

REGULAR MEETING
FEBRUARY 23, 2009
5:30 P.M.

BOOK 29 PAGE 244

The Lafayette County Commission met on the above date and hour for a regular scheduled meeting. The meeting was held in the commissioner's meeting room at the Courthouse in Mayo, Florida. The following members were present: Commissioner Lance Lamb, Dist. 1; Commissioner Thomas E. Pridgeon, Dist. 2; Commissioner Donnie Hamlin, Dist. 3; Commissioner Jack Byrd, Dist. 4; Commissioner Earnest Jones, Dist. 5; and Lafayette County Attorney Leenette McMillan.

PLANNING & ZONING BOARD MEETING

CPA 09-01 AMENDMENT TO THE COMPREHENSIVE PLAN

On a motion by Mr. Pridgeon and a second by Mr. Jones, the board voted unanimously to have Ms. McMillan read CPA 09-01 by title only. On a motion by Mr. Pridgeon and a second by Mr. Jones, the board voted unanimously to approve CPA 09-01 which recommends an amendment to the Future land Use Plan Map of the Lafayette County Comprehensive Plan to the Board of County Commissioners.

ADJOURN THE PLANNING & ZONING BOARD MEETING

On a motion by Mr. Jones and a second by Mr. Byrd, the board voted unanimously to adjourn the Planning & Zoning Board Meeting.

OPEN BOARD OF COUNTY COMMISSIONER MEETING

APPROVE THE MINUTES

On a motion by Mr. Byrd and a second by Mr. Lamb, the board voted unanimously to approve the minutes.

LAFAYETTE COUNTY VOLUNTEER FIRE DEPARTMENT

Four members of the Lafayette County Volunteer Fire Department were awarded certificates for completing the 160 hour course. The certificates were presented by Charlie Conner with Suwannee County Fire and Rescue to the following individuals: Cheston Perry, Greg Bell, Gary Piccard, and Debra Langford.

BIOHAZARD CONTRACT WITH STERICYCLE

On a motion by Mr. Pridgeon and a second by Mr. Byrd, the board voted unanimously to approve renewing the Biohazard Contract with Stericycle, Inc. for \$69.00 a month.

CPA 09-01 AMENDMENT TO THE COMPREHENSIVE PLAN

On a motion by Mr. Jones and a second by Mr. Byrd, the board voted unanimously to have Ms. McMillan read CPA 09-01 by title only. On a motion by Mr. Pridgeon and a second by Mr. Lamb, the board voted unanimously to approve the first reading of CPA 09-01 amending the Future Land Use Plan Map of the Comprehensive Plan.

PARADISE ACRES DISCUSSION WITH KELLY KOON

Mr. Kelly Koon came before the board to discuss Paradise Acres. Paradise Acres is a platted unrecorded subdivision that has been on record since the 1970's. There are approximately 353 lots of which Mr. Koon owns 330 lots. Within Paradise Acres are platted roads with a 60' right-of-way. Mr. Koon discussed with the board the possibility of developing the property. The main discussion centered around the building of the roads. Ms. McMillan, County Attorney, said that Mr. Koon doesn't need the board's permission to build the roads because they are built into the plat. Mr. Koon stated that he wanted to build the roads up to the county standards. That would have to be determined by the board. Also talked about was the dedication of the roads and whether the board would accept them or putting the roads into a "homeowner's association" which would build the roads according to county standards but prevent the county from maintaining them. The question of septic tanks and pumps came up but was deferred to the health department. The Suwannee River Water Management District permitting the roads was discussed and the possibility of giving up some of the lots for retention areas. Mr. Koon discussed the idea of not developing the lower 80 acres to keep the number of lots under a certain threshold and also to provide a buffer for the neighbors. Commissioners Lamb and Jones stated that they didn't have a problem with the development as long as it complies to standards. Commissioner Byrd stated that he was against the idea as it is presented. Commissioners Hamlin and Pridgeon participated in the discussion but did not state their position. The idea was not presented for a vote but left with Mr. Johnson and Ms. McMillan to review it before any action was taken.

HARDENBERGH BOAT RAMP ENGINEERING SERVICES PROPOSAL

Bailey, Bishop & Lane, Inc. submitted a proposal for engineering services at the Hardenbergh Boat Ramp. The proposal was in the amount of \$29,850.00. No action was taken on this issue and it was tabled until the next meeting.

