

REGULAR MEETING  
NOVEMBER 22, 2010  
5:30 P.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 County Commissioner's Meeting Room in Mayo, Florida. The following members were present: Commissioner Lance Lamb, Dist. 1; Commissioner Gail Garrard, Dist. 2; Commissioner Donnie Hamlin, Dist. 3; Commissioner T. Jack Byrd, Dist. 4; Commissioner Earnest Jones, Dist. 5; and Lafayette County Attorney Leenette McMillan.

**OPEN AS THE BOARD OF ADJUSTMENTS**

**PETITION V 10-01 BY JIM AND CHERYL HOLLIS**

On a motion by Mrs. Garrard and a second by Mr. Hamlin, the Board voted unanimously to have Ms. McMillan read Petition V 10-01 by title only. On a motion by Mr. Hamlin and a second by Mr. Lamb, the Board voted unanimously to adopt Petition V 10-01 by Jim and Cheryl Hollis for a reduction of side yard setbacks.

**ADJOURN BOARD OF ADJUSTMENTS MEETING**

On a motion by Mr. Byrd and a second by Mrs. Garrard, the Board voted unanimously to adjourn.

**OPEN AS PLANNING & ZONING BOARD**

**RESOLUTION PZ/LPA LDR 09-3 BY LEON AND BILLIE REVELS**

On a motion by Mr. Lamb and a second by Mrs. Garrard, the Board voted unanimously to have Ms. McMillan read Resolution PZ/LPA LDR 09-3 by title only. On a motion by Mr. Byrd and a second by Mr. Lamb, the Board voted unanimously to approve the resolution which recommends the petition by Leon and Billie Revels to the Board of County Commissioners for approval.

**ADJOURN THE PLANNING & ZONING BOARD MEETING**

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

**OPEN AS THE BOARD OF COUNTY COMMISSIONERS**

**APPROVE THE MINUTES**

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

**DONNIE LAND, DIRECTOR OF PUBLIC SAFETY**

Mr. Donnie Land, Director of Public Safety, discussed with the board the reorganization meeting held on November 16, 2010 and the decision to not have an EMS Director. After discussion, on a motion by Mr. Byrd and a second by Mr. Hamlin, the Board voted unanimously to reconsider the motion from the reorganization meeting and place it back on the table for discussion. It passed unanimously. A letter was reviewed by the Board from Dr. Spindell, the Medical doctor who is contracted with the county as their medical director. The letter cautioned the Board about not having an EMS Director on staff. After some discussion, on a motion by Mr. Hamlin and a second by Mr. Byrd, the Board voted unanimously to reestablish the position and to ask the former director to refill the position. To clarify the action there is a Medical Director who is Dr. Spindell and there is an EMS Director for the whole service which is Trevor Hicks.

**LOCAL MITIGATION STRATEGY RESOLUTION**

On a motion by Mr. Byrd and a second by Mr. Hamlin, the Board voted unanimously to have Ms. McMillan read the Local Mitigation Strategy Resolution by title only. On a motion by Mr. Hamlin and a second by Mrs. Garrard, the Board voted unanimously to adopt the resolution.

**ACCEPT THE RESIGNATION OF SECRETARY IN THE BUILDING DEPARTMENT**

On a motion by Mr. Byrd and a second by Mrs. Garrard, the Board voted unanimously to accept the resignation of Kim Walker as Secretary in the Building Department. On a motion by Mr. Byrd and a second by Mr. Lamb, the Board voted unanimously to approve hiring someone part time until a permanent replacement is hired working at \$8.50/hour.

**ORDINANCE LDR 09-3 BY LEON AND BILLIE REVELS**

On a motion by Mr. Hamlin and a second by Mr. Lamb, the Board voted unanimously to have Ms. McMillan read Ordinance LDR 09-3 by title only. On a motion by Mr. Hamlin and a second by Mrs. Garrard, the Board voted unanimously to approve the ordinance which was a petition by Leon and Billie Revels changing the zoning map for Lafayette County.

**SOLID WASTE CONTRACT WITH THE TOWN OF MAYO**

On a motion by Mr. Hamlin and a second by Mr. Byrd, the Board voted unanimously to execute the Solid Waste Contract with the Town of Mayo.

**PUBLIC HEARING – SPECIAL ASSESSMENT DISTRICT ORDINANCE**

The Board opened a public hearing. On a motion by Mr. Garrard and a second by Mr. Hamlin, the Board voted unanimously to have Ms. McMillan read the proposed ordinance by title only. Public comments were entertained by the Board. After discussion, a motion was made by Mr. Hamlin and a second by Mr. Byrd to adopt the Ordinance. Board adopted ordinance unanimously.

Public Hearing on improvements to NE Primrose Road

A public hearing was held on proposed improvements to NE Primrose Road. Comments were entertained by the Board. After discussion, on a motion by Mr. Lamb and a second by Mr. Hamlin, the Board voted to approve the paving of NE Primrose Road using the Dusty Roads exception.

### **APPROVE THE BILLS**

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On a motion by Mrs. Garrard and a second by Mr. Hamlin, the Board voted unanimously to approve the following bills, with the exception of the Paul Lamb bill:

General Fund - \$82,075.63

E911 Fund - \$584.35

Industrial Park Fund - \$104.95

Road & Bridge Secondary Fund - \$41,600.00

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

### **DONATION OF LIVE OAK TREES TO LAFAYETTE COUNTY**

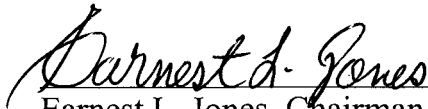
On a motion by Mr. Byrd and a second by Mr. Hamlin, the Board voted unanimously to accept a donation of Live Oak trees.

### **SPECIAL EXCEPTION FOR RIVER RENDEZVOUS**

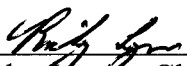
On a motion by Mr. Hamlin and a second by Mr. Byrd, the Board voted unanimously to extend the Special Exception for the River Rendezvous.

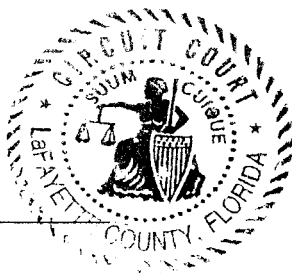
### **ADJOURN**

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

  
Earnest L. Jones, Chairman

Attest:

  
Ricky Lyons, Clerk



Approved this 13<sup>th</sup> day of December, 2010.

November 17, 2010

Lafayette County Board of County Commissioners  
P.O. Box 88  
Mayo, Florida 32066

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Dear Members of the Board;

I am writing to you about information that was brought to my attention today, as I am under contractual agreement to provide you with advice and medical oversight as it pertains to the operation of the EMS System within Lafayette County (*"Agreement of Professional Services" Section II, Purpose*). Unlike in the past, EMS has become the gateway for entry into the Emergency Services System, with this; there have been many changes in the way that an EMS System must operate. These changes occurred after significant modifications have taken place in F.A.C. 64J-1, which have a tremendous impact on areas of liability, scope of practice, patient treatment and transport, legal reporting and system operations.

I was informed that Trevor Hicks was no longer the EMS Director for Lafayette County but however is still employed as a paramedic for the county. This issue is concerning to me for a multitude of reasons, first and foremost, it creates some significant system compliance issues as Trevor has been appointed by me as the EMS Medical Director designee contact pursuant to F.A.C. 64J-1.004 (4)(a) Duties and Responsibilities of the Medical Director.

*"The medical director or his appointee shall provide continuous 24-hour-per-day, 7-day-per-week medical direction which shall include in addition to the development of protocols and standing orders, direction to personnel of the provider as to availability of medical direction "off-line" service to resolve problems, system conflicts, and provide services in an emergency as that term is defined by Section 252.34(3), F.S."*

What this means is that Trevor is the point of contact to act on my behalf since there is no possible way that any physician can be reached 24 hours a day for telephone consult and local emergency department physicians can't possibly provide appropriate treatment guidance as they are not familiar with the geographical areas, logistical resources of the EMS System, transport destinations and services available at the various facilities.

