

REGULAR MEETING
JANUARY 12, 2009
9:00 A.M.

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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 Charles Driver, 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

PERMIT APPLICATION FOR TEMPORARY BATCHING PLANT AT MAYO CORRECTIONAL INSTITUTION

On a motion by Mr. Lamb and a second by Mr. Jones, the board voted unanimously to accept a permit application by SCI Materials for a temporary concrete batching plant at Mayo Correctional Institution and recommend to the Board of County Commissioners for approval.

ADJOURN PLANNING & ZONING BOARD MEETING

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

REGULAR MEETING

PERMIT APPLICATION FOR TEMPORARY BATCHING PLANT AT MAYO CORRECTIONAL INSTITUTION

On a motion by Mr. Byrd and a second by Mr. Pridgeon, the board voted unanimously to approve the permit for a temporary concrete batching plant at Mayo Correctional Institution. On a motion by Mr. Byrd and a second by Mr. Lamb, the board voted unanimously to begin the re-zoning process for the original Mayo Correctional Institution. On a motion by Mr. Jones and a second by Mr. Byrd, the board voted unanimously to petition to change the Comp Plan to put everything in compliance.

APPROVE THE MINUTES

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

DECLARE OLD GARBAGE TRUCK AND DUMPSTERS AS SURPLUS

On a motion by Mr. Pridgeon and a second by Mr. Jones, the board voted unanimously to declare the old Garbage Truck and dumpsters as surplus property.

NEW HIRE FOR FIRST DISTRICT COLLECTION SITE

On a motion by Mr. Lamb and a second by Mr. Byrd, the board voted unanimously to hire Buck Webb as a full time employee at the First District Collection Site upon the recommendation of Mr. Edward Dodd, Public Works Superintendent.

CONTRACT TO APPLY FOR GRANT FOR HURRICANE SHELTER

On a motion by Mr. Pridgeon and a second by Mr. Jones, the board voted unanimously to have Mr. Donnie Land, Public Safety Director, execute a grant contract to place new shutters, etc. on the Lafayette High School Gym for shelter during a hurricane. The Board reviewed two bids one from Fort Hurricane Products in the amount of \$50,879.02 and one from Kane Screens in the amount of \$42,500. Upon general consent the board decided to go with Kane Screens as the low bidder.

GRANT APPLICATION FOR NEW EOC BUILDING

Mr. Donnie Land informed the board that he wanted to apply for a grant to build a new Emergency Operations Center building. On a motion by Mr. Pridgeon and a second by Mr. Byrd, the board voted unanimously to have Mr. Land apply for the grant.

EXCEPTION TO LDR'S WITH MOBILE HOMES

The Board reviewed a request by Mrs. Carris Shiver to place a mobile home on her daughter's lot. On a motion by Mr. Jones and a second by Mr. Byrd, the board voted unanimously to make an exception to the Land Development Regulations with mobile homes for Mrs. Shiver. Ms. McMillan will provide an agreement for Ms. Carris Shiver to execute.

HARDENBERGH BOAT RAMP PROJECT

On a motion by Mr. Jones and a second by Mr. Byrd, the board voted unanimously to accept the bids turned in by Engineering Firms for the Hardenbergh Boat Ramp project. The board appointed Mr. Ricky Lyons, Mr. Steve Land, and Mr. Donnie Hamlin to review the bid packets and pick three firms to come to a board meeting and make a presentation before the board.

ROOF REPAIR AT THE OLD BOAT PLANT AT THE INDUSTRIAL PARK

On a motion by Mr. Pridgeon and a second by Mr. Lamb, the board voted unanimously to advertise for bids to repair a portion of the roof at the Old Boat Plant at the Industrial Park.

SHIP PROGRAM RESOLUTION

The Board considered a resolution to change the Home Rehab eligibility for the SHIP Program back to very low and low incomes. The purpose is to keep more money in the budget for Down Payment Assistance. On a motion by Mr. Jones and a second by Mr. Byrd, the board voted unanimously to adopt the resolution. The resolution will become effective after all current applicants with moderate income are processed.

CLOSING OF TAYLOR HOUSE PURCHASE

On a motion by Mr. Jones and a second by Mr. Byrd, the board voted unanimously to authorize the closing on the purchase of the Taylor House for additional parking space. Total closing costs were \$126,477.00.

