

REGULAR MEETING
JULY 27, 2009
5:30 P.M.

The Lafayette County Commission met on the above date and hour for a regular scheduled meeting. The meeting was held in the meeting room at the Library 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.

BOARD OF ADJUSTMENTS MEETING

SE 09-02 BY MARVIN BUCHANAN

The board held a continuation of a public hearing from 7/13/09 regarding SE 09-02 by Marvin Buchanan for an RV campsite. Court Reporter Sonya Byrd was present and recorded the hearing along with Mr. Tommy Reeves, attorney for Marvin Buchanan. Mr. James Scott France, Engineer, was also present and answered questions from Mr. Reeves on behalf of Mr. Buchanan. Mr. France gave his opinion of the condition of the road and the ability of the location to withstand the campsite. Mr. Buchanan was also questioned concerning his application. The following citizens living along the road rebutted what Mr. France said and once again voiced their opposition to the RV campsite development: Jim Dandridge, Charles Hart, Greg Williams, Donna Williams, and Paul White. Signatures of nine out of the eleven citizens living in Banta Acres Subdivision signed a letter of opposition and it was presented to the board. On a motion by Mr. Lamb and a second by Mr. Jones, the board voted unanimously to deny the petition. Mr. Buchanan has 30 days to appeal this decision.

ADJOURN THE BOARD OF ADJUSTMENTS MEETING

On a motion by Mr. Byrd and a second by Mr. Pridgeon, the board voted unanimously to adjourn the Board of Adjustments 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 upon making a change in the name of the Pridgeon's Garage bill to Pridgeon's Power Equipment.

RE-ZONING OLD NAPA STORE

The board discussed the re-zoning issue of the Old Napa Store building owned by Richie Page. The only issue mentioned at the last meeting was that the property needed to be re-zoned to commercial from residential. Mr. Johnson said that the property needed to be zoned industrial for Chad Howard to complete construction and open his business. Ms. McMillan said that Mr. Howard needed to stop construction because the issue of zoning the property industrial was never mentioned. The board asked Ms. McMillan to send Mr. Howard a letter stating that he needed to stop construction.

APPROVE THE BILLS

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

General Fund - \$40,943.91
Road & Bridge Secondary Fund - \$1,413.89
Industrial Park - \$2,079.25

On a motion by Mr. Jones and a second by Mr. Lamb, with Mr. Pridgeon abstaining, the board voted unanimously to approve the Pridgeon's Power Equipment bill in the amount of \$1,454.45.

DECLARE PROPERTY SURPLUS

On a motion by Mr. Byrd and a second by Mr. Lamb, the board voted unanimously to declare the following property as surplus: Winnebago confiscated by the Sheriff's Office, Jaws of Life truck and a Fire truck (located at Central Florida Lands & Timber).

REPAIR SURVEILLANCE AND VIDEO EQUIPMENT AT LAFAYETTE COUNTY JAIL

On a motion by Mr. Jones and a second by Mr. Byrd the board voted unanimously to repair all of the surveillance and video equipment at the Lafayette County Jail and Sheriff's Department.

AMERICAN TOWER CORP. LEASE AGREEMENT

On a motion by Mr. Byrd and a second by Mr. Jones, the board voted unanimously to sign a lease agreement with American Tower Corp. pending Ms. McMillan's approval.

RE-APPOINT PAM WARD TO MERIDIAN BOARD

On a motion by Mr. Byrd and a second by Mr. Lamb, the board voted unanimously to re-appoint Pam Ward to the Meridian Healthcare Board.

WAIVE AG CARDS BY PROPERTY APPRAISER'S OFFICE

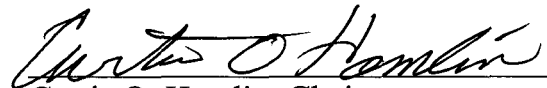
On a motion by Mr. Pridgeon and a second by Mr. Byrd, the board voted unanimously to waive the agriculture cards by the Property Appraiser's office.

APPROVE SHAWN MCGUINNESS FOR VOLUNTEER FIRE DEPARTMENT

On a motion by Mr. Jones and a second by Mr. Lamb, the board voted unanimously to approve Shawn McGuinness for the Volunteer Fire Department if they accept him.

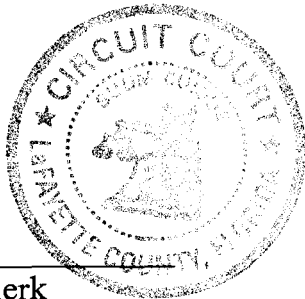
ADJOURN

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


Curtis O. Hamlin, Chairman

Attest:


Ricky Lyons, Clerk



Approved this 10th day of August, 2009.