This appointment requires that a paramedic be familiar with all transport guidelines, system administrative structure and system conflict resolution; maintain current certifications in pediatric, trauma and medical disciplines that reach far beyond the scope of an average street level provider and have many years of clinical experience. Trevor holds all the above certifications as well as instructor level certifications in: Trauma Nurse Core Curriculum, Pre-Hospital Trauma Life Support, Emergency Pediatric Critical Care, Advanced Medical Life Support, Advanced Cardiac Life Support, Pediatric Advanced Life Support and Tactical Combat Care. He has also completed Advanced Trauma Life Support for physicians, holds advanced certification in critical care transport medicine and is a licensed Registered Nurse.

Second, Trevor is also the appointee for my DEA narcotics security, as well as the Quality Assurance and Improvement program that are also required by F.A.C. 64J-1 and Florida Statute CH. 401; this requirement is mandated and completed daily to prevent medical errors such as the one that occurred last year in your county which resulted in the loss of a human life. It is also established to improve the patient care delivery system overall within your county. These are very important and statute required system performance issues that every EMS system must meet and they cannot be overlooked or taken lightly.

If there is another individual that the county would like to recommend for these tasks, please afford me their name so that I can review their credentials and provide the appropriate feedback as to my decision. Again, under contractual obligation, (*"Agreement of Professional Services" Section I, Introduction and as outlined in F.S. CH 401*) I must review, approve and monitor the activities of each Emergency Medical Technician and Paramedic.

Having been the Physician Medical Director for Lafayette County for greater than 15 years, I can advise you that Trevor is the most qualified individual that Lafayette County has employed to make these decisions on my behalf. I must also advise you per my contractual agreement that I am not in agreement with this decision as I feel that it will have a negative impact on the medical care that is provided within Lafayette County and the operation of the EMS System overall.

For an EMS System to operate appropriately there must be medical, administrative and operational oversight available on a 24 hour 7 day a week basis, per the state requirement this person must be well versed and understand all aspects of EMS Operations. Trevor has provided these services to the county in a very satisfactory manner and far exceeds these requirements. There also must be a positive working relationship with the outside state, hospital, and disaster agencies that provide continued care for our patients. These requirements have also been met and there has been substantial improvement in patient outcomes as a result of his actions.

I was informed that this decision was based on budgetary needs of the county. I understand budgetary shortfalls especially involving EMS Systems as they are never profitable yet mandated by law and necessary.

As per my (*"Agreement of Professional Services" Exhibit A, Section (3) (f) The criteria for concurrent medical direction, (7) (a) continuous system and patient care improvement, and (b) to ensure compliance with patient care standards*), I have attached an "EMS Task List" that was developed as an outline of the continuous operational performance issues that must be met in order to maintain compliance at the state and federal levels.

Please feel free to contact me should you have any questions regarding this matter.

Respectfully,



Dr. Robert F. Spindell, D.O.  
Medical Director  
Hamilton, Lafayette, Jefferson,  
Suwannee, Baker Counties and  
North Florida Community College

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cc: Ricky Lyons –Clerk of Court  
Donnie Land – Public Safety Director  
Leenette McMillan – County Attorney

**EMS Task List – Must be kept current at all times.**

**Medical Command Officer** (Must be a paramedic available 24/7 with advanced certification in pediatrics, trauma and adult critical care medicine)

**Quality Assurance / Improvement Review** (Must be a Paramedic and meet HIPAA Guidelines, must be completed on a continuous basis)

**Quality Assurance / Quality Improvement Meeting** (Must be a Paramedic and meet HIPAA Guidelines, meetings must be attended on a quarterly basis)

**Trauma Transport Protocols** (Paramedic must review and update as state changes are acquired, must be approved by the Bureau of EMS every 24 months)

**EMS Medical Transport Protocols** (Paramedic must review and update as state changes are acquired, must be approved by the Bureau of EMS every 24 months)

**DEA Registration / Narcotics Security** (Paramedic must be in charge of the security, handling and disposal of narcotics, Medical Command must have oversight of the administration of narcotics)

**HIPAA Updates as required by CMS** (Must be updates as outlined by CMS, all EMS personnel must be updated as required and as changes take place)

**Personnel Files** (Must be secured and confidential, must be kept state compliant at all times and available for state inspection at all times)

**EMS Bureau Inspection requirements** (Must be compliant at all times)

**EMS Charting Compliance and data review** (Must be a Paramedic, HIPAA compliant and must be completed daily)

**EMSTARS Compliance** (Must be a Paramedic and meet HIPAA Guidelines, requires review of all transport and non-transport charts, and must be completed quarterly)

**NEMSIS Compliance** (Must be a Paramedic and meet HIPAA Guidelines, requires review of all transport and non-transport charts, and must be completed quarterly)

**CMS / Medicare Updates to maintain service compliance as outlined in the CMS Manual** (Maintain service compliance to ensure the proper billing, follow up and reimbursement procedures are followed. Must be authorized through the clearinghouse – Quick Med Claims)

**Medicaid Compliance** (Must be authorized through the clearinghouse and Quick Med Claims as changes take place)

**Third Party Insurance Compliance** (Must be authorized through the clearinghouse and Quick Med Claims as changes take place)

**EMS Grant Compliance** (Must meet all requirements as outlines in F.A.C. 64J-1)

**EMS Communications Compliance** (Must maintain statewide EMS communications compliance as outlined in F.A.C 64J-1)

STATE OF FLORIDA  
COUNTY OF LAFAYETTE:

JANICE GANOTE

who on oath says that she is  
Legal Secretary

NOTICE OF HEARING

in the matter of

VARIANCE V10-01

was published in said newspaper in the issues of

11/11

Affiant further says that the said , The Mayo Free Press is a newspaper published at Mayo in said Lafayette County, Florida, and that the said newspaper has heretofore been continuously published in said Lafayette County, Florida, each week and has been entered as second class mail matter at the post office in Mayo, in said Lafayette County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Janice K. Lanote

Sworn to and subscribed before me this 11th day of November, 2010.

Monica Slater  
(SEAL) Notary Public

(SEAL) \_\_\_\_\_ Notary Public

Personally known X or produced identification \_\_\_\_\_

Type of identification produced \_\_\_\_\_

BY THE BOARD OF COUNTY COMMISSIONERS OF LAFAYETTE COUNTY, FLORIDA, SERVING AS THE BOARD OF ADJUSTMENT OF LAFAYETTE COUNTY, FLORIDA, MEETING HERE BY LAWS that, pursuant to the Lafayette County Land Development Regulations, hereafter referred to as the Land Development Regulations, as published under the authority of the Board of County Commissioners, as amended, relating to the following:

CONVERTING A SUBDIVISION OF LANDS, BEING A 100-ACRE PARCEL, AS SHOWN ON THE PLAT, BEING FILED IN THE PUBLIC RECORDS OF LAFAYETTE COUNTY, FLORIDA, SERVING AS THE BOARD OF ADJUSTMENT OF LAFAYETTE COUNTY, FLORIDA, AS A CONDITION OF THE DEED, BEING DATED AND RECORDED ON NOVEMBER 22, 2010 AS PLAT NO. 2010-001, AS SOON THEREAFTER AS THE MATTER CAN BE HEARD, IN THE BOARD OF COMMISSIONERS MEETING ROOM LOCATED IN THE COUNTY COURTHOUSE.

WFO-TV, a petition by Jim and Cheryl Hollis, requesting a variance be granted to the respondents of the Lantana Community Improvement District to reduce the East & West side yard setback from 25 feet to 10 feet.

LOS ANGELES TELEPHONE RECORDS  
 PB A P 28 PAGES RECORDS  
 LAFAYETTE CO. FL ON BK 1 P 170;  
 OR BK 136 P 222-254; OR BK 249 P  
 155-158; OR BK 156 P 8; OR BK 257 P  
 21-252

Formal Number: 84-04-12-0000-0010  
 Date: 8/10/84

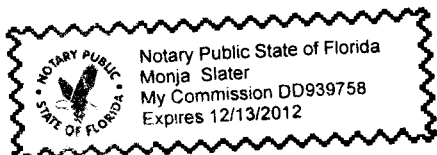
The public hearing may be continued to a future date. Any interested party shall be advised that the date, time and place of any continuation of the public hearing shall be announced during the public hearing and that no further action concerning the matter will be published, unless said continuation exceeds an calendar week from the date of the above referenced public hearing.

