

**PLANNING & ZONING COMMISSION MEETING
OCTOBER 21, 2010
M I N U T E S**

ROLL CALL:

Chair Diane Sheffield
Vice-Chair Larry Ganus
Ms. Mari VanLandingham
Judge B. Helms, School Board Rep
Alonzo McBride
Willard Rudd
Ed Allen
Frank Rowan

STAFF PRESENT:

Anthony Matheny, Growth Mgt. Dir.
Deborah Minnis, County Attorney
Jean Chesser, Deputy Clerk

CALL TO ORDER:

CHAIR SHEFFIELD CALLED THE MEETING TO ORDER AT 6:00 PM STATING A QUORUM WAS PRESENT, AND THEN LED IN THE PLEDGE OF ALLEGIANCE TO THE US FLAG.

DECLARATIONS OF CONFLICT:

Chair Sheffield explained she had received a phone call and an e-mail from a representative of one of Mining companies. Mr. Ganus and Mr. Allen said they had also received a call from one of the mining companies representatives. These were not noted as conflicts, but rather as the representative's concern for the EAR Amendments.

Chair Sheffield announced the P&Z Commission had lost one of their favorite members - Mr. John Yerkes who passed away last

weekend. She pointed to a large wreath that had been placed in Mr. Yerkes's chair; and explained Ms. VanLandingham had made the wreath in honor of Mr. Yerkes.

Ms. VanLandingham said she had talked with several of the Commission members for suggestions of something the Commission could do to pay tribute to and honor Mr. Yerkes. One thought was to plant a tree in his honor and Chair Sheffield said the Commission will have to decide on a location for planting the tree. It was the consensus of the Commission to find out which tree was his favorite and to then proceed with the planting at a location to be determined; showing not only their appreciation for his dedication and hard work for the betterment of Gadsden County, but to also honor him in that manner.

Chair Sheffield said Mr. Yerkes will be greatly missed as he was very dedicated, he did his homework and was one of the best Planning Commissioners Gadsden County has ever had.

Mr. Rudd said he would propose the Commission also consider doing some type of statement honoring Mr. Yerkes; possibly a resolution or something of that nature.

There was a brief discussion on the Board of Co. Commissioners plans to honor Mr. Yerkes and it was again the consensus of the P&Z Commission that Mr. Matheny get with the Co. Administrator and/or County Attorney to have a Resolution drawn up for the P&Z Commission in honor of Mr. Yerkes so it can be presented at the next P&Z Meeting.

LET THE RECORD REFLECT THE PLANNING & ZONING COMMISSION AGREED UNANIMOUSLY THAT THIS MEETING WAS TO BE OFFICIALLY DEDICATED TO THE MEMORY OF MR. JOHN YERKES.

AMENDMENTS TO THE AGENDA:

Mr. Matheny requested the Agenda be amended by removing the Conservation Element and the Future Land Use Element from the Agenda and to have them considered at a future meeting. The meeting will be advertised and staff will go through all of the proper procedures. He explained the Commission could hopefully decide on a date for the future meeting tonight and he suggested a date of Monday, December 13, 2010 as a possible date. He said the P&Z Regularly Scheduled Meeting is for December 16th, but Ms. Pennington will be out of the Country on that date. Therefore,

his reason for recommending the 13th, as Ms. Pennington would be available on that date. He said the Commission would vote on those two elements at that meeting and in between they would have a workshop as was discussed earlier today. The workshop would be held on Wednesday, November 17 at 6:00 PM rather than November 18th as Ms. Pennington also has a conflict with the 18th. The Public Hearing will be on Monday, December 13th for the Commission to vote on those two elements of the Comp Plan. The Overlay Plans will be considered at a future date; sometime during the first part of next year; 2011. Tonight the Commission will be voting only on six elements - everything except Conservation and Future Land Use Elements.

UPON A MOTION BY MR. GANUS AND A SECOND BY MR. HELMS TO APPROVE THE AMENDED AGENDA, THE BOARD VOTED 8-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Mr. Allen said a letter had been distributed at the September 30th Workshop by Attorney Kent Seifret of Hopping, Green & Sams, but it was not reflected in the minutes. He asked the Deputy Clerk to explain why the letter was not reflected and the Deputy Clerk stated the letter was passed out prior to the meeting, it was a workshop meeting and the issue addressed in the letter was not discussed during the meeting. She said the minutes could be amended to indicate the letter was received and shown as part of the minutes of September 30, 2010, P&Z Workshop. Mr. Allen read into the record the letter received from the Law Firm representing C.W. Roberts and that the letter addressed how their Law Firm feels property owners could possibly be affected by the EAR Amendments and Overlay Plans.