2008-2009 SPECIAL ASSESSMENT EXEMPTIONS

On a motion by Mr. Jones and a second by Mr. Byrd, the board voted unanimously to set the annual income amounts for exemption to the special assessment at \$9,500 – single household and \$11,500 – 2 or more in the household. On a motion by Mr. Jones and a second by Mr. Byrd, the board voted unanimously to exempt the individuals that qualify according to the amounts set. On a motion by Mr. Jones and a second by Mr. Byrd, the board voted unanimously to deny the individuals that do not qualify according to the amounts set. On a motion by Mr. Byrd and a second by Mr. Lamb, the board voted unanimously to exempt #11 on the list, for reasons other than income, Jeffrey and Debbie Marshall. (See attached list.)

ROAD CLOSING PETITION BY PAUL GIBSON

On a motion by Mr. Lamb and a second by Mr. Pridgeon, the board voted unanimously to deny the road closing petition filed by Mr. Paul Gibson because of opposition by adjoining land owners in the area.

SHIP SUBORDINATION AGREEMENT

On a motion by Mr. Pridgeon and a second by Mr. Byrd, the board voted unanimously to approve the SHIP Subordination Agreement for Derek Lancaster.

OLD TAYLOR HOUSE BID ADVERTISEMENT

On a motion by Mr. Jones and as second by Mr. Pridgeon, the board voted unanimously to approve the advertisement to accept bids to remove the Old Taylor House from the lot adjacent to the Courthouse.

APPROVE THE BILLS

On a motion by Mr. Pridgeon and a second by Mr. Byrd, the board voted unanimously to approve the following bills, with the exception of the Paul Lamb bill:

General Fund - \$45,557.57

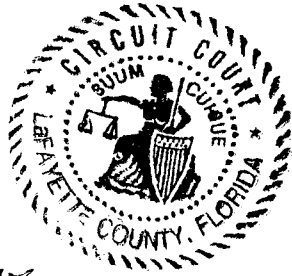
Emergency 911 Fund - \$376.00

Industrial Park - \$2,505.01

On a motion by Mr. Byrd and a second by Mr. Jones, with Mr. Lamb abstaining, the board voted unanimously to approve the Paul Lamb bill in the amount of \$282.00.

ADJOURN

On a motion by Mr. Byrd and a second by Mr. Jones, the board voted unanimously to adjourn.



Curtis O. Hamlin
Curtis O. Hamlin, Chairman

Attest:

Ricky Lyons
Ricky Lyons, Clerk

Approved this 9th day of March, 2009.

RESOLUTION NO. PZ/LPA CPA 09-1

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LAFAYETTE COUNTY, FLORIDA, SERVING AS THE PLANNING AND ZONING BOARD OF LAFAYETTE COUNTY, FLORIDA, AND THE LOCAL PLANNING AGENCY OF LAFAYETTE COUNTY, FLORIDA, RECOMMENDING TO THE BOARD OF COUNTY COMMISSIONERS OF LAFAYETTE COUNTY, FLORIDA, APPROVAL OF AN AMENDMENT OF MORE THAN TEN ACRES OF LAND TO THE FUTURE LAND USE PLAN MAP OF THE LAFAYETTE COUNTY COMPREHENSIVE PLAN, PURSUANT TO AN APPLICATION BY THE BOARD OF COUNTY COMMISSIONERS, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR CHANGING THE FUTURE LAND USE CLASSIFICATION FROM AGRICULTURE-3 TO PUBLIC ; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Lafayette County Land Development Regulations, as amended, hereinafter referred to as the Land Development Regulations, empowers the Board of County Commissioners of Lafayette County, Florida, serving as the Planning and Zoning Board of Lafayette County, Florida, hereinafter referred to as the Board of County Commissioners, serving as the Planning and Zoning Board, to recommend to the Board of County Commissioners of Lafayette County, Florida, hereinafter referred to as the Board of County Commissioners, approval or denial of amendments to the Comprehensive Plan, in accordance with said regulations;

WHEREAS, Sections 163.3161 to 163.3215, Florida Statutes, as amended, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers the Local Planning Agency of Lafayette County, Florida, hereinafter referred to as the Local Planning Agency, to recommend to the Board of County Commissioners approval or denial of amendments to the Comprehensive Plan, in accordance with said statute;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency;