At the aforementioned public hearing, all interested parties will be allowed to be heard with respect to the proposed variance.

Records of the above variance are available for public inspection at the Office of the Land Development Regulations Administrator, County Courthouse, located at the intersection of west Main Street US Hwy 275 and North Flagler Street, Box 511, Mayo, Florida, during regular business hours.

Attorneys are advised that if they decide to appeal any damages awards at the above enumerated public hearing, they will need a record of the proceedings, and that for such purposes, they also need to ensure that a transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

11/11



RESOLUTION NO. V10-01

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LAFAYETTE COUNTY, FLORIDA SERVING AS THE BOARD OF ADJUSTMENT OF LAFAYETTE COUNTY, FLORIDA, GRANTING A VARIANCE AS AUTHORIZED UNDER SECTION 3.2.5 OF THE LAFAYETTE COUNTY LAND DEVELOPMENT REGULATIONS, PROVIDING FOR A VARIANCE TO ALLOW REDUCTION OF THE SIDE YARD SET BACKS FROM 20 FEET TO 10 FEET WITHIN AN ENVIRONMENTALLY SENSITIVE AREA -2 (ESA-2) ZONING DISTRICT AS PROVIDED FOR IN SECTION 4.4.7 OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF LAFAYETTE COUNTY, FLORIDA; PROVIDING FOR REVOCATION OF THE VARIANCE; REPEALING RESOLUTIONS IN CONFLICT AND PROVIDING AN EFFECTIVE DATE

WHEREAS, The 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 or deny variances as authorized under Section 3.2.5 of the Land Development Regulations;

WHEREAS, a petition for a variance, 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 variance, as described below, and considered all comments received during said public hearing and the Concurrence Management Assessment concerning said petition for a variance, as described below;

WHEREAS, the Board of County Commissioners, serving as the Board of Adjustment, has found that they are empowered under Section 3.2.5 of the Land Development Regulations to grant or deny a variance, as described below;

WHEREAS, The Board of County Commissioners, serving as the Board of Adjustment, has determined and found that the granting of said petition for a variance, 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:

- (a) special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
- (b) such special conditions and circumstances do not result from the actions of the applicant;
- (c) granting the variance requested will not confer on the applicant a special privilege that is denied by the land development regulations to other lands, buildings or structures in the same zoning district;
- (d) literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district



under the terms of the land development regulations and would work unnecessary and undue hardship on the applicant;

- (e) the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and
- (f) granting of the variance will be in harmony with the general intent and purpose of the land development regulations, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

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

Section 1. Pursuant to a petition, V10-01, by Jim & Cheryl Hollis, requesting a Variance be granted to the requirements of section 4.4.7 of the Land Development Regulations the Board of County Commissioners, serving as the board of adjustments hereby grants a variance to allow reduction side yard setbacks from 20 feet to 10 feet in an ENVIRONMENTALLY SENSITIVE AREA-2(ESA-2) zoning district, in accordance with a site plan dated October 28, 2010 on property Described as follows:

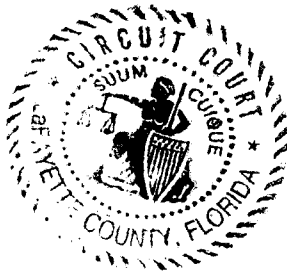
**A parcel of land in Section 34, Township 04, Range 12 East, Lafayette County, Florida.  
LOT 6 BLK 1 SUWANNEE SHORES PB A P. 20 PUBLIC RECORDS  
LAFAYETTE CO. FL. OR BK 64 P. 170; OR BK 196 P. 253-254; OR BK 243 P. 155-156; OR BK 144 P 8; OR BK 257 P 301-302**

**Parcel Number : 34-04-12-0020-0010-00060 Containing 0.40 acres**

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

Section 3. 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 22 day of Nov 2010.



Attest:

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

  
Ricky Lyons, County Clerk

  
Chairman

[illegible]

RESOLUTION NO. PZ/LPA LDR 09-03

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 TEN OR MORE CONTIGUOUS ACRES OF LAND TO THE OFFICIAL ZONING ATLAS OF THE LAFAYETTE COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED, PURSUANT TO AN APPLICATION BY THE PROPERTY OWNERS OF SAID ACREAGE; PROVIDING FOR CHANGING THE ZONING DISTRICT FROM RURAL RESIDENTIAL (RR) TO RESIDENTIAL, (MIXED) SINGLE FAMILY/MOBILE HOME (RSF/MH-2) OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF LAFAYETTE COUNTY, FLORIDA; 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 Land Development Regulations, in accordance with said regulations;

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

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 having been given, on said application for amendment, as described below, and considered all comments received during said public hearing and the Concurrence 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 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.

WHEREAS, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, has studied and considered the items enumerated in Section 16.2.2 of the Land Development Regulations and based upon said study and consideration has determined and found that:

- (a) The proposed change will be in conformance with the Comprehensive Plan and would not have an adverse effect on the Comprehensive Plan;
- (b) The proposed change is compatible with the existing land use pattern in the area;
- (c) The proposed change will not create an isolated district unrelated to adjacent and nearby districts;

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- (d) The proposed change will not result in a population density pattern and increase or overtaxing of the load on public facilities such as schools, utilities and streets;
- (e) The proposed district boundaries are not illogically drawn in relation to existing conditions on the property proposed for change;
- (f) The proposed change will not adversely influence living conditions in the neighborhood;
- (g) The proposed change will not create or excessively increase traffic congestion or otherwise affect public safety;
- (h) The proposed change will not create a drainage problem;
- (i) The proposed change will not seriously reduce light and air to adjacent areas;
- (j) The proposed change will not adversely affect property values in the adjacent area;
- (k) The proposed change will not be a deterrent to the improvement or development of adjacent property in accord with existing regulations;
- (l) The proposed change will not constitute a grant of special privilege to an individual owner as contrasted with the public welfare; and
- (m) The proposed change is not out of scale with the needs of the neighborhood or the County.

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, LDR 09-03, by James D. Revels and Gregory A. Revels, to amend the Official Zoning Atlas of the Land Development Regulations, 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 zoning district be changed from RURAL RESIDENTIAL (RR) to RESIDENTIAL, (MIXED) SINGLE FAMILY/MOBILE HOME (RSF/MH-2) for property described, as follows:

A parcel of land lying within Section 1, Township 5 South, Range 11 East, Lafayette County, Florida. Being more particularly described, as follows: Commence at the Northeast corner of the West 1/2 of the Southeast 1/4 of said Section 1; thence South 00°45'34" East, along the East line of the West 1/2 of the Southeast 1/4 of said Section 1, a distance of 1,892.47 feet; thence North 88°38'23" West 648.57 feet to the Point of Beginning; thence South 00°45'34" East 738.08 feet; thence North 88°25'25" West 795.01 feet to the Southeast corner of the West 1/2 of the Southeast 1/4 of said Section 1; thence North 88°25'25" West 520.57 feet to the Easterly right-of-way line of County Road 51; thence North 04°23'49" East, along the Easterly right-of-way line of said County Road 51, a distance of 1,094.62 feet; thence South 88°48'27" East 421.82 feet; thence South 00°46'09" East 361.95 feet; thence South 88°38'23" East 795.01 feet to the Point of Beginning.

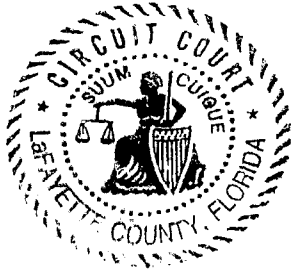
Containing 25.28 acres, more or less.

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 22 day of Nov 2010.

