



Jefferson County Board of County Commissioners

Thursday, December 2, 2021 at 6:00 pm

REGULAR SESSION AGENDA

Courthouse Annex, 435 W. Walnut Street, Monticello, FL 32344

1. **6 PM CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE**
2. **PUBLIC ANNOUNCEMENTS, PRESENTATIONS & AWARDS**
3. **CONSENT AGENDA**
4. **GENERAL BUSINESS**

- a. **Small Scale Comprehensive Map Change: Jazmen Ln/St. Augustine Rd**

Attachments:

- **BOCC Memo** (BOCC_Memo-12202014021154.pdf)
- **Planning Commission Memo** (Planning_Commission_Memorandum.docx)
- **Small Scale Comp Plan Change Application** (Dickey-11302014001031.pdf)

- b. **Noise Ordinance Update: Comm. Barfield/S. Shirley**

Attachments:

- **Draft Ordinance** (Preliminary_Draft_2_-_Jeff_Co_Noise_Ordinance_-_SS_11-15-2021.docx)

- c. **300 Industrial Park Dr. Lease Renewal Discussion: Comm. Tuten/S. Metty**
- d. **Aucilla Shores Volunteer Fire Department: Comm. Tuten/P. Barwick**

Attachments:

- **Property Deed** (Aucilla_Shores_Fire_Dept..pdf)

- e. **Road Bond Status Update: Comm. Surles/K. Reams**
- f. **MOU Health Dept/Planning Dept: S. Shirley/S. Metty**

Attachments:

- **MOU** (Planning_Dept.-JCHD_-_Referral_MOU_11.23.21_ka.pdf)

- g. **NextEra Remaining Funds Update**

5. **Citizens Request & Input on Non-Agenda Items**

(3 Minute Limit Please)

6. **CLERK OF COURTS**

7. **COUNTY COORDINATOR**

Holiday Time Discussion

8. **COUNTY ATTORNEY**

9. COUNTY COMMISSIONER DISCUSSION ITEMS

10. ADJOURN

From the manual "Government in the Sunshine", page 40: Paragraph C. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose he 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.

PARTICIPATING IN A COUNTY COMMISSION MEETING: A CITIZEN'S GUIDE

The Jefferson County Commission is pleased to have you at our Commission meeting. We appreciate your presence, welcome your participation, and want your visit to be interesting and informative. The following is a brief summary of the Commission's Meeting Rules of Procedure that apply to citizen participation.

See the meeting agenda so that you can follow each item of business the Commission will be discussing.

SPEAKING BEFORE THE COMMISSION: WHEN CAN I TALK?

If you want to address the Commission about an issue that's not on the agenda, notice there are two places to do this. To reserve a time to speak for up to 3 minutes, please sign a speaker request form usually found near the speaker's rostrum.

The first place to speak is soon after the meeting begins. This time is reserved for citizens who want to make a request or provide input that doesn't require discussion. The spot is frequently used by citizens who don't want to stay for the entire meeting and don't need an immediate response from the Commission.

The second place is near the end of the meeting after the Commission has finished the general business part of its agenda. Again, each speaker is allotted up to 3 minutes. The Commission may enter into discussion of items brought to its attention during this segment of the meeting.

Citizens may also have a chance to address the Commission about items of interest

during the General Business part of the agenda. After the Commissioners have had a chance to discuss a general business item, the Chair usually asks if there are any comments from the audience. Again, if you wish to speak, please limit remarks to no more than 3 minutes.

For the record, always give your name and address before you begin speaking. If you're representing a particular group or organization, state that, too. Always address remarks to the Chair or the Commission as a whole, never to an individual commissioner or the audience. Speakers may speak only once on an issue and may not yield their time to another person.

THE COMMON COURTESY RULE: PLEASE BE BRIEF, RELEVANT, AND ALWAYS CIVIL

Commission meetings can be long. Our Commission works hard to keep meetings moving along in a productive and civil manner. Please plan your remarks so that you can make your point clearly and quickly. Always be courteous and civil.

The Chair may call down speakers (or members of the audience) who violate the Commission's rules of decorum. Here are some "no-no's": personal attacks or threats, booing, heckling, cheering, inappropriate clapping, verbal outbursts, and distracting private conversations during proceedings. Also, signs are okay outside of the meeting room but are not allowed in it.

Commission Meeting Rules of Procedure (available at jeffersoncountyfl.gov) give the Chair control of the meeting, much like a judge controls his courtroom. These same rules also give the Chair a lot of flexibility to use his or her judgment in running an efficient and orderly meeting. So if you think you need help or more time, let the Chair know. If time allows, the Chair will usually grant reasonable requests.

Again, thanks for your interest. We're glad you're here!

NOTE: Except for Common Courtesy rules, slightly different guidelines may apply to public hearings and workshops.



