

EPC Special Meeting

1/25/05

1:30 p.m.

**EPC Board Assignments
January 20, 2005**

EPC Budget Workshop

Commissioner Norman made a motion for an EPC Budget Workshop and for staff to schedule the workshop in an appropriate timing of key issues. (Commissioner Norman wanted to make sure we were still working with the County Administrator with budget issues.)

Dr. Garrity said EPC would work with Charlotte in scheduling the workshop.

Motion carried 5-0.

Alafia River Channel Dredging & Spoil Disposal Permit

Commissioner Norman made a motion to support EPC staff recommendation for the Chair to send a letter to FDEP pointing out the concerns of the Board and asking for some time to have a discussion between the parties involved and to revisit the issue and have some scientific discussion about the best use of the spoil material.

Motion carried 6-0.

Letter was signed by the Chair at the meeting

Exide

Commissioner Storms made a motion to support EPC's staff recommendation that the Board send a letter to the Department of Environmental Protection indicating the interest and concerns that the EPC Board has over the site and that the Board would appreciate FDEP working with EPC to an amicable resolution.

Motion carried 6-0 .

Letter was signed by Commissioner Castor at the Board meeting.

**HIMP
COMMISSIONER STORMS.**

RONDA STORMS: I'M NOT SURE WHAT A -- NOT REALLY A RECOMMENDATION IS, BUT JUST SORT OF A SOFT SUGGESTION. I'M ASSUMING THAT IT'S IMPORTANT ENOUGH FOR TO YOU MENTION IT, IT'S IMPORTANT ENOUGH FOR US TO ACT ON IT, SO I'M GOING TO ASK -- I'M GOING TO MAKE A MOTION THAT WE REFER THIS OVER, ASK EPC STAFF TO APPROACH HILLSBOROUGH COUNTY STAFF TO BEGIN, YOU KNOW, WORKING ON THIS RECOMMENDATION SO THAT IT CAN COME BACK BEFORE THE BOARD OF COUNTY COMMISSIONERS IN A JOINT PRESENTATION WITH RECOMMENDATIONS TO FOLLOW. BECAUSE, YOU KNOW, OF COURSE WE ALWAYS WANT TO KNOW WHAT THINGS COST.

HATE TO BREAK THE NEWS TO YOU.

JIM NORMAN: SECOND.

RONDA STORMS: SO I'D MAKE THAT MOTION.

KATHY CASTOR: DO YOU HAVE A TIME FRAME YOU'D WANT TO PUT ON THAT?

RONDA STORMS: WHAT'S YOUR RECOMMENDATION ON A TIME FRAME?

I'M THINKING YOU NEED TO GET IT DONE BEFORE THE BUDGET, THE REQUEST, SO AT LEAST IF THERE'S SOME SORT OF BUDGET IMPLICATION, IT COULD BE ADDRESSED.

GEROLD MORRISON: I WOULD SAY ONE TO TWO MONTHS.

RONDA STORMS: OKAY.

60 DAYS.

THERE YOU HAVE IT.

KATHY CASTOR: 60 DAYS.

MOTION MADE BY COMMISSIONER STORMS, SECONDED BY COMMISSIONER NORMAN.

MOTION CARRIED 5-0.

Greenyards

Commissioner Storms made a motion to support EPC's staff recommendation of inviting the facilities that participate and become eligible in the Greenyard's program be placed on the EPC Board Agenda and recognized at the Board meetings.

MOTION CARRIED 6-0.

Fair & Clear Channel

RONDA STORMS: MADAM CHAIR, IN THE EVENT A FULL SETTLEMENT IS NOT REACHED AT MEDIATION AND THE CASE PROCEEDS TO TRIAL, I MOVE THAT WE AUTHORIZE THE EPC STAFF TO HIRE OUTSIDE COUNSEL AND ANY NECESSARY EXPERT WITNESSES, AND ALSO, I MOVE THAT WE AUTHORIZE DR. GARRITY TO WORK WITH PAT BEAN FOR ANY NECESSARY BUDGET AMENDMENTS AND ALSO TO WORK WITH RENEE LEE, THE COUNTY ATTORNEY, TO WORK WITH -- USE THE CONSIDERABLE RESOURCES OF THE COUNTY ATTORNEY'S OFFICE TO ALSO WORK WITH US IN THIS MATTER.

THAT'S MY MOTION.

JIM NORMAN: SECOND.

KATHY CASTOR: THAT'S A MOTION BY COMMISSIONER STORMS, SECONDED BY COMMISSIONER NORMAN.

IS THERE ANY DISCUSSION ON THAT MOTION?

RECORD YOUR VOTE.

RECORDING SECRETARY: THE MOTION CARRIED 6-0.

BRIAN BLAIR: MADAM CHAIR, AS --

KATHY CASTOR: COMMISSIONER BLAIR.