Attest:



  
Ricky Lyons, County Clerk

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

  
Earnest L. Jones, Chairman

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11A

ORDINANCE CODING FORM

COUNTY: LAFAYETTE

COUNTY ORDINANCE # 2010-06

PRIMARY KEYFIELD  
DESCRIPTOR: \_\_\_\_\_

LAND USE PLANNING

SECOND KEYFIELD  
DESCRIPTOR: \_\_\_\_\_

OTHER KEYFIELD  
DESCRIPTOR: \_\_\_\_\_

ORDINANCE DESCRIPTION ZONING CHANGE - REVEALS

ORDINANCE AMENDED (list below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT # 1 \_\_\_\_\_ AMENDMENT # 2 \_\_\_\_\_

ORDINANCES REPEALED: (list below the ordinances that are repealed by this legislation.)

REPEAL # 1 \_\_\_\_\_

REPEAL # 2 \_\_\_\_\_

REPEAL # 3 \_\_\_\_\_

REPEAL # 4 \_\_\_\_\_

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For office use only: County Code Number(\_\_\_\_\_)

Keyfield 1 Code:(\_\_\_\_\_) Keyfield 2 Code:(\_\_\_\_\_)

Keyfield 3 Code:(\_\_\_\_\_)

ORDINANCE NO. 2010-06

AN ORDINANCE OF LAFAYETTE COUNTY, FLORIDA, AMENDING THE LAFAYETTE COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED, RELATING TO AN AMENDMENT OF TEN OR MORE CONTIGUOUS ACRES OF LAND TO THE OFFICIAL ZONING ATLAS OF THE LAFAYETTE COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED, PURSUANT TO AN APPLICATION, LDR 09-03, BY THE PROPERTY OWNERS OF SAID ACREAGE; PROVIDING FOR CHANGING THE ZONING DISTRICT FROM RURAL RESIDENTIAL (RR) TO RESIDENTIAL, (MIXED) SINGLE FAMILY/MOBILE HOME (RSF/MH-2) OF CERTAIN LANDS WITHIN THE UNINCORPORATED AREA OF LAFAYETTE COUNTY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, as amended, empowers the Board of County Commissioners of Lafayette County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce land development regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, as amended, the Local Government Comprehensive Planning and Land Development Regulation Act, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water;

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

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Lafayette County, Florida, hereinafter referred to as the Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Lafayette County, Florida, hereinafter referred to as the Local Planning Agency;

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

WHEREAS, pursuant to Section 125.66, Florida Statutes, as amended, the Board of County Commissioners, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, and at said public hearing, the Board of County Commissioners reviewed and considered all comments received during said public hearing, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, and the Concurrency Management Assessment concerning said application for an amendment, as described below; and

WHEREAS, the Board of County Commissioners 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.



## Book 31 Page 187

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LAFAYETTE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to an application, LDR 09-03, by JoAnna Lemmon, as agent for Leon D. Revels, Jr. and Billie T. Revels, to amend the Official Zoning Atlas of the Land Development Regulations by changing the zoning district of certain lands, the zoning district is hereby changed from RURAL RESIDENTIAL (RR) to RESIDENTIAL, (MIXED) SINGLE FAMILY/MOBILE HOME (RSF/MH-2) for property described, as follows:

A parcel of land lying within Section 1, Township 5 South, Range 11 East, Lafayette County, Florida. Being more particularly described, as follows: Commence at the Northeast corner of the West 1/2 of the Southeast 1/4 of said Section 1; thence South 00°45'34" East, along the East line of the West 1/2 of the Southeast 1/4 of said Section 1, a distance of 1,892.47 feet; thence North 88°38'23" West 648.57 feet to the Point of Beginning; thence South 00°45'34" East 738.08 feet; thence North 88°25'25" West 795.01 feet to the Southeast corner of the West 1/2 of the Southeast 1/4 of said Section 1; thence North 88°25'25" West 520.57 feet to the Easterly right-of-way line of County Road 51; thence North 04°23'49" East, along the Easterly right-of-way line of said County Road 51, a distance of 1,094.62 feet; thence South 88°48'27" East 421.82 feet; thence South 00°46'09" East 361.95 feet; thence South 88°38'23" East 795.01 feet to the Point of Beginning.

Containing 25.28 acres, more or less.

Section 2. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

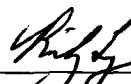
Section 3. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, as amended, a certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This ordinance shall become effective upon filing of the ordinance with the Florida Department of State.

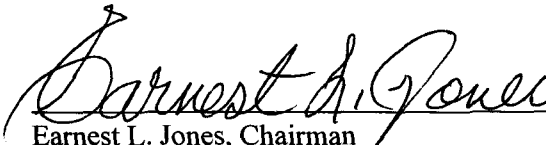
Section 5. Authority. This ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, as amended, and Sections 163.3161 through 163.3215, Florida Statutes, as amended.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this 22 day of NOV 2010.

BOARD OF COUNTY COMMISSIONERS  
OF LAFAYETTE COUNTY, FLORIDA

  
Ricky Lyons, County Clerk



  
Earnest L. Jones, Chairman



## FLORIDA DEPARTMENT of STATE

**CHARLIE CRIST**  
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

**DAWN K. ROBERTS**  
Interim Secretary of State

### Book 31 Page 188

November 29, 2010

Honorable Ricky Lyons  
Clerk of Court  
Lafayette County  
Post Office Box 88  
Mayo, Florida 32066

Dear Mr. Lyons:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated November 24, 2010 and certified copies of Lafayette County Ordinance Nos. 2010-06 and 2010-07, which were filed in this office on November 29, 2010.

Sincerely,

Liz Cloud  
Program Administrator

LC/srd

#### DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250  
850.245.6600 • FAX: 850.245.6282 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

COMMUNITY DEVELOPMENT  
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA  
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA  
850.245.6700 • FAX: 850.488.4894

CAPITOL BRANCH  
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES  
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY  
850.245.6270 • FAX: 850.245.6282

MAYO FREE PRESS  
Published Weekly  
Post Office Box 148- Phone 935-4440  
Branford, Lafayette County, Florida 32008

Book 31 Page 189

STATE OF FLORIDA  
COUNTY OF LAFAYETTE:

Before the undersigned authority personally appeared

JANICE GANOTE

who on oath says that she is  
Legal Secretary

of The Mayo Free Press, a weekly newspaper  
published in Mayo in Lafayette County, Florida;  
that the attached copy of advertisement, being a

PUBLIC HEARING

in the matter of

11/22/10 PRIMEROSE RD

was published in said newspaper in the issues of

11/4

Affiant further says that the said, The Mayo Free Press is a newspaper published at Mayo in said Lafayette County, Florida, and that the said newspaper has heretofore been continuously published in said Lafayette County, Florida, each week and has been entered as second class mail matter at the post office in Mayo, in said Lafayette County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

*Janice K Ganote*

Sworn to and subscribed before me this 4th day of  
November, 2010.

*Monja Slater*

(SEAL) Notary Public

Personally known X or produced identification \_\_\_\_\_

Type of identification produced \_\_\_\_\_

LEGAL NOTICE

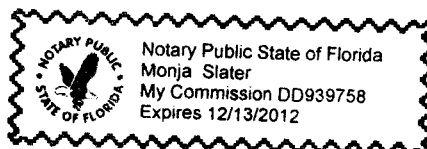
NOTICE OF PUBLIC HEARING

Please be advised that a public hearing will be held on November 22, 2010, at 5:30 p.m., or as soon thereafter as the matters can be heard, in the County Commissioner's Meeting Room, Lafayette County Courthouse, located at 120 West Main Street, Mayo, Florida, for public discussion regarding improvements that will be made to the county limestone road known as NE Primrose Road. The Board of County Commissioners will consider making improvements to said road to include paving.

The public hearings may be continued to one or more future dates. Any interested party shall be advised that the date, time and place of any continuation of the public hearings shall be announced during the public hearings and that no further notice concerning the matters will be published.