Memorandum

TO: Jefferson County Board of County Commissioners
FROM: Shannon Metty, Planning Official
SUBJECT: Small Scale Comprehensive Map Change
DATE: Nov. 24, 2021

CC: Parrish Barwick, Scott Shirley

Small Scale Comprehensive Map Change

An application been submitted by Mrs. Willie Ann Dickie for a Small Scall Comprehensive Map Change. She would like to have her 5 acre parcel currently in the AG-5 Land Use District changed to the Residential 1 Land Use District. The parcel is located on Jazmen Ln, which is located off of St. Augustine Rd. The parcel ID is 14-1S-3E-0000-0058-0000 and has the address of 152 Jazmen Ln Monticello, FL 32344. A mobile home was permitted in August of 2020 for this parcel.

The intent of the map change is so she can have additional homes on her 5 acres.

The parcels to the north, south, east, and west are all AG-5.

The Jefferson County Land Development Code and the adopted Comprehensive Plan 2025 specifically describes agriculture land as **"Farming is the basic intent of Agricultural land use areas. Residential use is allowed but is secondary in nature and must accept all characteristic farm activities of noise, smells, dust, spray odors, timber clearing, etc."** Section 2.2.1. In reclassifying a parcel from agriculture to residential in the middle of Agriculture Land, questions of Concurrency become a great concern. This creates an unorderly development pattern, putting a residential area in the middle of agricultural lands.

Jazmen Lane is a private dirt easement that begins on St. Augustine Road and ends approximately 1,200 ft north of St. Augustine Rd. There is not access to Hwy 27 from Jazmen Ln. Adding a possible 4 homes to a private dirt road would increase traffic numbers on an already stressed dirt road.

If the applicant adds four more mobile homes to the parcel, it will be one home short of being considered a mobile home park as defined in Article 1 provision 79.b.. A higher density of homes in the middle of an agricultural area could affect the agricultural characteristic of the area. This in turn, could have adverse effect on the neighboring properties.

Due to the lack of an orderly development pattern, a well established road, and the potential effects to the neighboring agriculture lands, it is the recommendation of the Jefferson County Planning Commission and Planning Staff that this request for a Small Scale Comprehensive Plan Amendment should be denied.

Sincerely,

Shannon Metty
Planning Official

Jefferson County, Florida
Planning Department
445 W. Palmer Mill Rd
Monticello, FL 32344
Phone (850) 342-0223
Fax: (850) 342-0225



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DATE: Nov. 2, 2021

CC: Parrish Barwick, Scott Shirley

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Sincerely,

Shannon Metty
Planning Official

JEFFERSON COUNTY PLANNING DEPARTMENT

445 W. PALMER MILL ROAD - MONTICELLO, FLORIDA 32344

Phone (850) 342-0223 - Fax: (850) 342-0225



629990

COMPREHENSIVE PLAN MAP AMENDMENT

(Three copies of this application and all attachments are required)

Applicant/Owner Information:

Owner Name: Willie Ann Dickey

Address: P.O. Box 353 Monticello, FL 32345

Phone: 850-579-1801 *Signed letter of consent from owner required Location of property:

Address: _____

Section: _____ Township: 14 Range: 15 - 3E

Parcel ID Number(s): 14-15-3E-0000-0058-0000

Size of Property: 5 Acres Current Land Use Map Designation: ag 5

Requested Land Use Map Designation: R1

Provide list of property owners within 500 feet, certified by the Property Appraiser's Office. ✓

Adjacent Land Uses on Future Land Use Map

North _____ South 1

East 3 West _____

Attachments:

- ☐ Print of Aerial Photograph (folded to 8 1/2" x 11")
- ☐ Legal Description
- ☒ Copy of Deed to Property
- ☐ Vicinity Map
- ☐ Statement of Purpose, Scope and Justification, including (at a minimum) statements and supporting material on the following:
 - ☐ Proposed Density and/or Intensity of Use
 - ☐ Urban Sprawl
 - ☐ Traffic Impacts and Traffic Improvements Needed**
 - ☐ Water and Wastewater System Impacts and Improvements**
 - ☐ Site Suitability
 - ☐ Stormwater/Drainage Impacts and Improvements**
 - ☐ Recreation Impacts and Improvements**
 - ☐ Solid Waste Disposal System Impacts and Improvements**
 - ☐ Plan Changes Required

NOTE: A Consistency Checklist for ALL Comprehensive Plan Elements is required.

**Applicant's findings regarding the proposed change's consistency with applicable sections of chapter 163, Florida Statutes, and Rule 95-5, Florida Administrative Code. Applicant must include description of improvements necessary to accommodate the changes proposed, along with supporting data, analysis and proposed funding sources for the improvements.

