seconded for discussion. Duncan voted yes. Susan, Gene, and Tommy voted no. Motion failed.

Mrs. Haines stated that Mrs. Kelly should request the BOCC to cancel the workshop on Oct. 16 so that the Planning Commission can have additional workshops as they do not feel the document is ready to present to the BOCC as written. Mrs. Kelly indicated she would cancel the workshop as recommended.

The next workshop was scheduled for Nov. 5, 2001 at 6:30 p.m.

There being no further business for the Levy County Planning Commission Mrs. Haines motioned to adjourn. Mr. Pollock seconded the motion; motion carried.

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Chairman