All persons are advised that, if they decide to appeal any decision made at the public hearings, they will need a record of the proceedings and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

11/4



MAYO FREE PRESS  
Published Weekly  
Post Office Box 148- Phone 935-4440  
Branford, Lafayette County, Florida 32008

Book 31 Page 190

STATE OF FLORIDA  
COUNTY OF LAFAYETTE:

Before the undersigned authority personally appeared

JANICE GANOTE

who on oath says that she is  
Legal Secretary

of The Mayo Free Press, a weekly newspaper  
published in Mayo in Lafayette County, Florida;  
that the attached copy of advertisement, being a

NOTICE OF ENACTMENT

in the matter of

ORDANINANCE 2010

was published in said newspaper in the issues of

11/4

Affiant further says that the said , The Mayo  
Free Press is a newspaper published at Mayo in  
said Lafayette County, Florida, and that the said  
newspaper has heretofore been continuously published  
in said Lafayette County, Florida, each week and has  
been entered as second class mail matter at the post  
office in Mayo, in said Lafayette County, Florida,  
for a period of one year next preceding the first  
publication of the attached copy of advertisement;  
and affiant further says that he has neither paid  
nor promised any person, firm or corporation any  
discount, rebate, commission or refund for the pur-  
pose of securing this advertisement for publication  
in said newspaper.

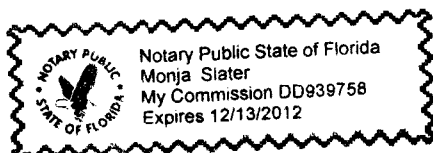
*Janice K. Ganote*

Sworn to and subscribed before me this 4th day of  
November, 2010.

*Monja Slater*  
(SEAL) Notary Public

Personally known ☒ or produced identification \_\_\_\_\_

Type of identification produced \_\_\_\_\_



LEGAL NOTICE

NOTICE OF ENACTMENT  
OF ORDINANCE

BY THE BOARD OF COUNTY  
COMMISSIONERS OF LAFAYETTE  
COUNTY, FLORIDA,

NOTICE IS HEREBY GIVEN that an ordi-  
nance, whose title heretofore appears,  
will be considered for enactment by the  
Board of County Commissioners,  
Lafayette County, Florida, at a public  
hearing held on November 22, 2010, at  
5:30 p.m., or as soon thereafter as the  
matters can be heard, in the County Com-  
missioner's Meeting Room, Lafayette  
County Courthouse, located at 120 West  
Main Street, Mayo, Florida. Copies of  
said ordinance may be inspected by any  
member of the public at the Office of the  
County Clerk located at Lafayette County  
Courthouse, 120 West Main Street,  
Mayo, Florida, during regular business  
hours. On the date, time and place first  
above mentioned, all interested persons  
may appear and be heard with respect to  
the ordinance.

ORDINANCE 2010-

AN ORDINANCE OF THE BOARD OF  
COUNTY COMMISSIONERS OF  
LAFAYETTE COUNTY, FLORIDA, CRE-  
ATING A SPECIAL IMPROVEMENT DIS-  
TRICT ORDINANCE; PROVIDING FOR  
PETITION GENERALLY; NOTICE TO  
PUBLIC HEARING; PROVIDING FOR  
ACQUISITION AND COSTS OF EASE-  
MENTS AND ADDITIONAL RIGHT-OF-  
WAY, LABOR, LOANS; PROVIDING FOR  
SPECIAL ASSESSMENT ROLL, NO-  
TICE, PUBLIC HEARING, ERRORS;  
PROVIDING FOR SPECIAL ASSES-  
MENT LIEN, GENERALLY; PROVIDING  
FOR LIEN FOR PRELIMINARY COSTS  
WHEN IMPROVEMENTS NOT CON-  
STRUCTED; PROVIDING FOR NATURE  
OF LIEN; PROVIDING FOR SALE OF  
LIEN CERTIFICATES; PROVIDING FOR  
CONFLICTS; PROVIDING FOR SEVER-  
ABILITY; AND PROVIDING AN EFFECT-  
IVE DATE.

The public hearings may be continued to  
one or more future dates. Any interested  
party shall be advised that the date, time  
and place of any continuation of the pub-  
lic hearings shall be announced during  
the public hearings and that no further  
notice concerning the matters will be pub-  
lished.

All persons are advised that, if they de-  
cide to appeal any decision made at the  
public hearings, they will need a record of  
the proceedings and, for such purpose,  
they may need to ensure that a verbatim  
record of the proceedings is made, which  
record includes the testimony and evi-  
dence upon which the appeal is to be  
based.

11/4

Book 31 Page 191

ORDINANCE CODING FORM

COUNTY: LAFAYETTE

COUNTY ORDINANCE # 2010-07

PRIMARY KEYFIELD

DESCRIPTOR: SPECIAL DISTRICT

SECOND KEYFIELD

DESCRIPTOR: \_\_\_\_\_

OTHER KEYFIELD

DESCRIPTOR: \_\_\_\_\_

ORDINANCE DESCRIPTION MSBL - ROADS

ORDINANCE AMENDED (list below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT # 1 \_\_\_\_\_ AMENDMENT # 2 \_\_\_\_\_

ORDINANCES REPEALED: (list below the ordinances that are repealed by this legislation.)

REPEAL # 1 \_\_\_\_\_ REPEAL # 2 \_\_\_\_\_

REPEAL # 3 \_\_\_\_\_ REPEAL # 4 \_\_\_\_\_

For office use only: County Code Number(\_\_\_\_\_)

Keyfield 1 Code:(\_\_\_\_\_) Keyfield 2 Code:(\_\_\_\_\_)

Keyfield 3 Code:(\_\_\_\_\_)

ORDINANCE NO. 2010- 07

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAFAYETTE COUNTY, FLORIDA, CREATING A SPECIAL IMPROVEMENT DISTRICT ORDINANCE; PROVIDING FOR PETITION GENERALLY, NOTICE TO PUBLIC HEARING; PROVIDING FOR ACQUISITION AND COSTS OF EASEMENTS AND ADDITIONAL RIGHT-OF-WAY, LABOR, LOANS; PROVIDING FOR SPECIAL ASSESSMENT ROLL, NOTICE, PUBLIC HEARING, ERRORS; PROVIDING FOR SPECIAL ASSESSMENT LIEN, GENERALLY; PROVIDING FOR LIEN FOR PRELIMINARY COSTS WHEN IMPROVEMENTS NOT CONSTRUCTED; PROVIDING FOR NATURE OF LIEN; PROVIDING FOR SALE OF LIEN CERTIFICATES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Lafayette County, Florida, has found as a result of increased population and commercial development, some real property in the unincorporated areas of Lafayette County have begun experiencing significant traffic; and

**WHEREAS**, it is in the best interests of the citizens of Lafayette County for the Board of County Commissioners to provide for the availability of adequate roadways within the unincorporated areas of Lafayette County; and

**WHEREAS**, the Board of County Commissioners wishes to provide a mechanism whereby the owners of real property located in areas subject to high volume traffic may request the County improve real property by constructing roadways, whereby the mechanism provides for the payment of said improvements, and provided for the continued maintenance of such improvements.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of the County of Lafayette, Florida, as follows:

The Special Improvement District Ordinance of Lafayette County, Florida, is hereby created and it shall read as follows:

**Sec.1. Petition generally; notice to public; hearing.**

Whenever the owner(s) of property in the unincorporated area of the county present to the Board of County Commissioners a petition signed by them requesting that their

properties be benefited by paving improvements, the Board of County Commissioners shall consider such petition, and if the Board determines that the properties will be specially benefited by such asphalt paving, it may approve the petition, order such improvements to be made, and impose assessments equitably against the affected property for the costs of improvements, together with all administrative and funding costs incurred in connection therewith.