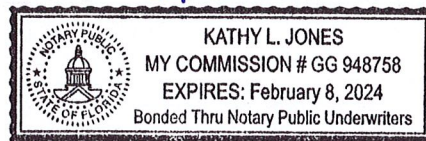
Applicant's signature below certifies that the applicant understands that the Future Land Use Map Amendments may require environmental analysis and other permit approvals before development activity can begin. Call the Planning Office at (850) 342-0223 for more information. **Signatures:**

Willie Ann Dickey 9-14-2021
Owner **Date**

Personally Known ☒ Produced Identification ☒ Type of Identification Produced Driver's License

Sworn to and subscribed before me this 14th day of September, 2021.

Kathy L. Jones
Signature: Notary Public, State of Florida



Other Owner Authorized Representative

Date

Other Owner Authorized Representative

Date

Personally Known _____ Produced Identification _____ Type of Identification Produced _____

Sworn to and subscribed before me this _____ day of _____, 20____.

Signature: Notary Public, State of Florida

FOR STAFF USE ONLY	
Fee payment (See Fee Schedule) - Attach copy of receipt.	
Date of Application and Payment	

Prepared By

Name: Michelle V. Keaton
Address: 2347 Lloyd Creek Rd.
Monticello
State: Fl. Zip Code: 32344

Inst: 202033000474 Date: 02/24/2020 Time: 12:35PM
Page 1 of 3 B: 780 P: 22, Kirk Reams, Clerk of Court Jefferson,
County, By: CG
Deputy Clerk Doc Stamp-Deed: 0.70

After Recording Return To

Name: Willie Ann Dickey
Address: P.O. Box 353
Monticello
State: Fla. Zip Code: 32345

Space Above This Line for Recorder's Use

FLORIDA QUIT CLAIM DEED

STATE OF FLORIDA

Jefferson COUNTY

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of
Ten Dollars (\$ 10.00) in hand paid to
Michelle Keaton, a Single Woman, residing at 2347 Lloyd Creek Rd
County of Jefferson, City of Monticello, State of Florida
(hereinafter known as the "Grantor(s)") hereby quitclaims to Willie Ann Dickey & Anthony B. Russ
a Single, residing at P.O. Box 353, County of Jefferson,
City of Monticello, State of Florida (hereinafter known as the
"Grantee(s)") all the rights, title, interest, and claim in or to the following described real
estate, situated in Jefferson County, Florida to-wit:

See Exhibit A

[INSERT LEGAL DESCRIPTION HERE OR ATTACH AND INSERT]

To have and to hold, the same together with all and singular the appurtenances
thereunto belonging or in anywise appertaining, and all the estate, right, title, interest,
lien, equity and claim whatsoever for the said first party, either in law or equity, to the
only proper use, benefit and behoof of the said second party forever.

Michelle Keaton
Grantor's Signature
Michelle Keaton
Grantor's Name
8347 Lloyd Creek Road
Address
Monticello, FL 32344
City, State & Zip

Grantor's Signature

Grantor's Name

Address

City, State & Zip

In Witness Whereof,

Nakeshia Young
Witness's Signature
NAKESHIA Young
Witness's Name
423 Brooke Hampton Dr
Address
TUL, FL 32311
City, State & Zip

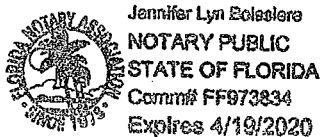
Angela Cash
Witness's Signature
Angela Cash
Witness's Name
1460 E. James D. Smith Rd
Address
Perry, FL 32347
City, State & Zip

STATE OF FLORIDA)

COUNTY OF Leon

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michelle Keaton whose names are signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, executed the same voluntarily on the day the same bears date.

Given under my hand this 14 day of February, 2020



Jennifer Balesore
Notary Public

My Commission Expires: 04/19/2020



EXHIBIT "A"