WHEREAS, an application for an amendment, as described below, has been filed with the County;

WHEREAS, pursuant to the Land Development Regulations and Section 163.3174, Florida Statutes, as amended, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice, on said application for an amendment, as described below, and considered all comments received during said public hearing and the Concurrency Management Assessment concerning said application for an amendment, as described below;

WHEREAS, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, has determined and found said application for an amendment, as described below, to be compatible with the Land Use Element objectives and policies, and those of other affected elements of the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, has determined and found that approval of said application for an amendment, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LAFAYETTE COUNTY, FLORIDA, SERVING AS THE PLANNING AND ZONING BOARD OF LAFAYETTE COUNTY, FLORIDA AND THE LOCAL PLANNING AGENCY OF LAFAYETTE COUNTY, FLORIDA, THAT:

Section 1. Pursuant to an application, CPA 09-1, by the Board of County Commissioners, to amend the Future Land Use Plan Map of the Comprehensive Plan for certain lands, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, recommends to the Board of County Commissioners that the future land use classification be changed from AGRICULTURE-3 to PUBLIC on property described, as follows:

A parcel of land lying within Section 15, Township 4 South, Range 10 East, Lafayette County, Florida. Being more particularly described, as follows: Commence at Southeast corner of the South 1/2 of the Northeast 1/4 of said Section 15; thence, along the South line of the South 1/2 of the Northeast 1/4 of said Section 15, South 89°34'54" West 60.00 feet to the Point of Beginning; thence continue, along the South line, of the South 1/2 of the Northeast 1/4 of said Section 15, South 89°34'54" West 2,541.16 feet; thence North 00°04'23" East 1,330.83 feet to the North line of the South 1/2 of the Northeast 1/4 of said Section 15; thence, along the North line of the South 1/2 of the Northeast 1/4 of said Section 15, North 89°26'57" East 1,085.86 feet; thence North 00°41'00" West 1,273.23 feet; thence North 89°19'00" East 1,471.55 feet; thence South 00°03'31" West 2,613.41 to the Point of Beginning.

AND

A parcel of land lying within Section 15, Township 4 South, Range 10 East, Lafayette County, Florida. Being more particularly described, as follows: The West 60.00 feet of the South 1,330.69 feet of the South 1/2 of the Northeast 1/4 of said Section 15. The South 60.00 feet of the West 1,145.86 feet of the North 1/2 of the Northeast 1/4 of said Section 15, less the West 60.00 feet thereof. The East 60.00 feet of the South 1,396.85 feet of the Northeast 1/4 of said Section 15, less the South 113.00 feet thereof.

Containing 125.71 acres, more or less

Section 2. All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 3. This resolution shall become effective upon adoption.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, this 23 day of February 2009.

BOARD OF COUNTY COMMISSIONERS OF LAFAYETTE COUNTY, FLORIDA
SERVING AS THE
PLANNING AND ZONING BOARD OF LAFAYETTE COUNTY, FLORIDA AND THE LOCAL PLANNING AGENCY OF LAFAYETTE COUNTY, FLORIDA



Attest:

Ricky Lyons
Ricky Lyons, County Clerk

Curtis O. Hamlin
Curtis O. Hamlin, Chairman

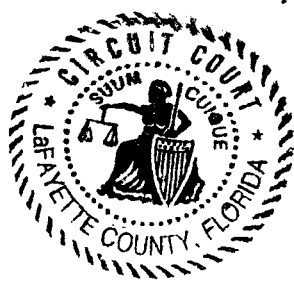
2008/09 SPECIAL ASSESSMENT EXEMPTIONS

1. BYRD, LISA 11-05-11-0000-0000-00202	3	11,824	<u>NO</u>
2. CASSINI, GLORIA 13-05-11-0011-0120-00011	1	6,480	<u>YES</u>
3. HORTON, EULA 02-04-10-0000-0000-00900	1	9,372	<u>YES</u>
4. JOHNSON, VIOLET 13-05-11-0011-0550-00010	1	5,555	<u>YES</u>
5. MARTINEZ, DUSTY 02-04-10-0000-0000-00903	6	6,500	<u>YES</u>
6. PAYNE, MARY JOYCE 30-04-11-0000-0000-01200	2	7,642	<u>YES</u>
7. SNIPES, MYRTLE 01-03-10-0000-0000-00100	1	7,884	<u>YES</u>
8. TAYLOR, JOHN 09-05-12-0000-0000-00300	1	10,000	<u>NO</u>
9. ZIMMERMAN, OPAL 17-07-14-0000-0000-00404	1	7,884	<u>YES</u>
10) Donna Krieger-	2	6,938	<u>YES</u>
11) Jeffrey & Debbie Marshall		other request	<u>YES</u>

SINGLE HOUSEHOLD - \$9,500 Annual
 TWO OR MORE IN THE HOUSEHOLD - \$11,500 Annual

YES - approved
 NO - denied

The above special assessment exemption requests were considered by the Lafayette County Commission on 2/23/09.