UPON A MOTION BY MR. HELMS TO APPROVE THE MINUTES OF THE SEPTEMBER 23RD AND SEPTEMBER 30TH P&Z WORKSHOP MINUTES AND THAT THE MINUTES OF SEPTEMBER 30TH BE CORRECTED TO INDICATE RECEIPT OF THE LETTER FROM THE LAW FIRM OF HOPPING, GREEN & SAMS REPRESENTING C.W. ROBERTS AS READ INTO THE RECORD BY MR. ALLEN, AND UPON A SECOND BY MR. RUDD, THE COMMISSION VOTED 8-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Mr. Matheny requested the meeting tonight remain focused on the six elements to be considered only. The Conservation Element, Future Land Use Element and both Overlay Plans (US 90 Corridor

and Wetmpka-Lake Talquin) will be considered at later meetings and comments on these issues should not be made tonight. He said there has already been three workshops and this is not the time to completely start over in receiving and debating public comments. He stated the Commission may want to use their discretion in someone bringing in additional information that may overwhelm them with a whole new set of ideas, etc. The Future Land Use Element (FLUE) and the Conservation Element will be considered further at future meetings because of legal concerns that have been received. He Asked the County Attorney briefly address the workshops scheduled for November.

Ms. Minnis explained the November Workshop is being planned after the election so they will be able to see what happened with Amendment IV. If it passes how it may affect the planning process in the future and if it doesn't pass they will discuss whether there may be any changes made by the Legislature via DCA in the future because at one point there was a push to get some changes made to the Comprehensive Planning process. She said she also wanted to update the Commission on any current litigation that has gone on in the area so they could have the information in their knowledge bank as they go forward with some of the features of the Comp Plan that seems to have generated a little more controversy. She said there has been a lot of controversy throughout the State concerning the Comprehensive Planning process and her main purpose in November will be to update the Commission on all of the issues surrounding that process.

Chair Sheffield thanked Ms. Minnis and then turned the meeting over to Ms. Pennington.

Each element will be voted on separately after being presented, discussed by the Commission and staff and public comments received.

Ms. Pennington explained the six elements that will be voted on tonight were presented to the P&Z Commission on September 30th and October 1st. She said all of the comments she has received up to this date are included; however, the comments she has received on the Conservation Element and the Future Land Use Element will not be discussed tonight as those two elements are being considered at a later date. She said the comments she has received since last Tuesday on the infrastructure, housing, recreation and open space, inter-governmental coordination and capital improvement elements have been provided to the Commission and they will be individually discussed.

TRANSPORTATION ELEMENT:

Ms. Pennington explained there were no major concerns/comments made on the Transportation Element at the last Workshops on September 23 and September 30. She asked if the Commission had any additional questions and none were made by the Commission.

Ms. Pennington said the preliminary Draft (same as the Commission has tonight) was sent to Department of Transportation and they were very comfortable with it. She said none of the drafts have gone to DCA as yet, but she would like to send them as a preliminary draft to get DCA's input.

Chair Sheffield called for comments from the Public and Ms. Marian Lasley addressed the Commission, especially concerning Policy 2.6.4 which includes a map designating the energy conservation areas and whether or not that map was included in the Commissioner's packets for their review prior to their vote and if the map has a number and a name, and how the citizens could have input on this.

Ms. Pennington said the map is not included in the packets, but the map is a new map that has been adopted on the new map series (had large print of it at meeting) and it is one of the new maps that's required by Florida Statutes (House Bill No. 697) requiring local government to map energy conservation issues; it is on the County's website. She said in this particular map they have also included the route of the Gadsden Expressway because they feel it is an energy conservation feature. She explained the Legislation was adopted and DCA is in the process of adopting a Rule and many local governments are already implementing the law and adopting policies as to what they are supposed to do and maps they are proposing to use, but that energy conservation areas are not defined there. It has been interpreted by local governments that have already adopted a land use policy and map are the areas of conservation and recreation/open spaces and things like transit, rails, bike and pedestrian features; all of which help conserve energy because it gives options of moving around.

There was additional discussion and Chair Sheffield then called for a motion.