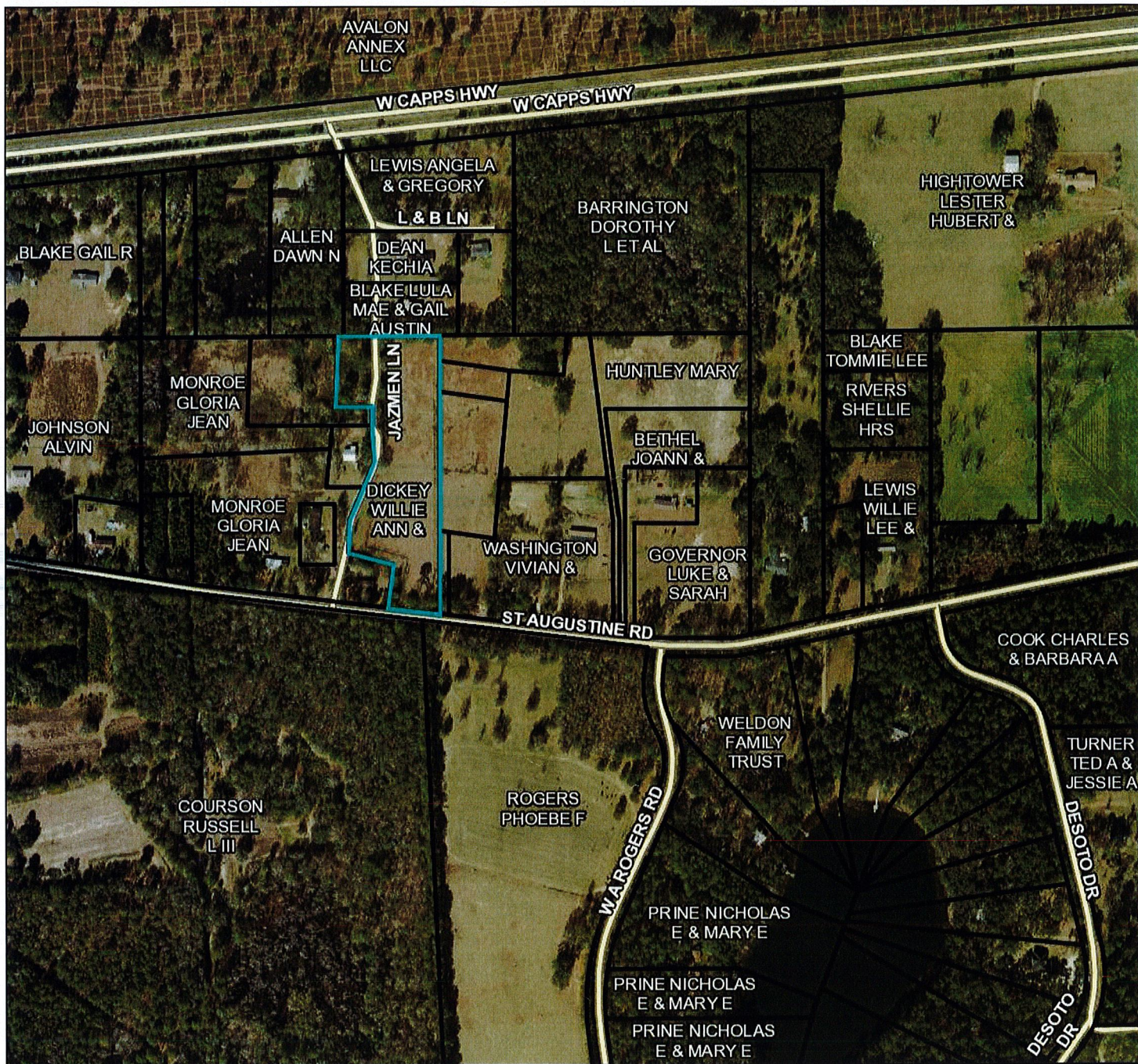
DESCRIPTION: Parcel 1

A portion of the Northeast Quarter (NE 1/4) of Section 14, Township 1 South, Range 3 East, Jefferson County, Florida lying north of Old St. Augustine Road, being more particularly described as follows:

COMMENCE at an iron pipe marking the northeast corner of said Section 14; thence North $89^{\circ}49'12''$ West along the north line of said Section 14 a distance of 997.40 feet to a rebar marking the POINT OF BEGINNING of the following described parcel; thence South $00^{\circ}00'00''$ East a distance of 887.25 feet to a rebar on the northerly right of way line of Old St. Augustine Road; thence North $81^{\circ}56'18''$ West along said right of way line a distance of 167.46 feet to a rebar; thence North $07^{\circ}23'54''$ East a distance of 139.68 feet to a rebar; thence North $75^{\circ}14'00''$ West a distance of 147.59 feet to a rebar; thence North $01^{\circ}48'33''$ East a distance of 102.46 feet to a rebar; thence North $22^{\circ}47'54''$ East a distance of 166.38 feet to a rebar; thence continue North $22^{\circ}47'54''$ East a distance of 38.11 feet to a rebar; thence North $04^{\circ}12'18''$ West a distance of 99.83 feet to a rebar; thence North $00^{\circ}05'42''$ East a distance of 76.02 feet to a rebar; thence North $89^{\circ}50'11''$ West a distance of 115.81 feet to a rebar; thence North $02^{\circ}18'52''$ East a distance of 222.00 feet to a concrete monument on the north line of said Section 14; thence South $89^{\circ}49'12''$ East a distance of 322.11 feet to the POINT OF BEGINNING.

Containing 5.00 acres, more or less.

Said lands situate, lying and being in Jefferson County, Florida.