Phil Lynn
 CLERK OF COURT

The Lafayette County Commission will hold a public hearing to consider the following petition to close a road. The public hearing will be held during a regular scheduled meeting on Monday, February 23, 2009 at 6:00 p.m. or as soon thereafter as it can be heard. The meeting will be held in the Commissioner's meeting room on the second floor of the Courthouse in Mayo, Florida.

By Order Of:



Curtis O. Hamlin, Chairman
Lafayette County Commission

PETITION TO CLOSE ROAD

Comes now the undersigned pursuant to provisions of Florida Statute 336.09 and petitions the Board of County Commissioners for Lafayette County, Florida to vacate, abandon, discontinue and close the following road, to wit:

THAT CERTAIN PART OF UNNAMED ROAD LYING SOUTH OF BLOCK 5 AND NORTH OF BLOCK 4, IN WINDERWEEDLE ADDITION TO THE TOWN OF DAY, PLAT BOOK A, PAGE 14, PUBLIC RECORDS, LAFAYETTE COUNTY, FLORIDA. LYING AND BEING IN SECTION 26, TOWNSHIP 3 SOUTH, RANGE 10 EAST, LAFAYETTE COUNTY, FLORIDA.

In support of this petition the undersigned alleges that said road affects only the property of the undersigned owner.

Executed this 31st day of December, 2008.

Paul Gibson
Vickie Gibson
174 NW Caspian Lane
Day, FL 32013

All members of the public are welcome to attend. Notice is further hereby given, pursuant to Florida statute 286.0105, that any person or persons deciding to appeal any matter considered at this public hearing will need a record of the hearing and may need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeals is to be based.

MAYO FREE PRESS
Please Run 2/12/09 and 2/19/09.

CENTRAL FLORIDA LANDS & TIMBER NURSERY, LLC

Barc- Root Tree Seedlings • Seedling Promotion Packets
Containerized Trees 1 to 20 Gallon Size

Registration # 04720918

3087 N. County Road 53
Mayo, Florida
32066

Phone: (386) 294-1211
Fax: (386) 294-3416
Email: cflat@alltel.net

May 31, 2007

Lafayette County Commission
ATTN: Ricky Lyon

BOOK 29 PAGE 253

Jason Bashaw
Fort Atkinson Plantation, LLC
PO BOX 219
Day, FL 32013

RE: Closing of NW Edgewood Circle

Mr. Ricky Lyons & The Lafayette County Commission:

On behalf of the partners of Fort Atkinson Plantation, LLC I am writing this letter to you regarding the closing of NW Edgewood Circle lying between lots 5 and 10 and running east and west in Day, FL. At this time, NW Edgewood Circle is only one of two possible accesses to the east side of our land and development. We ask that the road not be closed at this time and this motion be tabled until further notice.

Please do not hesitate to contact me to discuss this matter further or if you have any questions or concerns. Thank you in advance for your attention to this matter.

Sincerely,

Jason Bashaw
On behalf of the partners of Ft Atkinson Plantation Airpark

cc: Owen B. Lovejoy
Sherrod Campbell
Jay Hatfield
Charles Sherwood Marvin Buchanan



FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME LAMB, LANCE F.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Lafayette County Board of County Commissioners	
MAILING ADDRESS 509 SW County Road 350		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Mayo	COUNTY Lafayette	<input type="checkbox"/> CITY	<input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED 2 23 09		NAME OF POLITICAL SUBDIVISION: Lafayette County, Florida	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, LANCE F. LAMB, hereby disclose that on 2/23, 2009:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, Paul Lamb _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Invoice payable to Paul Lamb considered and approved to be paid.

2/23/09
Date Filed

Lance F. Lamb
Signature Lance F. Lamb

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.