UPON A MOTION BY MR. ALLEN TO APPROVE THE TRANSPORTATION ELEMENT AND WITH A SECOND BY MR. ROWAN, THE COMMISSION VOTED 8-0, BY VOICE VOTE IN FAVOR OF THE MOTION.

HOUSING ELEMENT:

Ms. Pennington explained concerns Mr. Ganus had on Objective 3.1 -- how the new projection of dwelling units is determined; it is determined based on the data and analysis. The Florida Statute allows the local governments to do the surveys and collect the data for affordable housing, or for housing in general. Many of the local governments don't have the resources to do all of this and they use the Chamber Institute which collects a lot of this data - known as the affordable housing needs assessment and that based on those projections come the projected number of units that will be needed over the next ten (10) years.

She said the next concern was on Policy 3.1.4 (last sentence of the Policy) and they are not making any changes to the Policy; that this policy has been there.

Mr. Ganus asked if they could address it during this discussion and Ms. Pennington explained the purpose of the EAR based amendments is to address the recommendations from the EAR.

Mr Ganus said in other sections, such as in 3.1.2 they are addressing the issue of affordable housing, and since the language was already in there; in 3.1.4 that he didn't see how one could be excluded over the other and that Ms. Pennington had seen all of his concerns and comments on all the sections of the Comp Plan that it would be in conflict with. Ms. Pennington said they are not talking about adding any additional units - the agricultural land allows "x" amount of residential units per acre. This language **is** not allowing any more units than they are already allowing in the agricultural lands; and what it is saying is if you pull them together you are clustering them and then it could be used for citing low and very low income projects, but it doesn't give authorization for more units than what would be allowed there in agricultural. Ms. Pennington said that is the way she is reading and that she imagines that is the way DCA reads it; otherwise they would not have wanted to have that policy.

Mr. Ganus asked if Ms. Pennington was saying if there was a project in the works; if the County needed additional low income housing or affordable housing or whatever, then they would be a percentage of that project, a percentage of the number of units being built in a project?

Ms. Pennington responded No, that what she is saying is in this context of Policy 3.1.4, the County will work to provide affordable housing in the Urban Service, Commercial and Rural Residential areas; and if clustering measures are applied, then the Agricultural areas could be used to provide low and very low income projects. It isn't talking about any percentages, it's not talking about giving more than the agricultural land has, it's not allowing more units.

Mr. Matheny said the way he interprets it is that (for example) someone had 1,000 acres in Ag-3 at one unit per 20 acres which would give you 50 units. You could cluster those units for low income housing - you couldn't have anymore; but you could cluster them onto one of the 20 acre parcels for low income housing. But, that would not give you additional units - that wouldn't change.

Mr. Allen also pointed out that in Rural Residential clustering can be done; clustering down to one-half acre lots, which in some areas, would cause urban sprawl.

Ms. Pennington said in clustering them, that is not contributing to sprawl in her view, and in this case, if the units were clustered onto the one 20 acre parcel that would leave 980 acres that are protected; giving you a more efficient use of the land.

The next concern was on Policy 3.1.10 which could allow low income or "accessory dwelling units" in any area designated for single family residential use. He said that would be anywhere in the County - Agricultural land, Rural Residential, USB or whatever. He said he doesn't understand that because if the people are 10 or 15 miles from the nearest City; and low income people tend to have a problem with transportation anyway, and if low income projects are allowed to end up out in the Agricultural areas those people will have problems getting to and from where they need to go.

Ms. Pennington said affordable housing is not just for low income people. It can be for someone's children that cannot afford to move to a house and the parents may have a large single family lot and could have an accessory unit for their grown-up children or one that comes back home, etc.

Mr. Ganus said "The accessory dwelling units are specifically to be rented at an affordable rate to extremely low income, very low income, low income and moderate income person or persons." He said that is exactly what is in the Fl. Statute and he simply cannot see this being spread all over the County because it creates more transportation problems. More transportation

methods will have to be created to get people to where they need to go to and from, if nothing else and there's no infrastructure to go with this.

Ms. Pennington said this Policy simply implements the Statute.

Mr. Ganus recommended that, in order to prevent any possible misunderstanding by anyone reading the Comp Plan to add the second sentence from the Statute to this Policy so that it is clear what is being covered under this policy. He said that would cut out any misunderstanding as to who can use this particular item and how it should be used.

Ms. Pennington said the County doesn't have to adopt that Ordinance and Mr. Ganus inquired as to who would compile all of the data that would define Affordable Housing "shortage", when it would be compiled and how often would it be reviewed.