FIELD INSPECTION REPORT

Book 29 Page 405



Report Date: July 27 2009

Location: Banta Acres Road

Scope: Evaluation of Banta Acres Road, Mayo, Florida

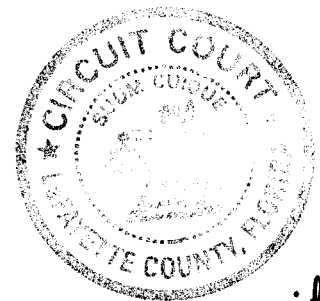
Inspection Date: July 26, 2009

Time: 4:00 pm

Weather: Sunny and Hot

Present: Scott France - France Engineering

Field Representative: Scott France, P.E.



*Admitted into evidence at the
hearing on 7/27/09 5:50pm
Richard
Clerk of Court*

Introduction:

The purpose of this report is to evaluate the current road conditions of Banta Acres Road from CR 251-B (Blue Springs Road) to property parcel ID 09-04-11-0000-0000-00100 owned by Marvin Buchanan. The road condition beyond this point was not considered or included in this report. The report did also consider what impact traffic generated from a proposed 15 site Recreation Vehicle (RV) park located on Mr. Buchanan's property might have on the road. The approximate length of road being considered is 1.25 miles. Banta Acres Road is a rural graded limestone base road and is maintained by the Lafayette County Public Works Department. The speed limit is 35mph. The primary use of the road is to provide access to private lots on each side of the road. There are approximately 15 homes currently constructed along this roadway beyond proposed RV site, and three homes before the proposed RV site. This road is a dead end road and does not connect to any other road(s).

Observations and Comments:

The road appears to be in good condition and is being adequately maintained by Lafayette County Public Works Department. The road surface was relatively smooth and firm with very few bumps or ruts. The drainage is adequate as well. There were only a couple of areas that water appeared to have ponded. One location was approximately half way between Blue Springs Road and the proposed RV site. This area was very firm and in good shape. The ponded water was at the roads edge and was not causing any problems with the proposed use of the road. The second location where water was ponding was just beyond the RV site on the 90 degree turn. This area shows signs of improper drainage and has had significant water ponding on the road. The road was firm and did not show signs of rutting, but there is a need for some maintenance to allow the water to escape and drain towards its natural flow of the lower adjoining property. However, this second area is outside of the scope of this report.

Site visibility is good. The road does not have excessive turns or sharp corners and can easily be navigated at the sanctioned speed limit of 35 mph. With a 30 feet right of way there is plenty of room for two vehicles to pass one another in a safe manner.

The traffic flow on this road is very small. With only approximately 18 homes serviced by this road, and the road not interconnecting to any other roads or accessing any public areas, there are very few vehicles that travel this road. There should be very little impact on this road by the increase traffic flow caused by the proposed RV site. The road is constructed and maintained as such that the road should withstand any extra traffic generated by the proposed RV park.

Summary:

Our overall assessment of this roadway was good. The road surface and drainage of this road was found to be in good condition and adequately maintained. Only at the point beyond the proposed RV site was there a need for some maintenance to allow for proper drainage. The portion requiring maintenance is considered beyond the scope of the road review as it is past property parcel ID 09-04-11-0000-0000-00100. The road site distance, travel speed and size should allow for a safe road for the intended vehicles of cars, small trucks, and recreational vehicles. The road has limited traffic because the road is a dead end that does not service any public facilities and services only a few houses. This road can easily withstand the traffic from an additional 12-15 RV spaces without increased maintenance.



J. Scott France, P.E.

FL. P.E. # 63012

McMillan Law Office, P.A.

Leenette W. McMillan, Attorney-at-Law

Post Office Box 1388
Mayo, Florida 32066

Phone: 386-294-1688
Fax: 386-294-1689

July 28, 2009

Mr. Chad Howard
468 NE Franklin Road
Mayo, FL 32066

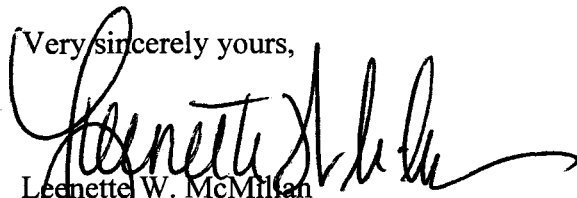
Re: Zoning

Dear Chad:

We have received additional information on your shop site from Bobby Johnson indicating that you will be manufacturing under a proposed Lightweight Industrial Zoning Classification. After further review, we are recommending that you not spend any monies on improving the site until the new zoning classification is approved by the Board.

Thank you for your courtesies.

Very sincerely yours,



Leenette W. McMillan
Board Attorney for
Lafayette County

LWM:mw

cc: Board of County Commissioners
Ricky Lyons, Clerk
Bobby Johnson, Building Official

COPY

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, THOMAS E. PRIDGEON, JR., hereby disclose that on 7/27, 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:

An invoice payable to Pridgeon's Power Equipment was voted on and approved by the Commission.

July 27, 2009
Date Filed

Thomas E. Pridgeon, Jr.
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.