Upon presentation of the petition, the Board of County Commissioners shall publish, at least once, in a newspaper of general circulation in the county, a notice stating that at a regular meeting of the Board of County Commissioners on a date and time certain, to be held at least twenty (20) days after the publication, the Board of County Commissioners will conduct a public hearing and hear all interested persons on the improvements proposed in the petition. The notice shall state in general terms a description of the proposed improvements, and location thereof, the estimated costs, and a description of the property to be specially benefited against which a special assessment is proposed to be made. A copy of the notice shall be mailed, by certified mail, to the record title owners of such property proposed to be benefited, at the address shown on the most recent county property appraiser's ad valorem tax assessment roll, such notice to be mailed at least twenty (20) days prior to the public hearing. At the time designated in the notice, the Board of County Commissioners shall hear all interested persons, and may then or thereafter reject the petition, or by resolution, approve all or any part of the improvements sought by such petition to be made and authorize the levy of a special assessment upon the property specially benefited to be imposed upon completion of the improvements. The resolution shall contain the description of the property upon which the assessment is to be made which shall thereafter constitute a lien on the property.

**Sec. 2. Acquisition and costs of easements and additional right-of-way; labor; loans.**

If, to construct the improvements authorized by resolution, it is necessary to acquire additional property, right-of-way or drainage or utility easements, which cannot be acquired by gift, bequest or devise, the Board of County Commissioners is hereby authorized to include in the costs assessed against the benefited properties all costs of the acquisition of such additional rights-of-way or easements, including but not limited to, land acquisition, interest, attorney's fees and court costs.

The Board of County Commissioners may furnish or contract for the services, labor, material and equipment necessary for the improvements to be made. The Board of County Commissioners may pay out of its general funds or out of any special fund that may be provided for that purpose such portion of the cost of any improvement as it may deem proper. The Board of County Commissioners is authorized to borrow from any available source such sums of money as are necessary to defray the cost of such improvements; provided, however, the only security for such loan shall be the assignment of the special assessment lien certificates to be issued for such improvements.

**Sec. 3. Special assessment roll; notice; public hearing; errors.**

Within such time as the Board of County Commissioners may determine following the completion of the improvements and the determination of the total cost thereof, the Board shall prepare a special assessment roll containing the property description and the amount of the benefit to and the assessment of costs to be imposed against each lot or parcel of property adjoining and contiguous or bounding and abutting such improvements or specially benefited thereby and, if said assessment is to be paid in installments, the number of annual installments in which the assessment is divided shall also be entered and shown upon such assessment roll.

Upon completion thereof, the Board of County Commissioners shall publish notice, at least once, in a newspaper of general circulation in the county, stating that such special assessment roll has been completed and is on file and open to public inspection. The notice shall further state that at a regular meeting of the Board of County Commissioners on a date and time certain, to be held at least twenty (20) days after the date of publication, the Board of County Commissioners will hear all interested persons on the proposed assessments. Such notice shall state in brief and general terms a description of the improvements and the location thereof. A copy of the notice shall be mailed, by certified mail, to the record title owners of such property which has been benefited and is being proposed to be assessed, at the address shown on the most recent county property appraiser's ad valorem tax assessment roll, such notice to be mailed at least twenty (20) days prior to the public hearing. At the time designated in the notice, the Board of County Commissioners shall hear all interested persons, and may then or thereafter annul, sustain or modify, in whole or in part, the special assessment roll according to the special benefits



which the Board of County Commissioners determines each lot or parcel of property has received by virtue of such improvements. The Board of County Commissioners may apportion the costs of such improvements as a special assessment based on the front or square footage of each lot or parcel of property, or an alternative methodology, provided the amount of the assessment for each lot or parcel of property is not in excess of the proportional benefits as compared to other assessments on other lots or parcels of property.

In case of any omission, error or mistake in the special assessment roll imposing the special assessment or in issuing special assessment lien certificates, the Board of County Commissioners may at any time correct such omission, error or mistake by resolution, upon its own motion, provided such correction does not impose a greater assessment on any other lot or parcel of property. Any correction which increases any assessment on any lot or parcel of property or which adds an assessment on any additional lot or parcel of property shall, in the absence of written consent by the property owners involved, be made only by re-accomplishing each and every procedural requirement of this section subsequent to the occurrence of such omission, error or mistake. Such procedure shall be required with regard only to those lots or parcels for which a special assessment is increased or initially established.

**Sec. 4. Special assessment lien; generally.**

After a determination of the special assessments is made, as hereinabove provided, the special assessment roll, as sustained or modified, shall be filed in the office of the clerk of the Board of County Commissioners and such determination of assessments shall be final and conclusive, except as provided above. The Board of County Commissioners shall adopt a resolution establishing the amount of the special assessment against all such lots or parcels of property in accordance with the special assessment roll heretofore adopted, which shall constitute a special assessment lien upon that property or properties, and authorize the issuance of special assessment lien certificates as hereafter provided. Such resolution shall include the legal description of each lot or parcel of property subject to such special assessment lien, together with the amount of such lien according to the special assessment roll. The resolution shall be recorded in the public records of the county not later than ten (10) days after its adoption. Such resolution shall also state that such assessment liens are subject to modification in accordance with the provision of this

division. Notice shall be given that all such assessment liens shall become due and payable at the office of the tax collector of the county on a date to be determined by the Board of County Commissioners, which date shall not be before thirty (30) days after the recording of such resolution in the public records of the county. The amount not paid within such period shall become payable in equal annual installments for a specific period of years, with interest at a rate established by the Board of County Commissioners; provided, however, any assessment lien becoming so payable in installments may be paid at any time together only with interest accrued thereon as of the date of payment.

**Sec. 5. Lien for preliminary costs when improvements not constructed.**

If, prior to adopting the resolution establishing the amount of the special improvement assessment liens against benefited properties in accordance with the final assessment roll, it is determined that the improvements shall not be constructed, the incidental costs associated with the preparation of the preliminary special improvement assessment roll, including preliminary and other surveys, preparation of plans, specification, and estimates, printing and publishing of notice and proceedings, authorization of lien certificates, legal services, engineering and fiscal fees, abstracts and any other expenses necessary or proper in connection therewith, shall be assessed against the property which would have been improved if the improvement had been constructed. An assessment roll assessing such costs on a pro rata basis shall be prepared and, following a public hearing in accordance with the notice provision set forth above, the Board of County Commissioners shall adopt a resolution imposing an assessment against all such lots or parcels which shall constitute a lien upon such property, and authorizing the issuance of special assessment lien certificates as provided in this division. The lien for such costs shall be of the same nature as set forth below.

**Sec. 6. Nature of lien.**

All assessments for any improvements made under the provisions of this division shall constitute liens upon the property specially improved and assessed from the date of the filing in the public records of the county of the resolution adopted by the Board of County Commissioners imposing the special assessment, and shall be of the same nature and to the same extent as liens for general county taxes, and shall be collectible in the same manner with the same fees, interest and penalties for default in payment, and under the

same provisions as to sale and forfeiture as apply to general county taxes. Collection of such special assessment with such interest and penalties and with a reasonable attorney's fee may also be made by suit for foreclosure, and it shall not be unlawful to join in any such suit for foreclosure any one or more lots or parcels of property, by whomsoever owned, upon which such assessments are delinquent, if assessed for improvements made under the provision of this division. Failure to pay any installment of principal or interest of any special assessment when such installment shall become due shall, without notice or other proceedings, cause all installments or principal remaining to be forthwith due and payable with interest due thereon at the date of default; but, if before the sale of the property for delinquent special assessment payments, the amount of such delinquency shall be paid together with all penalties, interest, costs and attorney's fees, further installments of principal shall cease to become due and payable and shall be due and payable at the times at which the same would be due if no such default had occurred.

**Sec. 7. Sale of lien certificates.**

For the purpose of financing any of the improvements authorized under the provisions of this division, the Board of County Commissioners may sell any or all of the special assessment liens certificates imposed against the property benefited. Such liens shall be evidenced by special assessment lien certificates signed by the Chairman of the Board of County Commissioners and attested to by its clerk or deputy clerk. The clerk, as directed by the Board of County Commissioners, may sell, dispose of or assign any such certificate to any person offering to buy same; such sale, however, is to be made at not less than par of the principal of such certificate or certificates remaining then unpaid, together with accrued interest accumulated and computed to the day of sale or assignment. All payments on such lien certificates shall be made directly to the county and the responsibility for enforcement of such liens may be that to the holder of the certificate or that of the Board of County Commissioners in the manner provided herein, as determined by resolution of the Board of County Commissioners. The holders of such special assessment lien certificates may sue in their own name or on behalf of the county to enforce such liens. Nothing in this division shall be deemed to prohibit the Board of County Commissioners from appointing an officer of the county to serve as paying agent

and/or registrar with respect to any special assessment lien certificates issued pursuant hereto.