Mr. Matheny said he could not say how often they will look at whether or not there is an affordable housing shortage. He said that would be his department working along with the Planning Commission and the BOCC to determine if they are getting input from citizens stating there is an affordable housing shortage; a lot of that goes through the Chamber of Commerce and the Chamber monitors that a lot closer than his department.

Mr. Ganus again asked if they are opposed to adding the next sentence to this particular Policy to clarify, and Ms. Pennington said she would do whatever the Planning Commission votes for.

Chair Sheffield said the Policy states ... the County may, if they want to, adopt an Ordinance ... so once the Ordinance is adopted that language could be put into the Ordinance at that time, and Ms. Pennington responded affirmatively.

Mr. Ganus said "we will end up with the immediate family exception approval again, right here with this and that's right where we're headed; anywhere in the County where they want to do it."

Mr. Matheny said the key word is "May" -- may, shall, or will consider, and if they ever get to the point that point it will have to come back before this body.

Chair Sheffield added it they didn't have it in here, they could not consider it in the future.

Mr. Matheny said they are looking for things -- if you want to be honest about it -- affordable housing, workforce housing, etc.; those are the key issues.

Mr. Ganus said his opinion is that in this County most of the housing is going to be that type anyway; it is now and he doesn't see it changing that drastically over the next ten years. He said Gadsden County will basically be a bedroom community for Tallahassee so it's going to be workforce, affordable housing anyway.

Mr. Matheny said "my recommendation is go ahead with it and then if it comes back in front of you, you've got a lot of power to change it at that point."

Mr. Ganus then Recommended adding the second sentence clarifying from State Law exactly what is intended. Language suggested to be added "If the local government adopts an Ordinance under this section, an application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to an extremely low income, very low income, low income, or moderate income person or persons"

In response to a question from Mr. Rowan for clarification as to what Mr. Ganus is trying to keep from happening, Mr. Ganus explained this could conceivably be used in the same manner as the immediate exception family policy that they had previously been successful in sun-setting and having it removed from the Comp Plan.

Chair Sheffield said that is totally different from the single family exemption; in single family exemption they cut off a piece of land and give it to them.

Mr. Allen asked what would happen if it's not accepted and Mr. Ganus said at that time it would be a mute point; nothing would happen, but the way that law reads this is intended as a rental unit and it may be family and it may not be family; it could be anybody that the unit is rented to that is a lower income person.

Mr. Rowan said he didn't think that should be in it -- to rent a piece of property next door to you. He said what Mr. Ganus is saying is that he is authorizing it to be done.

Mr. Ganus said to him this just undermines the whole concept of the Comp Plan having a designated land use category; 1:10, 1:20, or whatever then you're allowed to do whatever you want to.

After additional discussion, the following action was taken.

UPON A MOTION BY MR. GANUS AND A SECOND BY MR. ALLEN TO INCLUDE IN THE HOUSING ELEMENT, LANGUAGE STRAIGHT FROM THE STATE LAW INTO POLICY 3.1.10 FROM F.S. 163.31771.4 -"IF THE LOCAL GOVERNMENT ADOPTS AN ORDINANCE UNDER THIS SECTION, AN APPLICATION FOR A BUILDING PERMIT TO CONSTRUCT AN ACCESSORY DWELLING UNIT MUST INCLUDE AN AFFIDAVIT FROM THE APPLICANT WHICH ATTESTS THAT THE UNIT WILL BE RENTED AT AN AFFORDABLE RATE TO AN EXTREMELY LOW INCOME, VERY LOW INCOME, LOW INCOME OR MODERATE INCOME PERSON OR PERSONS", THE BOARD VOTED 8-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Ms. Pennington said that language will be included in the Policy when it is presented to the BOCC.

Chair Sheffield called for public comments on the Housing Element.

Mr. Barry Haber addressed the Board concerning Policy 3.1; where the figure of 15% came from and suggested if more affordable housing is needed that number should be a floating percentage number. Ms. Pennington responded if more affordable housing is needed or wanted in the County that number can be increased to 20-20-40%. She said what she had been hearing was that there was already a lot of affordable housing in the County so she left it at the 15%.

Ms. Marion Lasley addressed the Board and said she assumed the same institute that provided the data and analysis for these are based on real data from Gadsden County and Ms. Pennington responded No, that no data has been collected in Gadsden County; they haven't collected data from any county; they do generalized data throughout the State which is the data most local governments use. Ms. Lasley had additional questions on this element and most of the questions had already been addressed by revisions recommended by Staff; Ms. Lasley's copy of the Element and Policies was not the most current (revised) copy.