NEW CONTRACT FOR VENDORS AT THE INDUSTRIAL PARK

On a motion by Mr. Byrd and a second by Mr. Pridgeon, the board voted unanimously to authorize Ms. Leenette McMillan to draw up a new contract for the vendors at the Industrial Park.

SOLID WASTE REPORTS

On a motion by Mr. Jones and a second by Mr. Byrd, the board voted unanimously to approve the monthly Solid Waste Reports.

BUILDING DEPARTMENT REPORTS

On a motion by Mr. Pridgeon and a second by Mr. Byrd, the board voted unanimously to approve the monthly Building Department Reports.

WARRANT LIST

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

General Fund - \$327,206.44

Industrial Park Fund - \$5,241.98


Emergency 911 Fund - \$1,014.55

Special Law Enforcement Trust Fund - \$8,651.99

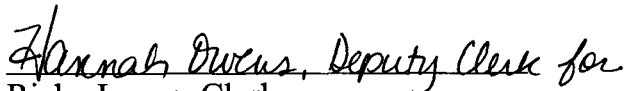
On a motion by Mr. Jones and a second by Mr. Pridgeon, with Mr. Byrd abstaining, the board voted unanimously to approve the Byrd's Power Equipment bill in the amount of \$127.37. On a motion by Mr. Jones and a second by Mr. Pridgeon, with Mr. Lamb abstaining, the board voted unanimously to approve the bill by Paul Lamb in the amount of \$774.00.

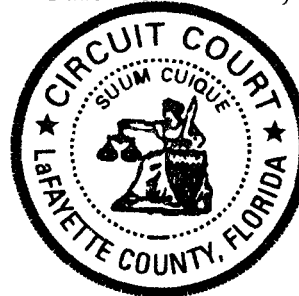
ADJOURN

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


Curtis O. Hamlin, Chairman

Attest:


Ricky Lyons, Clerk



Approved this 26th day of January, 2009.

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

LAST NAME—FIRST NAME—MIDDLE NAME LAMB, LANCE	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Le Co. Commission
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY MAVO	COUNTY LAFAYETTE
DATE ON WHICH VOTE OCCURRED 11/2/09	NAME OF POLITICAL SUBDIVISION: LAFAYETTE
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, LANCER LAMB, hereby disclose that on 1/12, 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, _____;
- inured to the special gain or loss of Department of Corrections, by whom I am ~~retained~~ or employed;
- 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:

various issues were discussed and voted upon regarding the prison and prison annex.

1/12/09
Date Filed

[Signature]
Signature

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.

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

LAST NAME—FIRST NAME—MIDDLE NAME LAMB LANCE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LC Co. Commission	
MAILING ADDRESS		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY MAVO	COUNTY LAFAYETTE	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 1/12/09		NAME OF POLITICAL SUBDIVISION: LAFAYETTE	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTEE	

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.
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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, LANCE LAMB, hereby disclose that on 1/12, 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 to Paul Lamb approved to be paid.

1/12/09
Date Filed

Lance Lamb
Signature

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.

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

LAST NAME—FIRST NAME—MIDDLE NAME BYRD, JACK	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LAFAYETTE COUNTY COMMISSION
MAILING ADDRESS HWY 27	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY MAYO	COUNTY LAFAYETE
DATE ON WHICH VOTE OCCURRED <div style="text-align: center; font-size: 1.5em; font-family: cursive;">1/12/09</div>	NAME OF POLITICAL SUBDIVISION: LAFAYETTE COUNTY
	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

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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:

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APPOINTED OFFICERS (continued)

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- 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, JACK BYRD, hereby disclose that on 1/12, 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, _____;
- 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:

Board considered and approved invoice payable to Byrd's Power Equipment.

1/12/09
Date Filed

[Handwritten Signature]
Signature

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.