**Sec. 8. Conflicts.**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, except to the extent of any conflicts with the Lafayette County Comprehensive Plan, as amended, which provisions shall prevail over any parts of this ordinance which are inconsistent, either in whole or in part, with the said Comprehensive Plan.

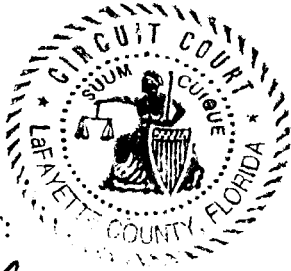
**Sec. 9. Severability.**

If any provisions or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**Sec. 10. Effective Date.**

This ordinance shall have effect upon becoming law.

**DONE, ADOPTED AND PASSED** by the Board of County Commissioners of Lafayette County, Florida, in regular session this **22<sup>nd</sup>** day of **November, A.D., 2010**.



ATTEST:

By: *Ricky Lyons*  
Ricky Lyons, Clerk of Court

BOARD OF COUNTY COMMISSIONERS,  
LAFAYETTE COUNTY, FLORIDA

By: *Ernest L. Jones*  
Ernest L. Jones, Chairman

**RESOLUTION**

**Book 31 Page 199**

**2010-11-2~1**

*The Lafayette County Local Mitigation Strategy (LMS)*

**BOARD OF COUNTY COMMISSIONERS  
LAFAYETTE COUNTY, FLORIDA**

WHEREAS, Lafayette County is threatened by a number of different types of natural hazards; and

WHEREAS, these hazards endanger the health and safety of the population of the county, jeopardize its economic vitality and imperil the quality of its environment; and

WHEREAS, the public and private sector interests of Lafayette County have joined together to create a Committee to undertake a comprehensive planning process to develop the LMS; and

WHEREAS, it is the intent of the committee and the LMS that Lafayette County become more "disaster resistant"; and

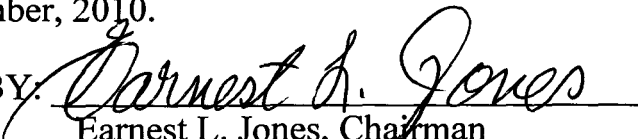
WHEREAS, FEMA and the Florida DCA require that this document be adopted by the governing bodies in Mayo and Lafayette County; and

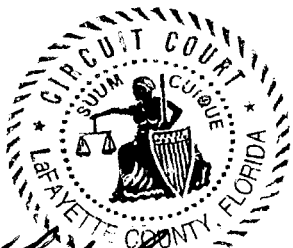
WHEREAS, said adoption will give Lafayette County and its jurisdictions priority with respect to funding for disaster recovery and hazard mitigation from state and federal sources;

NOW, THEREFORE, BE IT RESOLVED BY THE LAFAYETTE COUNTY BOARD OF COUNTY COMMISSIONERS that the Board does hereby adopt the Lafayette County Local Hazard Mitigation Plan Update as submitted by the local Emergency Management Office, and as approved by FEMA.

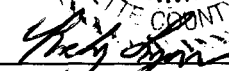
This Resolution is hereby adopted by the Lafayette County Board of County Commissioners this 22nd day of November, 2010.

BY:

  
Earnest L. Jones, Chairman  
Board of County Commissioners



ATTEST:

  
Ricky Lyons, Clerk

November 19, 2010

Book 31 Page 200

Mr. Robert Johnson  
Lafayette County Building Department  
Mayo, FL 32066

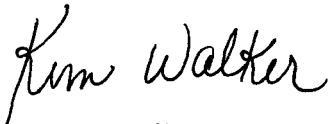
Dear Bobby,

Please accept this letter as my formal resignation. I have decided to resign from working with Lafayette County Commissioners/Lafayette County Building Department. Making effective, two weeks from this date which will be December 3, 2010.

I would like to thank you for all the great opportunities you have given me as an employee. I enjoyed working for you for the past 7 years and I learned so much from my experiences. I have worked with the County for 17 years and I have enjoyed it greatly. However I have decided to relocate to another County and that is my reasons for resigning.

I will gladly help out with any transitions and you can call me anytime for help or any concerns as far as the Building Department or Solid Waste is concern.

Sincerely,



Kim B. Walker  
PO Box 384  
Mayo, FL 32066  
386-249-1457

CC: Lafayette County Board of Commissioners

Accepted by BCC  
on 11/22/10  
Kim B. Walker

# Book 31 Page 201

## CONTRACT FOR WASTE MANAGEMENT SERVICES

**THIS AGREEMENT** is made between the BOARD OF COUNTY COMMISSIONERS LAFAYETTE COUNTY, whose address is Post Office Box 88, Mayo, Florida 32066, hereinafter referred to as the "County," and the **TOWN OF MAYO**, whose address is Post Office Box 56, Mayo, Florida 32066, hereinafter referred to as "Town".

(Wherever used herein the terms "County" and "Town" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

That the County, for and in consideration of the gross sum of \$12,000.00/month, paid by the town, hereby agrees to perform all waste management and garbage collection services for the Town.

**Terms of Contract:** This term of this contract shall be 12 months, and shall renew automatically each year. However, either party may terminate the contract with written notice to the other party by March 31st, prior to the expiration of the contract.

**Payments:** The Town's payment shall be due and payable by the 25<sup>th</sup> of each month.

**Costs and Pricing:** The County shall have the right to increase the amount due from the town under this contract when costs to the County have increases 10% or more. The Town shall be notified immediately upon county's intent to increase amount due.

**Late Payment:** Payments are due by the last day of the month following the service date. In the event that the Town fails to make a scheduled payment within 7 days following the due date, a late fee of \$50.00 shall be assessed.

**Evidence of Default:** Should either party default on any term of this agreement, the non-defaulting party shall have the right to seek an adequate remedy at law and shall have the right to use this document as competent evidence of the agreement.

**Attorney's Fees and Costs:** The prevailing party in any court action shall be entitled to attorney's fees and costs, including pre-suit costs and fees.

This document constitutes the entire agreement between the parties and no terms of the agreement have been omitted. Should the parties desire to make any changes, those changes must be agreed upon by the parties and effected by a new written document.

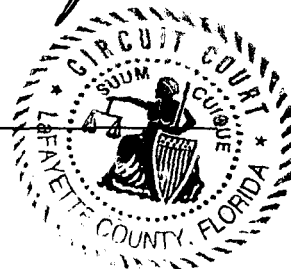
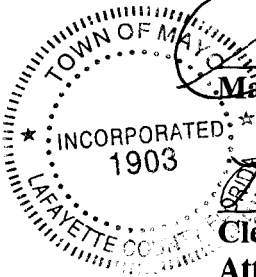
  
Mayor, Town of Mayo

  
Clerk  
Attest

  
Chairman, BOCC

  
Clerk  
Attest

11/22/10



5

Check History Report  
Sorted By Check Number  
Activity From: 11/22/2010 to 11/22/2010

Book 31 Page 202

Lafayette County (GNF)