After additional discussion Ms. Pennington did a brief re-cap of recommended changes being proposed by the P&Z Commission, staff and citizen's input as (1) Revised Policy 3.1.10, 3.1.11, Objective 3.3, Policy 3.3.7, 3.5.4, and the following action was then taken by the Commission:

UPON A MOTION BY MR. GANUS TO APPROVE THE PROPOSED REVISIONS AS LISTED AND STATED ABOVE ON THE HOUSING ELEMENT BY MS. PENNINGTON

AND UPON A SECOND BY MR. HELMS, THE COMMISSISON VOTED 7-1, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Let the record reflect Ms. VanLandingham voted against the Motion.

INFRA-STRUCTURE ELEMENT:

Ms. Pennington explained they have worked with the Water Management District and she feels very comfortable this Draft reflects the Water Management's recommendations and should be to their satisfaction. She said Mr. Ganus had brought up Objective 4.10 Drainage Sub-Element, Level of Service Standards that was previously in the Comp Plan; the Cross-Drain Level of Service Standard. Ms. Pennington said that has been added back. She said Mr. Ganus had also recommended adding language to Policy 4.2 C, at the end of the sentence after Element - strike period and ADD **"and shall meet the adopted level of standards recommended in Objective 4.10."**

Chair Sheffield inquired if a motion was needed for this.

Mr. Matheny responded "No, the Commission can just make one at the end; just to be adopted with all of the changes made."

Chair Sheffield then called for public input.

Ms. Lasley again addressed the Commission concerning Policy 4.1.2 of the Infrastructure Element for stronger language, rather than the use of "shall encourage".

Mr. Matheny "You can get to the point to where you encourage - you do everything you can to have centralized systems, but you can't -- it becomes exclusionary if you make it where nobody can build septic or wells. You just can't go that route."

Ms. Lasley responded that they are also talking about multi-family housing, industrial and commercial developments and in Policy 4.3.3 she would like the language to read ---shall be designed for central water and--- add "central" sewer systems. She said she would also like to see the language "Urban Service Areas" removed from Policy 4.5.2 or the wording changed as it would encourage Rural Residential areas to be more dense with these systems and will create sprawl within the County.

Mr. Matheny recommended changing language in Policy 4.5.8 - after drain fields **ADD** a "period" and then delete "where central sewer services are not available.

Ms. VanLandingham responded to concerns from Ms. Lasley and suggested changing the wording in Policy 4.7.11 to read "The County shall continue to work with the NFWMD to protect a Water Resource Caution Area such as the Upper Telogia Creek Drainage Basin or any other future designated water resource caution area."

Ms. Pennington did a brief recap of proposed changes to the Infrastructure Element - Objective 4.10, Policy 4.2 (C), Policy 4.3.3, Policy 4.5.8 and Policy 4.7.11.

UPON A MOTION BY MR. HELMS TO APPROVE THE INFRA-STRUCTURE ELEMENT WITH CHANGES AS STATED ABOVE BY MS. PENNINGTON, AND UPON A SECOND BY MR. ROWAN, THE COMMISSION VOTED 8-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Let the record reflect a break was taken at 7:50 PM and the meeting reconvened at 8:05 PM.

RECREATION AND OPEN SPACE ELEMENT:

Ms. Pennington said language The County --- "shall continue to" has been added to Policy 6.3.3, first sentence. Also, Objective 6.5 the word enchantment should be deleted -- and the word "enhancement" will be inserted.

UPON A MOTION BY MR. GANUS TO APPROVE THE RECREATION AND OPEN SPACE ELEMENT WITH THE TWO CHANGES AS STATED BY MS. PENNINGTON AND AS SHOWN ABOVE AND UPON A SECOND BY MR. MCBRIDE, THE COMMISSION VOTED 8-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

INTERGOVERNMENTAL COORDINATION ELEMENT:

Mr. Allen said the recommendation had previously been made to change semi-annual meetings to "Annual meetings" in Policy 7.1.16.

Mr. Helms pointed out that in Policy 7.1.9 the Transportation Hurricane Evacuation Route Map number has not been added and

Chair Sheffield asked that Ms. Pennington make a note to be sure and put the number on the Transportation Map.

