

REGULAR MEETING
JULY 28, 2008
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 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.

BOARD OF ADJUSTMENTS MEETING

RESOLUTION SE 08-06

On a motion by Mr. Hamlin and a second by Mr. Jones, the board voted unanimously to have Ms. McMillan read Resolution SE 08-06 by title only. On a motion by Mr. Hamlin and a second by Mr. Jones, the board voted unanimously to approve Resolution SE 08-06 to allow Airline Baptist Church to install 12 campsites.

ADJOURN BOARD OF ADJUSTMENTS MEETING

On a motion by Mr. Driver and a second by Mr. Jones, the board voted unanimously to adjourn the Board of Adjustments meeting.

REGULAR MEETING

APPROVE THE MINUTES

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

SPECIAL ASSESSMENT EXEMPTION REQUEST

On a motion by Mr. Hamlin and a second by Mr. Driver, the board voted unanimously to grant a request for exemption of special assessment for the campsites at Airline Baptist Church.

CDBG GRANT UPDATE

Ms. Debbie Belcher gave the board an update on the CDBG Grant. The SHIP and CDBG Programs will have a 10 year contract on replacement homes and a 5 year

contract on rehab homes. On a motion by Mr. Hamlin and a second by Mr. Driver, the board voted unanimously to approve the contracts.

COUNTY RIGHT-OF-WAY ISSUE

Mr. Bobby Folsom showed the board a survey that was from back in the 1950's on a right-of-way mistake in front of Mr. Tom Pridgeon's home. On a motion by Mr. Driver and a second by Mr. Hamlin, the board voted unanimously to set this issue for a public hearing to abandon the right-of-way in question.

OPEN SEALED BIDS, SURPLUS VEHICLES

The board reviewed the following sealed bids for county surplus vehicles: Ralph Floyd - \$1,050.00; Wallace Scrap Metal - \$1,400.00; and Heath Walker - \$600.00. On a motion by Mr. Hamlin and a second by Mr. Pridgeon, the board voted unanimously to go with the high bid turned in by Wallace Scrap Metal for the surplus vehicles.

CONTINUATION OF AN INTERLOCAL AGREEMENT

On a motion by Mr. Hamlin and a second by Mr. Driver, the board voted unanimously to approve the continuation of an Interlocal Agreement with Alachua County on Hazardous Waste Collection.

ORDINANCE TO LOWER SPEED ON HINES HIGHWAY

On a motion by Mr. Jones and a second by Mr. Pridgeon, the board voted unanimously to advertise an ordinance to lower the speed to 35 MPH on a certain part of Hines Highway.

FORESTRY FEES

On a motion by Mr. Hamlin and a second by Mr. Driver, the board voted unanimously to approve a resolution in opposition to the legislature increasing the forestry assessment from 3 to 7 cents per acre in Lafayette County.

REGIONAL CONFLICT COUNSEL

On a motion by Mr. Pridgeon and a second by Mr. Jones, the board voted unanimously to pay the \$500 fee to oppose the Regional Conflict Counsel issue.

VALUE ADJUSTMENT BOARD

On a motion by Mr. Driver and a second by Mr. Hamlin, the board voted unanimously to advertise to hire for an attorney to attend the Value Adjustment Board meetings.

WARRANT LIST

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

General Fund - \$60,998.37

Industrial Park Fund - \$29.13

Emergency 911 Fund - \$250.00

Road & Bridge Secondary Fund - \$16,703.52

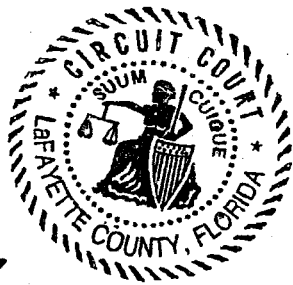
On a motion by Mr. Jones and a second by Mr. Hamlin, with Mr. Pridgeon abstaining, the board voted unanimously to approve the Pridgeon's Garage bill in the amount of \$804.60.

MUSIC CONSTRUCTION PAYMENT REQUEST

On a motion by Mr. Pridgeon and a second by Mr. Hamlin, the board voted unanimously to approve paying Music Construction \$53,545.50 for payment for their work at the Edward Perry Sports Complex.