Bank Code: A General Fund

Check Number	Check Date	Vendor Number	Name	Check Amount	Check Type
045397	11/22/2010	BTM	Bound Tree Medical, LLC.	173.20	Auto
045398	11/22/2010	HASI	Hamlin Auto Supply, Inc	89.98	Auto
045399	11/22/2010	LOP	Live Oak Pest	24.74	Auto
045400	11/22/2010	MH	Mayo Hardware	951.26	Auto
045401	11/22/2010	NCFTA	North Central FL Trauma Agency	250.00	Auto
045402	11/22/2010	NFPM	North Florida Pharmacy of Mayo	211.20	Auto
045403	11/22/2010	QC	Quill Corporation	193.42	Auto
045404	11/22/2010	RKD	RK Distributing, Inc.	83.00	Auto
045405	11/22/2010	SCL	Suwannee County Landfill	11,872.54	Auto
045406	11/22/2010	SGMG	South Georgia Media Group	215.34	Auto
045407	11/22/2010	SLO	Shands @ Live Oak	2,379.00	Auto
045408	11/22/2010	SVE	Suwannee Valley Electric	1,253.61	Auto
045409	11/22/2010	TOM	Town of Mayo	40.60	Auto
045410	11/22/2010	VISA	VISA	21.99	Auto
045411	11/22/2010	VNG	Valley National Gases	96.92	Auto
045412	11/22/2010	VW	Verizon Wireless	484.45	Auto
045413	11/22/2010	WCSI	Wright Container Services, Inc	1,675.00	Auto
045415	11/22/2010	AOI	Auto - Owners Insurance	115.64	Auto
045416	11/22/2010	API	Applied Concepts, Inc.	2,020.00	Auto
045417	11/22/2010	BHI	Branford Hardware, Inc.	178.73	Auto
045418	11/22/2010	BR	Blue Rok, Inc.	1,010.25	Auto
045419	11/22/2010	CCDC	C.C. Dickson Company	122.97	Auto
045420	11/22/2010	CHC	CHC Labs	117.14	Auto
045421	11/22/2010	COM	Comcast	44.69	Auto
045422	11/22/2010	CPE	Certified Plumbing & Electric	202.70	Auto
045423	11/22/2010	DA	Darabi & Associates	12,614.28	Auto
045424	11/22/2010	DFH	Daniel's Funeral Home	400.00	Auto
045425	11/22/2010	FFCA	Florida Fire Cheifs' Associati	95.00	Auto
045426	11/22/2010	GLC	Greatamerica Leasing Corp.	225.57	Auto
045427	11/22/2010	HLCI	Hart Land Clearing, Inc	209.50	Auto
045428	11/22/2010	JPB	Nature Coast Services, LLC	400.00	Auto
045429	11/22/2010	JPIS	Just Play It Sports	1,525.10	Auto
045430	11/22/2010	JTW	James T Winstead	450.00	Auto
045431	11/22/2010	L4H	Lafayette 4-H	1,176.27	Auto
045432	11/22/2010	LOP	Live Oak Pest	26.63	Auto
045433	11/22/2010	MP	Mayo Postmaster	100.00	Auto
045434	11/22/2010	MP	Mayo Postmaster	264.00	Auto
045435	11/22/2010	MSSC	Municipal Supply & Sign Comp.	1,487.30	Auto
045436	11/22/2010	NFC	Nick Frilling Consulting	525.00	Auto
045437	11/22/2010	OME	Office of the Medical Examiner	2,895.00	Auto
045438	11/22/2010	PEF	Progress Energy Florida, Inc.	475.45	Auto
045439	11/22/2010	PEF	Progress Energy Florida, Inc.	3,429.01	Auto
045440	11/22/2010	PL	Paul Lamb	282.00	Auto
045441	11/22/2010	QC	Quill Corporation	205.14	Auto
045442	11/22/2010	QM	Quadmed, Inc.	115.00	Auto
045443	11/22/2010	SSC	Security Safe Company, Inc.	400.00	Auto
045444	11/22/2010	TCC	TAMCO Capital Corporation	115.00	Auto
045445	11/22/2010	TME	The Management Experts, LLC	28,000.00	Auto
045446	11/22/2010	W	Windstream	1,937.80	Auto
045447	11/22/2010	WBH	W. B. Howland Co.	72.32	Auto
045451	11/22/2010	JRW	Johnny Ray Walden	800.00	Auto
045452	11/22/2010	MLO	McMillan Law Office, P.A.	303.89	Auto
Bank A Total:				82,357.63	



Bank Code: A General Fund

Check Number	Check Date	Vendor Number	Name	Check Amount	Check Type
Report Total:				82,357.63	

THESE INVOICES HAVE BEEN EXAMINED AND APPROVED FOR PAYMENT BY THE  
LAFAYETTE COUNTY BOARD OF COMMISSIONERS ON THIS 22ND DAY OF NOVEMBER, 2010.

*Jim L*  
*Gail Gannard*  
*Curly S. Hampton*  
*Jack B. Bynum*  
*Earnest L. Jones*

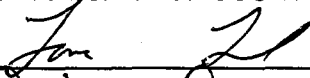

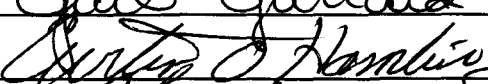
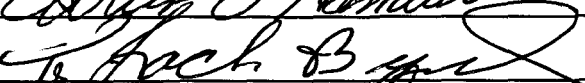
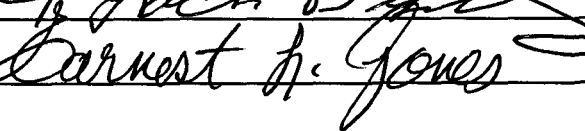
**BOARD OF COUNTY COMMISSIONERS, LAFAYETTE COUNTY, FL**

LIST OF WARRANTS DRAWN ON THE EMERGENCY 911 FUND.

FROM THE FIRST FEDERAL BANK, ON NOVEMBER 22, 2010.

TO WHOM ISSUED	PURPOSE OF EXPENDITURE	ACCOUNT NUMBER	WARRANT NO.	AMOUNT
STATE OF FLORIDA	COMMUNICATIONS	526-410		\$ 584.35
TOTAL				\$ 584.35

THESE INVOICES HAVE BEEN EXAMINED AND APPROVED FOR PAYMENT BY THE LAFAYETTE COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS 22ND DAY OF NOVEMBER, 2010.

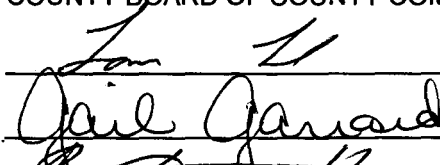
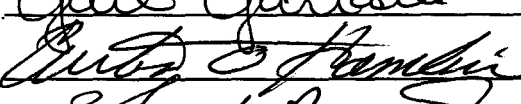
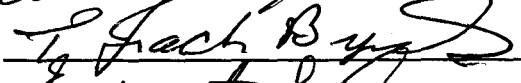
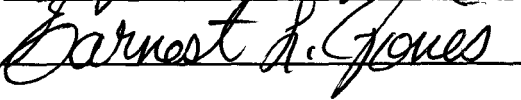
**BOARD OF COUNTY COMMISSIONERS, LAFAYETTE COUNTY, FL**

LIST OF WARRANTS DRAWN ON THE INDUSTRIAL PARK FUND.

FROM THE LAFAYETTE COUNTY STATE BANK, ON NOVEMBER 22, 2010.

TO WHOM ISSUED	PURPOSE OF EXPENDITURE	ACCOUNT NUMBER	WARRANT NO.	AMOUNT
HAMLIN AUTO SUPPLY	MAINTENANCE	552-460		\$ 45.19
SVEC	UTILITIES	552-430		\$ 59.76
TOTAL				\$ 104.95

THESE INVOICES HAVE BEEN EXAMINED AND APPROVED FOR PAYMENT BY THE LAFAYETTE COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS 22ND DAY OF NOVEMBER, 2010.

**BOARD OF COUNTY COMMISSIONERS, LAFAYETTE COUNTY, FL**LIST OF WARRANTS DRAWN ON THE ROAD & BRIDGE SECONDARY FUND.

FROM THE LAFAYETTE COUNTY STATE BANK, ON NOVEMBER 22, 2010.

TO WHOM ISSUED	PURPOSE OF EXPENDITURE	ACCOUNT NUMBER	WARRANT NO	AMOUNT
DARABI & ASSOCIATES	PROFESSIONAL SERVICES	541-310		\$ 41,600.00
TOTAL				\$ 41,600.00

THESE INVOICES HAVE BEEN EXAMINED AND APPROVED FOR PAYMENT BY THE LAFAYETTE COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS 22ND DAY OF NOVEMBER, 2010.