In response to Mr. VanLandingham's comments on identifying the County's Shelters of Last Resort for hurricane evacuees, and the fact that she had brought this up some time ago (during the previous staff administration) and in what element that information would be included, Ms. Pennington said it would not have to be included in an Element; it could be included in the Future Land Use Element or it could just simply be included in the data by those shelters being identified.

UPON A MOTION BY MR. MCBRIDE AND A SECOND BY MR RUDD TO APPROVE THE INTERGOVERNMENTAL COORDINATION ELEMENT AS PRESENTED AND TO INCLUDE THE TWO CHANGES AS STATED ABOVE, THE COMMISSION VOTED 8-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

CAPITAL IMPROVEMENTS ELEMENT:

Ms. Pennington gave a brief explanation of the Capital Improvements Element and no additional changes were made.

UPON A MOTION BY MR. HELMS AND A SECOND BY MR. GANUS TO APPROVE THE CAPITAL IMPROVEMENTS ELEMENT AS PRESENTED, THE COMMISSION VOTED 8-0, BY VOICE VOTE, IN FAVOR OF THE MOTION.

Mr. Matheny responded to Ms. VanLandingham that all of the changes will be shown once Ms. Pennington makes them, and the documents are placed back on-line. He reminded the Commission that (1) At tonight's meeting P&Z approved the six elements (2) There will be a workshop to review and discuss the last two elements (Conservation and (FLUE)Future Land Use Element) on November 17 as previously explained by the County Attorney (3) the P&Z Commission will then meet on December 13th to vote on those two final elements. Then in early 2011, if the County Administrator and the County Attorney feels another workshop is needed for the county Commission that will most likely be done in January and (4) hopefully the BOCC will then vote on all eight elements in February. He further stated they may be able to start scheduling additional workshops on the Area Plans, but all of that will still have to be worked out. He said instead of

all eight elements being adopted by the County and approved by DCA in March, it will probably be July or August (Known as the ORC Report).

Ms. Pennington responded to Chair Sheffield that the County will have 60 days to object to the ORC report and then they will have 60 days to respond and do the adoption with the changes.

Mr. Pennington said there will have to be some additional workshops held on the Overlay Area Plans and possibly some public meetings in the community, but all of that is yet to be determined.

Mr. Allen asked if the Commission could make a recommendation that no zoning changes happen in those Area Plans until it goes to DCA and is approved and Mr. Matheny said that is more of a legal question; that he supposes the Commission could make whatever recommendation they want, but that he just doesn't really know what to tell them in that situation.

PUBLIC COMMENTS:

Mr. Mike Bass, Phoenix Environmental Group out of Tallahassee addressed the Commission and extended condolences for the loss of the Commission's colleague Mr. John Yerkes. Mr. Bass suggested the Commission may want to consider planting of the tree in honor of Mr. Yerkes at his beloved Lake Yvette.

Mr. Bass said his Group is interested in the Conservation Element and the Future Land Use Element which will be coming up next month as his group provides environmental consulting services to BASF.

Mr. Anthony Fedd, Operations Manager of the BASF Quincy Operations addressed the Commission and also extended his condolences for the loss of Mr. Yerkes. He also invited the Commission members to come out and tour their facility.

Chair Sheffield made reference to the letter she has received from BASF and the County Attorney said she would recommend the letter be included in the P&Z Agenda Packets for their meeting when that particular issue (as addressed in the letter) is to be discussed. That will give the County Attorney time to review the letter before it is disseminated to the other P&Z Commission members.

Mr. Woodie McDaniel introduced himself to the Commission as the mining leader for the BASF Quincy operation. He too expressed his condolences to the Commission for their loss of Mr. Yerkes and he also invited the Commission to visit their facility when they could.

Ms. Minnis took a moment to introduce her colleague David Weiss who will be working with her on the Comprehensive Plan issues.

The Deputy Clerk explained rules of order to be followed by the Planning Commission in conducting their meetings and stated the County has their own Code and Policy which is what the BOCC and the P&Z Commission is to follow. The Deputy Clerk will have a printed Policy for the Commission at their November meeting.

RECEIPT & FILE FOR THE RECORD:

1. HOPPING GREEN & SAMS Letter dated 9/30/10 Regarding the EAR-Based Amendments & Wetumpka/Lake Talquin Overlay Plans.

ADJOURNMENT:

THERE BEING NOTHING FURTHER TO COME BEFORE THE COMMISSION AT THIS TIME, THE MEETING WAS ADJOURNED AT 8:45 PM.

Chair Diane Sheffield

Jean Chesser, Deputy Clerk