ADJOURN

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



Attest:

Ricky Lyons

 Ricky Lyons, Clerk

T. Jack Byrd

 T. Jack Byrd, Chairman

Approved this 11th day of August, 2008.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LAFAYETTE COUNTY, FLORIDA, SERVING AS THE BOARD OF ADJUSTMENT OF LAFAYETTE COUNTY, FLORIDA, GRANTING WITH APPROPRIATE CONDITIONS AND SAFEGUARDS A SPECIAL EXCEPTION AS AUTHORIZED UNDER SECTION 3.2 OF ORDINANCE NO. 2000-5, ENTITLED LAFAYETTE COUNTY LAND DEVELOPMENT REGULATIONS; PROVIDING FOR A SPECIAL EXCEPTION TO THE PERMITTED USES WITHIN "A" AGRICULTURAL ZONING DISTRICT AS PROVIDED WITHIN SECTION 4.5.5 TO PERMIT THE LOCATION OF A 12 RV CAMPSITES ON CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF LAFAYETTE COUNTY, FLORIDA; PROVIDING FOR REVOCATION OF THE SPECIAL EXCEPTION; REPEALING RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 2000-5, entitled Lafayette County Land Development Regulations, hereinafter referred to as the Land Development Regulations, empowers the Board of County Commissioners of Lafayette County, Florida, serving as the Board of Adjustment of Lafayette County, Florida, hereinafter referred to as the Board of County Commissioners, serving as the Board of Adjustment, to grant with appropriate conditions and safeguards or deny special exceptions as authorized under Section 3.2.4 of the Land Development Regulations;

WHEREAS, a petition for a special exception, SE08-06, as described, below has been filed with the County;

WHEREAS, pursuant to the Land Development Regulations, the Board of County Commissioners, serving as the Board of Adjustment, held the required public hearing, with public notice having been provided, on said petition for a special exception, as described below, and considered all comments received during said public hearing and the Concurrence Management Analysis Report concerning said petition for a special exception, as described below;

WHEREAS, the Board of County Commissioners, serving as the Board of Adjustment, has found that they are empowered under Section 3.2 of the Land Development Regulations to grant, to grant within an "A" Agricultural zoning district;

WHEREAS, the Board of County Commissioners, serving as the Board of Adjustment, has determined and found that the granting with appropriate conditions and safeguards of the said petition for special exception, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare;

WHEREAS, the Board of County Commissioners, serving as the Board of Adjustment, has determined and found that the petitioner has proposed ingress and egress to the property and proposed structures thereon for pedestrian safety and convenience, in a manner that will not have an undue impact on traffic flow and control, and access in case of fire or catastrophe;

Whereas, the Board of County Commissioners, serving as the Board of Adjustment, has determined and found that the special exception, as described below, is generally compatible with adjacent properties, other property in the district and natural resources; and

WHEREAS, the Board of County Commissioners, serving as the Board of Adjustment, has determined and found that:

- (a) the proposed use would be in conformance with the Comprehensive Plan and would not have an undue adverse effect on the Comprehensive Plan;
- (b) the proposed use is compatible with the established land use pattern;
- (c) the proposed use will not materially alter the population density pattern and thereby increase or overtax the load on public facilities such as schools, utilities, and streets;
- (d) the proposed use will not have an undue adverse influence on living conditions in the neighborhood;
- (e) the proposed use will not create or excessively increase traffic congestion or otherwise affect public safety;
- (f) the proposed use will not create a drainage problem;
- (g) the proposed use will not seriously reduce light and air to adjacent areas;

BOA 1

- (h) the proposed use will not adversely affect property values in the adjacent areas;
- (i) the proposed use will not be a deterrent to the improvement of development of adjacent property in accord with existing regulations; and
- (j) the proposed use is not out of scale with the needs of the neighborhood or the community

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LAFAYETTE COUNTY, FLORIDA, SERVING AS THE BOARD OF ADJUSTMENT OF LAFAYETTE COUNTY, FLORIDA, THAT:

Section 1: Pursuant to petition, SE08-06, by Airline Baptist Church, requesting a special exception be granted as provided for in Section 4.5.5 of the Land Development Regulations, the Board of County Commissioners, serving as Board of Adjustments, grants a special exception to permit the location of a 12 RV Campsites in accordance with a site plan dated July 11, 2008 submitted as part of a petition dated July 11, 2008 and located on property described as follows:

A parcel of land in Section 15, Township 05 South, Range 12 East, Lafayette County, Florida, being more particularly described as follows:

BEG. ON WESTERN BDY. LINE OF 14-05-12 AT A POINT 70 YDS. S. OF NW COR. OF SAID SECTION; TH. RUN S. ALONG SAID WESTERN BDY. LINE 370 YDS. MOL TO SW COR. OF NW1/4 OF NW1/4 OF SECTION 14; TH E. 93 YDS.; N. 370 YDS. MOL TO A POINT DIRECTLY E. OF P.O.B.; TH. W. 93 YDS. TO CLOSE ON P.O.B. DB 18 P. 337; PP BK 17 P. 205.