Parcel ID	14-1S-3E-0000-0058-0000	Mailing Address	DICKEY WILLIE ANN & RUSS ANTHONY B P O BOX 353 MONTICELLO, FL 32345	Improvement Value	\$0	Just Value	\$22,500	Last 2 Sales			
Prop ID	4066			Land Value	\$22,500	Assessed Value	\$19,250	Date	2/14/2020	Price	\$100
Property Usage	VACANT			Ag Land Value	\$0	Value	\$0		11/23/2016		\$200
Acreage	5	Physical Address	152 JAZMEN LN	Ag Market Value	\$0	Exempt Value	\$0				
						Taxable Value	\$19,250				

Desc 5.00 ACRES PT OF NE1/4 OF NE1/4 N OF RD ORB 65/245 & 67/139 & 67/141 & 730/550 (LESS SPLIT) & 734/238 & 734/737

(Note: Not to be used on legal documents)

Date created: 9/14/2021

Last Data Uploaded: 9/14/2021 4:18:24 AM

Developed by  Schneider GEOSPATIAL

September 15, 2021

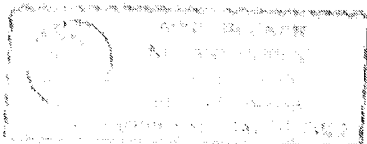
I, Anthony B. Russ, who currently resides at 118 Gresham Trail Apt B106 Newnan, GA 30263 am of sound
mind, do hereby name Willie Ann Dickey who currently resides at P O Box 153 Monticello, FL 32145 as
my lawful and true attorney in fact, to act in my name and place to do and perform business on my
behalf on the following property located at parcel ID number 14-15-3E-0000-005B-0000 in Monticello,

FL 32144

This legal Power of Attorney will terminate on September 30, 2021

Anthony B. Russ

Willie Ann Dickey
9/15/2021



Willie Ann Dickey
P.O. Box 353
Monticello, FL 32345
(850) 519-1801

March 16, 2021

Jefferson County Planning Official
445 W Palmer Mill Rd.
Monticello, FL 32344

Reconciliation: Exception to the Rule;

Dear Mrs. Shannon Metty,

This is my second request asking to be granted an Exception to the Rule that my 5 acres on 152 Jazman Lane description 14-15-3E-0000-0058-0000 Prop Id - 4066 to be Rezone. This is a hardship on my family. I have 3 daughters which 2 granddaughters 3 great grandchildren (2 have disabilities Autism) staying with my daughters (who had 2 strokes within the past 2 years and numerous other health conditions) all of them stay in the same house and the stress of the situation is taking over. Unfortunately, I cannot divide the property that I purchase for them.

I am asking you and your colleagues to take in consideration of this stressful situation and grant me permission to move forward in giving them a piece of property. other property with half acre next to my property; one, two and three acres that families are living on, please rezone this property to one acre each so I can give my children an acre each, to relieve the Family of all that stress

Sincerely,


Willie Ann Dickey

Jefferson County Code of Ordinances

DIVISION __. SOUND REGULATION

Sec. __-__. Application.

This division shall apply to all properties located within unincorporated Jefferson County, unless a Board of County Commissioners policy, ordinance, temporary use permit or special exception is approved by the County to apply alternative sound requirements to a specific parcel of property.

Sec. __-__. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

A-weighted sound level means the sound pressure level in decibels as measured with a sound level meter using the A-weighting network as described in ANSI S1.4-1983 issued by the American National Standards Institute. The unit of measurement is the dB(A).

C-weighted sound level means the sound pressure level in decibels as measured with a sound level meter using the C-weighting network as described in ANSI S1.4-1983 issued by the American National Standards Institute. The unit of measurement is the dB(C).

***Decibel (dB)* means a standard unit for measuring the relative intensity of sound.**

Non-residential property means any property which is not residential property.

Receiving property means any property which receives an audible sound from an identifiable source that is subjected to measurement with a sound level meter.

Residential property means property which satisfies all of the following criteria: (a) the property contains habitually and lawfully occupied sleeping quarters, and (b) the property is located in one of the following land use districts: CON, AG-20, AG-5, AG-3, MUBR, MUSR, R-1 and R-2.

Sound means a physical disturbance causing an oscillation in pressure in a medium, such as air, that is capable of being detected by the human ear or a sound measuring instrument.

Sound level means the weighted sound pressure level as measured in dB(A) or dB(C) by a sound level meter.

Sound level meter means a handheld or stationary instrument for the measurement of sound levels in decibels (dB), and typically consisting of, without limitation, a microphone, an amplifier, an output meter, and frequency weighting networks.

Sec. __-__. Maximum permissible sound.

- (a) *Receiving properties in Interchange Business (IB) and Industrial (IND).* No person shall cause, suffer, allow, or permit the operation of any source of sound in such a manner as to create a sound level at a receiving property within the IB or IND land use categories that exceeds the sound level limits listed in Table 1.

TABLE 1

MUBR and IND Districts	
<i>Times</i>	<i>Sound Limits</i>
7:00 a.m. to 10:00 p.m.	not regulated
10:00 p.m. to 7:00 a.m.	55 dB(A) or 65 dB(C)

- (b) *Receiving properties outside the IB and IND Land Use Districts.* No person shall cause, suffer, allow, or permit the operation of any source of sound in such a manner as to create a sound level at a receiving property, within unincorporated Jefferson County in any area of the County which is not located within the IB or IND Land Use Districts, that exceeds the sound level limits listed in Table 2. The land use (residential or non-residential as defined in section __-__) for the complainant's receiving property shall determine the applicable sound limit outside the IB and IND Land Use Districts.