BRIAN BLAIR: -- A SECOND MOTION, I WOULD, UNDER THE CONDITIONS DISCUSSED -- WHICH WERE PROVIDED TO US BY THE

FAIRGROUND REPRESENTATIVES -- AS WE DISCUSSED IN THE CLOSED SESSION AND TO WITHDRAW THE FAIR FROM EPC'S PENDING MOTION FOR INJUNCTION, WE AUTHORIZE DR. GARRITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE FLORIDA STATE FAIR AUTHORITY, ALLOWING THE FAIR'S CONCERTS TO GO FORWARD WITH -- FOR THE 2005 FAIR.

RONDA STORMS: SECOND.

KATHY CASTOR: MOTION BY COMMISSIONER BLAIR, SECONDED BY COMMISSIONER STORMS.

MR. TSCHANTZ, DO YOU UNDERSTAND THE MOTION AND HOW TO PROCEED?

>>RICHARD TSCHANTZ: YES, I DO.

IF I COULD -- BUT I WILL CLARIFY THAT.

THAT MEANS THAT THE STAFF IS AUTHORIZING -- OR THE COMMISSION IS AUTHORIZING DR. GARRITY TO ENTER INTO THE MEMORANDUM OF UNDERSTANDING WITH THE FAIR AUTHORITY, WHICH WOULD BE -- UNDER CERTAIN CIRCUMSTANCES, ALLOW THE FAIR'S CONCERTS FOR 2005 TO GO FORWARD AND REMOVE THEM FROM THE PENDING INJUNCTION MOTION THAT IS CURRENTLY SCHEDULED FOR FEBRUARY 11th.

BRIAN BLAIR: EXACTLY.

KATHY CASTOR: AND IF I UNDERSTAND IT CORRECTLY, BASED UPON THE FAIR AUTHORITY'S EXTENSIVE CONDITIONS THAT THEY'VE AGREED TO TO TAKE CARE OF THE NOISE VIOLATIONS, YOUR MOTION IS TO ALLOW THEM TO PROCEED?

BRIAN BLAIR: YES, MADAM CHAIR.

THAT'S WHY I INCLUDED THAT IN MY MOTION.

KATHY CASTOR: OKAY.

RONDA STORMS: AS PERTAINING TO THE FAIR AUTHORITY, THEIR -- THEIR EXTENSIVE ACTIVITIES THAT THEY'RE UNDERTAKING TOWARD THEIR OWN CONCERTS.

>>BRIAN BLAIR: EXACTLY.

>>KATHY CASTOR: THANK YOU FOR THAT CLARIFICATION TOO.

RECORD YOUR VOTE.

MOTION CARRIED 6-0.

>> MADAM CHAIRMAN, I'D LIKE TO MAKE AN ADDITIONAL MOTION THAT WE GIVE DR. GARRITY FULL AUTHORITY AT MEDIATION TO DISCUSS NEGOTIATIONS PURSUANT TO THE GUIDELINES DISCUSSED IN THE CLOSED SESSION.

RONDA STORMS: SECOND.

KATHY CASTOR: MOTION BY COMMISSIONER SHARPE, SECONDED BY COMMISSIONER STORMS.

MR. TSCHANTZ, DO YOU UNDERSTAND THE BOARD'S DIRECTION IN THIS MATTER?

RICHARD TSCHANTZ: YES, MA'AM, THAT'S CLEAR.

KATHY CASTOR: RECORD YOUR VOTE.

MOTION CARRIED 6-0.

KATHY CASTOR: AND BOARD MEMBERS, BEFORE WE ADJOURN, I'D LIKE TO CALL THE FAIR AUTHORITY REPRESENTATIVES UP FRONT TO THE PODIUM.

THANK YOU.

I HOPE YOU UNDERSTAND THE ACTION THE -- THE ENVIRONMENTAL PROTECTION COMMISSION HAS TAKEN TODAY.

WE ARE VERY CONCERNED WITH THE ONGOING NOISE VIOLATIONS, BUT YOU CAN TELL BY OUR ACTIONS THAT WE ARE WILLING TO ALLOW THESE CONCERTS TO GO FORWARD BECAUSE OF THE EXTENSIVE CONDITIONS THAT YOU HAVE AGREED TO AND -- AS LONG AS YOU ALL UNDERSTAND THAT WE WILL BE MONITORING THE CONCERTS AS THEY GO FORWARD IN THE FAIR, AND WE'RE VERY SERIOUS ABOUT THIS AND WANT YOU TO TAKE IT AS SERIOUSLY AS WE DO.

ARE THERE ANY OTHER BOARD COMMENTS?

RONDA STORMS: MADAM CHAIR.

KATHY CASTOR: COMMISSIONER STORMS.

RONDA STORMS: ONLY THAT WE'RE ONLY REFERRING TO YOUR CONCERTS, THOSE OF THE FAIR AUTHORITY, NOT CLEAR CHANNEL.

KATHY CASTOR: THANK YOU VERY MUCH.

THANK YOU, MADAM CHAIRMAN.