

JULY 6, 1976

(Cont'd)

environment and water resources of the area, that the slime ponds are not going to break and pollute the water supply, etc., - before permit is granted.

Mr. Grimes pointed out that this is a conceptual order and numerous permits will have to be obtained through various state, district and local agencies and the public will have opportunity to be heard on every one of the applications. Upon question, he stated that they will have to comply with all Water Management Districts' requirements prior to public hearing on operating permits.

The Chairman declared the meeting recessed until 8:00 A.M., Wednesday, July 7, 1976, at which time the Board will render a decision in connection with D.R.I.-7 and SE-842 for Phillips Petroleum Company.

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JULY 7, 1976

The Board of County Commissioners reconvened at 8:10 A. M., Wednesday July 7, 1976 in continued regular session, with all members present; also, the County Attorney and Deputy Clerk.

The County Attorney suggested that the Board consider and rule upon each of the exceptions and responses to the Recommended Development Order stated in the motion filed by Phillips Petroleum Company.

Motion was made by Mr. Hutches that

Exception No. 1, contained in the motion by Phillips Petroleum Company stating exceptions and responses to the Recommended Development Order (paragraph 5) - relating to ground water - be sustained. Motion was seconded by Mr. Dierks and carried unanimously.

Motion was made by Mr. McClure that

Exception No. 2, contained in the motion by Phillips Petroleum Company stating exceptions and responses to the Recommended Development Order (paragraph 9) - relating to location of the plant and other tangible and real property assessed for tax purposes - be over ruled. Motion was seconded by Mr. Dierks and carried unanimously.

The County Attorney referred to Exception No. 3, part (a) relating to use of treated wastewater, and part (b) relating to donation of lake or lakes after completion of the mining operations and reclamation of sites, contained in the motion by Phillips stating exceptions and responses to the Recommended Development Order (paragraph 10), noting that the language could be clarified to cover the intent to some degree, or that it could be left out and covered in an agreement with Phillips. He expressed concern that this portion (of the document) is outside the record and possibility, in case of appeal, that it could be considered material and result in having to hold another public hearing.

Mr. Grimes stated preference that it be left out because it is not part of the record and that Phillips would be willing to enter into contractual relationship with the County.

Motion was made by Mr. McClure to strike that portion of paragraph 10 of the Recommended Development Order relating to treated wastewater. Motion was seconded by Mr. Burton. Consent was made by

Phillips that they would enter into negotiation for agreement prior to the time they apply for an operating permit in Manatee County. Motion carried unanimously. (Ref. Exception 3-a)

With reference to Exception 3(b) - relating to donation of the lake(s) - Mr. Grimes stated no objection to deeding the lakes to the county after completion of the project, but there would be question as to deeding surrounding properties.

Motion was made by Mr. McClure to strike that portion of paragraph 10 of the Recommended Development Order relating to donation of the lake or lakes after completion of the mining operations and reclamation of the sites. Motion was seconded by Mr. Burton with note that this could be made a part of the agreement referred to in the previous motion. Motion carried unanimously.

The County Attorney stated that Sarasota County filed a motion stating exceptions to the Recommended Development Order which basically had two grounds: (1) Did not comply with recommendations by Tampa Bay Regional Planning Council, (2) objected to language regarding conditions, limitations and restrictions. He recommended denial of this motion.

Motion was made by Mr. Burton that motion stating exceptions to the Recommended Development Order filed by Sarasota County be denied. Motion was seconded by Mr. McClure and carried unanimously.

PHILLIPS PETROLEUM COMPANY
DEVELOPMENT OF REGIONAL IMPACT; SPECIAL EXCEPTION

Mr. Burton moved for the adoption of a RESOLUTION RENDERING A DEVELOPMENT ORDER, approving the Application For Development of Regional Impact (D.R.I.-7) by Phillips Petroleum Company, as corrected and modified, reflected by the proceedings which have to do with changes in paragraph 5 and eliminating paragraph 10, and for the adoption of a RESOLUTION EXTENDING OR REVISING AN EXISTING SPECIAL EXCEPTION AND APPROVING MINING MASTER PLAN (SE-842) upon compliance with all conditions, restrictions and limitations.

Motion was seconded by Mr. McClure and carried unanimously. ZONING
RESOLUTION RECORDED DRI-7
RESOLUTION RECORDED SE-842

BROOKSIDE ADDITION TO WHITFIELD

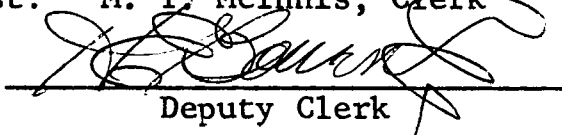
The County Engineer advised, by letter dated June 30, 1976 that the major portion of improvements in Brookside Addition to Whitfield Estates Subdivision had been completed and recommended acceptance of a bond in the amount of \$96,975.86 to replace the existing bond in the amount of \$615,558.00 with Safeco Insurance Company as surety (Bond No. 2430058).

Motion was made by Mr. Hutches that the developers of Brookside Addition to Whitfield Estates be authorized to submit a new bond, for completion of subdivision improvements, in the amount of \$96,975.86, which is 110 percent of the estimated cost of the balance of the project. Motion was seconded by Mr. Dierks and carried unanimously.

MEETING ADJOURNED

There being no further business the meeting was declared adjourned.

Attest: M. T. McInnis, Clerk


Deputy Clerk

APPROVED:


Chairman