TABLE 2

Residential Property	
<i>Times</i>	<i>Sound Limits</i>
7:00 a.m. to 10:00 p.m.	55 dB(A) or 65 dB(C)
10:00 p.m. to 7:00 a.m.	50 dB(A) or 60 dB(C)
Non-Residential	
<i>Times</i>	<i>Sound Limits</i>
7:00 a.m. to 10:00 p.m.	65 dB(A) or 75 dB(C)
10:00 p.m. to 7:00 a.m.	55 dB(A) or 65 dB(C)

- (c) *Sound level measurements.*
- (1) Outdoor sound level measurements shall be taken at the real property line of the complainant nearest to the perceived source of the sound complained of.
 - (2) The measurement of sound shall be made with a sound level meter which complies with the standards for a Type 2 sound level meter in accordance with ANSI S1.4-1983 issued by the American National Standards Institute, or successor. The slow response setting of the sound level meter shall be utilized for the measurement.

Sec. __-__. Exemptions.

The following shall be exempt from the sound level limits contained in section __-__:

- (a) Lawn mowers, yard maintenance equipment, agricultural vehicles and machinery, and silvicultural vehicles and machinery (including, without limitation, chain saws), when operated with all manufacturer's standard mufflers and noise-reducing equipment in use and in proper operating condition.
- (b) Construction operations between 7:00 a.m. and 7:00 p.m. Monday through Saturday, and between 10:00 a.m. and 7:00 p.m. on Sunday, for which building permits have been issued, or for construction operations not lawfully requiring permits; provided all machinery and equipment is operated in accord with the manufacturer's specifications and with all standard equipment, manufacturer's mufflers, and noise-reducing equipment in use and in proper operating condition.
- (c) Nonamplified human voice and/or nonamplified musical instruments, excluding drums.
- (d) Sound produced by lawful public assembly or public speaking, including both amplified and non-amplified.

-
- (e) Sounds emitting from any authorized law enforcement or emergency vehicle when responding to an emergency call or acting in time of emergency.
 - (f) Sounds from safety signals, warning devices, and emergency pressure relief valves.
 - (g) Electrical or mechanical equipment or devices, including, without limitation, compressors, generators, reciprocating engines, air handlers, and HVAC units, lawfully installed on or in buildings or structures; provided all such equipment or devices are operated in accord with the manufacturer's specifications and with all standard equipment, manufacturer's mufflers, and noise-reducing equipment in use and in proper operating condition.
 - (h) Sounds from emergency generators when there is loss of power for any cause other than non-payment of utility services.
 - (i) Aircraft operated in conformity with, or pursuant to, federal law, federal air regulations and air traffic control instruction.
 - (j) Sounds emitting from the normal operations of interstate motor and rail carriers to the extent that local regulation of sound levels of such vehicles has been preempted by the Noise Control Act of 1972 (42 U.S.C. § 4901 et seq.) or other applicable federal laws or regulations.
 - (k) Sounds from the operation of the engines of motor vehicles to the extent regulated by F.S. § 316.293.
 - (l) Sounds emitting from organized sporting events; permitted or otherwise lawful fireworks displays; permitted parades; events held pursuant to a lawfully issued temporary use permit; or other activity or event specifically permitted by Jefferson County.
 - (m) Sanitation operations including, without limitation, the loading, unloading, emptying or collection of any waste or recycling container.
 - (n) Sounds emitting from vehicles, machinery or equipment engaged in emergency operations, including operations conducted during or following storms, declared emergencies, accidents, or any occurrence covered under the County Comprehensive Emergency Management Plan.
 - (o) Sounds emitting from vehicles or equipment owned or operated by governmental entities, or their designees or contractors, including, Jefferson County, the Jefferson County School District, the State of Florida, or any Federal Agency, when such vehicles or equipment are engaged in officially sanctioned and authorized operations.

Sec. __-__. Enforcement.

- (a) Any sworn deputy sheriff employed by the Jefferson County Sheriff's Department or any code enforcement officer, as defined in Jefferson County Code of Ordinances Article 21, may issue citations for violation(s) of section __-__.
- (b) Upon arrival at any property which is the subject of complaint that sound exceeds the maximum levels prescribed in section __-__, the deputy or officer responding to the complaint shall attempt to notify the owner of the property, or the person responsible for sound, that sound emitting from the property is in violation of section __-__. Following notice from the responding deputy or officer, the owner or person responsible for the sound shall have ten minutes to voluntarily reduce the sound to a level which is in compliance with section __-__. If the sound is reduced within the ten-minute voluntary compliance period, no citation shall be issued under this section except as follows. If the property which is the subject of a complaint, has been the subject of a complaint within the prior ninety (90) days to which a deputy officer responded, and a voluntary compliance notice was issued on such prior occasion, a citation may be issued for violation of section __-__ without notice or opportunity for voluntary compliance pursuant to this subsection. In the event that a deputy or officer enforcement officer is refused entrance or access to the property which is the source of sound in violation of section __-__, or if a deputy or officer is unable to

determine the person responsible for the excessive sound, a citation may be issued for violation of section __-__ without notice or opportunity for voluntary compliance pursuant to this subsection.

