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 MCGUINESS FOR VOLUNTEER FIRE DEPARTMENT

On a motion by Mr. Jones and a second by Mr. Lamb, the board voted unanimously to approve Shawn McGuiness 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

Approved this 10th day of August, 2009.

FRANCE ENGINEERING, LLC Structural & Consulting Engineers 2920 Callaway Road Tallahassee, Florida 32312

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Phone (850) 386-7100 Fax (850) 386-6595 www.francepe.com

FIELD INSPECTION REPORT

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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.



www.francepe.com sfrance@francepe.com

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FRANCE ENGINEERING, LLC



Structural & Consulting Engineers 2920 Callaway Road Tallahassee, Florida 32312 Phone (850) 386-7100 Fax (850) 386-6595 www.francepe.com

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.

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2920 Callaway Road Tallahassee, Florida 32312 Phone (850) 386-7100 Fax (850) 386-6595 www.francepe.com

Summary:

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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.

South hame

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.

incerely yours, √erv

Board Attorney for Lafayette County

LWM:mw

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



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

AST NAME-FIRST NAME-MIDDLE NAME THOMAS E. PRIDGEON, JR.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LAFAYETTE BOARD OF COUNTY COMMISSIONERS
MAILING ADDRESS CR 300	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY COUNTY	CITY XI COUNTY OTHER LOCAL AGENCY
MAYO LAFAYETTE	NAME OF POLITICAL SUBDIVISION: LAFAYETTE COUNTY
DATE ON WHICH VOTE OCCURRED July 27, 2009	
A	

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 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)

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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 n meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other me 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 on7 27	_ 20 09
(a) A measure came or will come before my agency which (check one)	
_xx 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 1 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 Perdgeon's was voted on and approved by the Commission. Power Equipment	
July 27, 2009 Thomas Elands P	
Date Filed 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.