AGREEMENT**Lisa Byrd and Lafayette County
Board of County Commissioners**

THIS AGREEMENT is made on this 26th day of January, 2009, between **LISA BYRD/CARRIS SHIVER** and the **LAFAYETTE COUNTY BOARD OF COUNTY COMMISSIONERS**, and the parties state the following:

1. Lisa Byrd has requested an exception to the Lafayette County Land Development Regulations (LDRs).
2. Said exception will allow Lisa Byrd to place a double wide mobile home on her property to provide living quarters for her elderly mother, Carris Shiver.
3. Carris Shiver does not own any real property where she could place a mobile home to reside.
4. The sole purpose for allowing this exception is so that Lisa Byrd may care for her elderly mother.
5. If Carris Shiver passes away, or moves, the mobile home must be moved off the property within sixty (60) days.
6. The property may not be sold while the mobile home is on the property.
7. The placement of the mobile home is temporary only. A real property (RP) tag may not be applied for or placed on the mobile home.
8. Special assessments must be kept current while the mobile home in on the property.
9. Lafayette County reserves the right to disconnect the power to the mobile home and/or charge a per day fine if this agreement is breached or other conditions or situations arise that are not in the best interests of the County. Said sanctions may be imposed at the discretion of the building official.
10. All parties understand and agree that this is a very limited exception and is being temporarily allowed because Mrs. Carris Shiver has indicated to the board that she has no other residential options and is elderly and that her daughter, Lisa Byrd, will be caring for her at this temporary location.

- 11. No additions may be made to the mobile home.
- 12. Lafayette County reserves the right to require removal of the mobile home at any time.

Lisa Byrd
 Lisa Byrd
 Property Owner

BOARD OF COUNTY COMMISSIONERS
 LAFAYETTE COUNTY, FLORIDA

Carris Shiver
 Carris Shiver

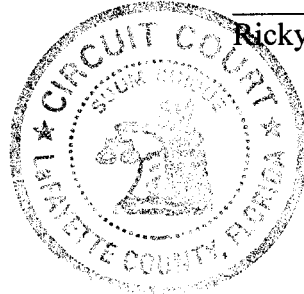
By: *Curtis O. Hamlin*
 Curtis O. Hamlin, Chairman

Date: 1-26-09

Date: 1-16-09

ATTEST:

Ricky Lyons
 Ricky Lyons, Clerk



Ricky Lyons

Clerk of the Circuit Court
Lafayette County

BOOK

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PO Box 88
Mayo, FL 32066

Official Records Receipt

Receipt #: 30710
Receipt Date: 2/2/09 15:35
Cashier: BM
Payee Name: BOARD OF COUNTY COMMISSIONERS
Instrument(s): 200934000204

Details

CTY COMM JULY 1	\$4.00
FACC JULY 1	\$0.20
Indexing	\$0.00
PRMTF JULY 1	\$3.80
Recording	\$9.00
Records Trust	\$1.50
Receipt Total:	\$18.50

Cash:	\$0.00	
Checks:	\$18.50	Check Number(s): 0
Credit Card:	\$0.00	Order Number(s):
Billed Amount:	\$0.00	
EFT:	\$0.00	
Escrow:	\$0.00	
Amount Tendered:	\$18.50	
Overage:	\$0.00	

RESOLUTION NO. 2009-1-1

A Resolution of the Board of County Commissioners of Lafayette County to allow only Very Low and Low income clients to be eligible for the S.H.I.P. Owner Occupied Rehab Program. Disallowing moderate income clients from eligibility for the S.H.I.P. Owner Occupied Rehab Program.

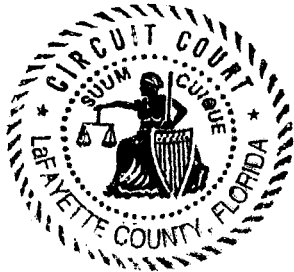
Whereas, it is in the best interest of the Board of County Commissioners to allow only Very Low and Low income clients participation in the S.H.I.P. Owner Occupied Rehab Program.

Now therefore, be it resolved by the County Commission of Lafayette County, Florida:

That only Very Low and Low income clients become eligible for the S.H.I.P. Owner Occupied Rehab Program. Therefore, disallowing moderate income clients from eligibility for the S.H.I.P. Owner Occupied Rehab Program.

Passed and adopted by the County Commission of Lafayette County, Florida on the 12 day of Jan, 2009.

(SEAL)



ATTEST:

Curtis O. Hamilton
Chairman

Andy Lynn
County Clerk

**LAFAYETTE COUNTY SOLID WASTE
JANUARY 2009
REPORT**

COMMERCIAL ACCOUNTS							
	INVOICES					9,913.00	
	CREDITS					8,369.00	
LANDFILL TICKETS							
	INVOICES					2358.80	
	CREDITS					3581.30	
TOTAL INVOICES						12,271.80	
TOTAL CREDITS						11,950.30	