- (c) In the event that a deputy sheriff or code enforcement officer is refused entrance or access to the property which is the source of sound in violation of section __-__, or if a deputy or officer is unable to determine the person responsible for the excessive sound, there shall be a rebuttable presumption that the property owner was responsible for the sound in violation of section __-__. In such event, a citation may be issued to the property owner on record with the Jefferson County Property Appraiser, as provided in this section. The property owner may rebut the presumption of responsibility by contesting the citation and establishing that the property owner was not the cause or the source of the excessive sound.
- (d) Any citation for violation of section __-__ shall contain the information prescribed in Sec. 21-16(d)(3) of the Jefferson County Code of Ordinances. Citations shall be provided to any violator, including any property owner, by hand delivery by any law enforcement officer or code enforcement officer, or by certified mail, return receipt requested.
- (e) Any person cited for violation of section __-__ may contest the violation within 30 days, and, if the violation is contested, a civil proceeding on the violation shall be brought before the Jefferson County Court.
- (f) A fine of \$150.00 shall be imposed for a first violation; \$250.00 for a second violation; and \$500.00 for a third and any subsequent violation. It shall be a separate violation if sound exceeding the limits in section __-__, continues or re-occurs, after the passage of 15 minutes, following notice of the violation, issued by a law enforcement officer or code enforcement officer, to the property owner, or person responsible for or causing the excessive sound.
- (g) A certified copy of any judgment entered as the result of a violation of this section shall be recorded in the official records of Jefferson County, Florida, and in any other Florida County where the violator owns real property, and such judgment may otherwise be collected as provided by law.

Sec. __-__. Additional remedies; injunctions.

The operation or maintenance of any equipment, device, instrument, vehicle or machinery in violation of this division which endangers the comfort, repose, health and peace of residents in the area is declared to be a public nuisance and the County is authorized to pursue any and all remedies therefor, including petition to a court of competent jurisdiction for a restraining order or injunction. Nothing herein shall be construed to limit any private right of action.

THIS DEED, made this 12 day of January, 1986⁸⁷, by Aucilla Shores Partnership, a Florida general partnership, hereinafter called the "Grantor", to Ashville Area Volunteer Fire Department, Inc., a Florida not-for-profit corporation, hereinafter called the "Grantee":

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, for so long as Grantee shall continue in existence as a legal entity and shall use the subject premises directly in conjunction with providing fire protection service to the area, all that certain land in Jefferson County, Florida, viz:

Begin at an iron pipe marking the intersection of the East boundary of lot 11 of Ashville Highland - Phase 2 as recorded in Plat Book B Page 43 of the Public Records of Jefferson County, Florida, and the South right-of-way of County Road 146 and run South 00 degrees 23 minutes 44 seconds East (bearing base) along the East boundary of said lot 11, 161.50 feet to an iron pipe, thence run North 89 degrees 36 minutes 16 seconds East along North boundary of said lot 11, 100.00 feet, thence run North 00 degrees 23 minutes 44 seconds West 161.50 feet to a point on the South right-of-way line of said County Road 146, thence run South 89 degrees 36 minutes 16 seconds West along said right-of-way line 100.00 feet to the POINT OF BEGINNING. Said tract of land containing 0.37 acres, more or less, and being located in Section 11, Township 2 North, Range 6 East, Jefferson County, Florida.

Less and except any and all lands previously conveyed to Grantee by Grantor by that certain deed dated November 6, 1986 and recorded in the official record books of Jefferson County, Florida at O.R. Book 150 Page 774.

Subject to the effects, if any, of that certain well easement dated June 21, 1985 in favor of the Florida Department of Environmental Regulation, and subject to easements, restrictions and reservations of record.

And subject also to that lease agreement, and uses appurtenant thereto, from D.A. Finlayson, Jr. to Florida Board of Forestry, dated November 21, 1955, and recorded in Misc. Book "P", page 194. And subject to any existing uses including a small frame building and partially buried fuel tank which is situated immediately South of the lands under lease to the Florida Board of Forestry.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, so long as Grantee shall continue as a legal entity and shall use the subject premises directly in conjunction with providing fire protection service to the area, but if Grantee should cease to exist as a legal entity and/or if Grantee should cease using the subject premises directly in conjunction with providing fire protection service to the area, then to the Jefferson County Board of County Commissioners for so long as the subject property is not classified by the County as excess lands or otherwise designated for disposal or private use, with reversion to Grantor.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1985.