The above described parcel contains 10 acres. Parcel: 15-05-12-0000000000300

Section 2. A site plan filed with a petition filed July 11, 2008, is herewith made a part of this resolution by reference, shall govern the development and use of the above-described property. Any deviation from the petition shall be deemed a violation of the Land Development Regulations.

Section 3. The use of land approved by this special exception shall be in place, or a valid permit shall be in force for the construction of such land use within twelve (12) months of the effective date of this resolution. If such land use is not in place or if a valid permit for the construction of such land use is not in effect, within twelve (12) months of the effective date of this resolution, this resolution granting with appropriate conditions and safeguards such special exception is thereby revoked and of no force and effect.

Section 4. All resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

Section 5. This resolution shall become effective immediately upon adoption.

PASSED AND DULY ADOPTED in regular session with a quorum present and voting, by the Board of County Commissioners, serving as the Board of Adjustment, this 28 day Of July 2008.

BOARD OF COUNTY COMMISSIONERS OF LAFAYETTE COUNTY, FLORIDA
SERVING AS THE BOARD OF ADJUSTMENT OF LAFAYETTE COUNTY, FLORIDA

Attest:



Ricky Lyons
Ricky Lyons, County Clerk

T. Jack Byrd
T. Jack Byrd, Chairman

Airline Baptist Church

RT. 2, BOX 113 • P.O BOX 1450
MAYO, FLORIDA 32066
(904) 294-2676

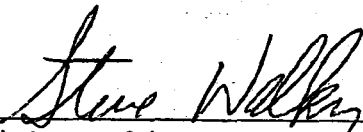
July 28, 2008

To: Lafayette County Commissioners

From: Airline Baptist Church

Airline Baptist Church is requesting that the impact fees be waived for the RV Campsites. These RV campsites will not be for public use and will only be used temporarily. The use of these RV campsites is for the Campers on Mission to utilize while the church building is under construction. These RV campsites will be utilized through all phases of construction. When the last phase of construction is completed the RV campsites will be vacant.

We appreciate any assistance in this issue.



Chairman of the Deacons
Airline Baptist Church

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

LAST 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: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY MAYO	COUNTY LAFAYETTE
DATE ON WHICH VOTE OCCURRED <i>July 28, 2000</i>	NAME OF POLITICAL SUBDIVISION: LAFAYETTE COUNTY.
	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, THOMAS E. PRIDGEON, JR., hereby disclose that on July 28, 20 08:

(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, Thomas E. Pridgeon, Sr.;

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:

The County Commission voted to set for public hearing a road closure involving Thomas E. Pridgeon, Sr.

July 28, 2008
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.

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

LAST 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 MAYO	COUNTY LAFAYETTE	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED July 28, 2008		NAME OF POLITICAL SUBDIVISION: LAFAYETTE COUNTY	
		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.

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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:

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.
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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, THOMAS E. PRIDGEON, JR., hereby disclose that on July 28, 2008.

(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 Garage was voted on and approved by the Commission.

Date Filed

July 28, 2008

Signature

Thomas E. Pridgeon, Jr.

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.

RESOLUTION NO. 2008-07-02-01

**RESOLUTION OF THE
LAFAYETTE COUNTY BOARD OF COUNTY COMMISSIONERS
REGARDING THE STATE OF FLORIDA'S UNFUNDED MANDATE REGARDING
THE FLORIDA DIVISION OF FORESTRY**

WHEREAS, the Florida legislature recently passed legislation mandating a 130% increase in fire protection service fees for Lafayette County; and

WHEREAS, the State of Florida has provided no additional revenue to Lafayette County to cover the cost of this increase; and

WHEREAS, the State (Suwannee River Water Management District, Department of Transportation and State Parks) owns approximately 57,776 acres located in Lafayette County, and under no circumstances should Lafayette County be billed for the fire protection on state owned lands; and

WHEREAS, Lafayette County is strongly opposed to the State of Florida mandating and the Division of Forestry collecting these fees; and

WHEREAS, no specific study was done in Lafayette County to determine if this increase in fees was necessary for the protection of our natural forest resources; now therefore

BE IT RESOLVED based on the foregoing grave concerns, that the **LAFAYETTE COUNTY BOARD OF COUNTY COMMISSIONERS** is strongly opposed to this move by the Florida Legislature and the Florida Division of Forestry to collect fees in these hard economic times from rural communities currently facing severe budget shortfalls.

PASSED UNANIMOUSLY ON THIS 28th DAY OF JULY, 2008.

ATTEST:


RICKY LYONS, CLERK



BOARD OF COUNTY COMMISSIONERS


JACK BYRD, CHAIRMAN