The remainder of this page intentionally left blank. Execution and acknowledgement on next page.

FILED FOR RECORD
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IN THE PUBLIC RECORDS
OF JEFFERSON CO., FLA.
ELEANOR B. HAWKINS
CLERK OF CIRCUIT COURT

DOC STAMPTAX PAID

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FEB 3 12 15 PM '87

IN THE PUBLIC RECORDS
OF JEFFERSON CO., FLA.
ELEANOR B. HAWKINS
CLERK OF CIRCUIT COURT

Jefferson Co., FL

ORB 153, P. 151

J Lee

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Aucilla Shores Partnership

By: *Dennis G. Lee* Dennis G. Lee, as partner

Signed, sealed and delivered
in our presence:

Diana Lynn Chapman
W. J. Shuman

State of Florida
County of Alachua

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dennis G. Lee, to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same. Witness my hand and official seal in the County and State last aforesaid this 1st day of January, 1986.

This instrument prepared by:
Dennis G. Lee
P.O. Box 1776, Gainesville Fla.



aucilla2.heg

Jefferson Co., Fl
ORB 153, P. 152

**MEMORANDUM OF UNDERSTANDING
BETWEEN
STATE OF FLORIDA, FLORIDA DEPARTMENT OF HEALTH,
JEFFERSON COUNTY HEALTH DEPARTMENT
AND
JEFFERSON COUNTY, FLORIDA PLANNING DEPARTMENT**

This Memorandum of Understanding (“Agreement”) is entered into by and between the State of Florida, Florida Department of Health, Jefferson County Health Department (“DOH-Jefferson”) and the Jefferson County, Florida, Planning Department (“Planning Department”) for the mutual referral of persons and/or entities utilizing our respective services (“clients”).

WHEREAS, DOH-Jefferson is responsible for the public health system in Jefferson County, which is designed to promote, protect, and improve the health of its citizens, including the installation of onsite sewage treatment and disposal systems (“septic system”);

WHEREAS, Planning Department is responsible for the administration and enforcement of the Jefferson County Land Development Code; and

WHEREAS, the parties would like to collaborate to ensure their mutual clients obtain all necessary permits and approvals required by state and local law.

NOW, THEREFORE, the parties agree as follows:

I. Mutual Referral

DOH-Jefferson and Planning Department agree to refer their mutual clients to the other to ensure that the clients obtain all necessary permits and approvals required by state and local law prior to commencing development activity.

DOH-Jefferson agrees that, prior to issuing septic system construction permits, it will request clients who are permit applicants provide proof of a development permit issued by the Planning Department. Planning Department understands that DOH-Jefferson may not deny issuance of a septic system construction permit on the basis of an applicant’s failure or refusal to provide a development permit.

DOH-Jefferson further agrees to provide a copy of all newly issued septic system construction permits to Planning Department.

II. Term and Termination

Term. Unless otherwise terminated or amended as provided herein, this Agreement shall remain in effect for one (1) year, commencing on the date the Agreement is signed by both parties and shall automatically renew for additional one (1) year periods thereafter.

Termination. Either party may terminate this Agreement, with or without cause, with a minimum of thirty (30) days written notice to the other party. The parties, by mutual agreement, may agree to a lesser period of time.

III. General Considerations

Cooperation. Each party shall cooperate with the other party and meet with the other party as necessary to further the objectives of this Agreement, to include providing to the other such information or documentation necessary to enable the parties to fulfill their responsibilities under and pursuant to this Agreement.

Amendments. No modifications or amendment to the conditions contained herein shall be effective unless contained in a written document and executed by each party hereto.

Notices. Except as otherwise provided herein, when either party to this Agreement desires to give notice to the other, such notice must be in writing, and delivered by (i) United State certified or registered mail, postage prepaid and return receipt requested, (ii) a nationally recognized overnight delivery service, (iii) personal delivery with a written receipt obtained, or (iv) email transmission with confirmation of receipt provided by the recipient via returned email, at the addresses set forth below. Notices shall be effective upon receipt. The DOH-Jefferson and Planning Department representatives are as follows:

DOH-Jefferson: Florida Department of Health in Jefferson County
Attn: Kimberly Allbritton, Health Officer/Administrator
1255 West Washington Street
Monticello, Florida 32344
(850) 342-0170
Kimberly.Allbritton@flhealth.gov

Planning Department: Jefferson County, Florida Planning Department
Attn: Shannon Metty, Planning Official
445 West Palmer Mill Road
Monticello, Florida 32344
(850) 342- 0223
smetty@jeffersoncountyfl.gov

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Agreement to be executed by their duly authorized representatives.

Kimberly Allbritton, MBA
Health Officer/Administrator
State of Florida, Department of Health,
Jefferson County Health Department

Shannon Metty
Planning Official
Jefferson County, Florida Planning
Department

Date _____

Date _____