

1153 US Highway 41 NW
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Jasper, Florida 32052



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Office of
Clifford L. Adams, County Attorney

March 21, 2022

City of Jasper
Attn: Clerk, Loretta Taylor
208 W. Hatley Street
Jasper, Florida 32052
(By hand delivery to City Hall)

Town of White Springs
Attn: Clerk, Audre Reise
P. O. Drawer D
White Springs, Florida 32096
(By U. S. Mail & Email)

Town of Jennings
Attn: Clerk, Jennifer Hightower
P.O. Box 209
Jennings, Florida 32053
(By U.S. Mail & Email)

Re: Six (6) cents Local Option Fuel Tax under Chapter 206, Florida Statutes,
to commence January 1, 2023 and continuing through December 31, 2027.

Hamilton County Ordinance No. 2020-03, adopted August 20, 2020 provided for a six (6) cents local option fuel tax to commence January 1, 2021 and expire on December 31, 2022; a copy of that ordinance is included for reference, along with copies of the Interlocal Agreements between the three municipalities and the County for distribution of the proceeds under that ordinance.

Also enclosed is a copy of the form of an Ordinance for the six (6) cents local option gas tax for another five years, which will commence on January 1, 2023 and continue to December 31, 2027.

Enclosed are two originals of an Interlocal Agreement between your municipality and the County for sharing proceeds under the proposed Ordinance, being the same sharing provisions as related to Ordinance 2020-03. Upon agreement, please sign both and return both to me or the Clerk of Circuit Court. The Board of County Commissioners will then execute both agreements retaining one of the fully signed agreements for the County's records and returning the other fully signed agreement to you for the municipality's records.

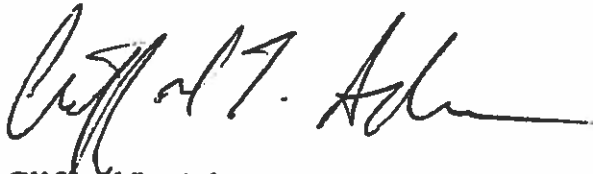
The Board of County Commissioners will appreciate having this subject placed on the agenda for the next regular meeting of your council for consideration and action, those meetings being as follows:

Jennings - April 5, 2022 (1st Tuesday of month) 7:00 P.M.

Jasper - April 21, 2022 (3rd Thursday of month) 6:00 P.M.

White Springs - April 12, 2022 (2nd Tuesday of month) 6:30 P.M.

Respectfully,



Clifford L. Adams
County Attorney, Hamilton County
(386) 638-0002 (386) 638-0060 Fax
cliff@hamiltoncountyattorney.org

CC: All County Commissioners
Clerk, Greg Godwin
County Coordinator Louie Goodin (by email)
(w/enclosures as shown)
Rhett Bullard, Attorney for City of Jasper (by email)
Sheena Rickerson, Attorney for the Town of Jennings (by email)
Joel Foreman, Attorney for the Town of White Springs (by email)

ORDINANCE NO. 2020- 03

**Board of County Commissioners,
Hamilton County, Florida**

AN ORDINANCE IMPOSING A SIX (6) CENT LOCAL OPTION FUEL TAX UPON EVERY GALLON OF MOTOR FUEL AND SPECIAL FUEL SOLD IN HAMILTON COUNTY, FLORIDA, AND TAXED UNDER THE PROVISION OF CHAPTER 206, FLORIDA STATUTES; PROVIDING THAT THE IMPOSITION SHALL BE EFFECTIVE FOR A TERM TO COMMENCE JANUARY 1, 2021, AND EXPIRE DECEMBER 31, 2022; PROVIDING FOR DISTRIBUTION BETWEEN HAMILTON COUNTY AND ALL OF THE MUNICIPALITIES IN HAMILTON COUNTY, FLORIDA, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 336.025, FLORIDA STATUTES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Hamilton County, Florida, on August 7, 2018 adopted Ordinance No. 2018-04, providing for a six (6) cent local option fuel tax upon every gallon of motor fuel and special fuel sold in Hamilton County, Florida, and taxed under the provisions of Chapter 206, Florida Statutes, for the term from January 1, 2019 to December 31, 2020; and, in connection with said Ordinance No. 2018-04, Interlocal Agreements were entered into between said County and all of the incorporated municipalities in said County in accordance with the provisions of Section 336.025, Florida Statutes; and

WHEREAS, said Ordinance No. 2018-04 will expire on December 31, 2020; and

WHEREAS, the Board of County Commissioners desires to impose said tax for the term commencing January 1, 2021, and to be in force and effect until December 31, 2022; now, therefore, the premises considered, be it

ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, FLORIDA, that:

Section 1. This Ordinance is authorized by, and adopted pursuant to, Section 336.025, Florida Statutes, and other applicable law.

Section 2. There is hereby imposed a six (6) cent local option fuel tax upon every gallon of motor fuel and special fuel sold in Hamilton County and taxed under the provisions of Chapter 206, Florida Statutes.

Section 3. The tax imposition hereby shall be effective for a term to commence January 1, 2021 and expire December 31, 2022.

Section 4. The tax imposed hereby shall be collected and distributed in accordance with the procedures set forth in Section 336.025(2), Florida Statutes.

Section 5. After deductions of all fees or charges made by the State of Florida or any of its agencies, the proceeds of the local option fuel tax hereby imposed shall be divided among, and distributed to, Hamilton County and the municipalities within Hamilton County in accordance with the provisions of Section 336.025, Florida Statutes.

Section 6. All ordinances or parts of ordinances in conflict with the provisions contained herein are hereby repealed.

Section 7. If any section, subsection, sentence, clause, provision or part of this Ordinance shall be held invalid for any reason, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

Section 8. In accordance with Section 125.66 Florida Statutes, a certified copy of this Ordinance, as enacted, shall be filed by the Clerk of this Board with the Department of State of the State of Florida within 10 days after enactment by said Board and shall take effect upon filing with the Department of State.


DULY ADOPTED, during a regular meeting at Jasper, in Hamilton County Florida, this 20th day of AUGUST, 2020.

BOARD OF COUNTY COMMISSIONERS
HAMILTON COUNTY, FLORIDA

Attest:



Ex-Officio Clerk, Greg Godwin



Commissioner, Josh Smith



Commissioner, Beth Burnam

By: 

Chairman, Robert Earl Brown



Commissioner, Randy Ogburn



Commissioner, William Mitchell

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT, pursuant to Section 163.01, Florida Statutes, between HAMILTON COUNTY, FLORIDA, a political subdivision of the State of Florida, through its Board of County Commissioners, hereafter called "County" and Town of White Springs, Florida, a municipal corporation in Hamilton County, Florida, organized and existing under the Laws of the State of Florida, hereafter called "Municipality";

WITNESSETH:

1. In consideration of the mutual covenants contained herein, and pursuant to the authority of Section 336.025(3)(a)(1), Florida Statutes, County and Municipality agree as hereafter shown.
2. County intends to adopt an Ordinance levying a six (6) cent per gallon tax upon every gallon of motor fuel and special fuel sold in Hamilton County and taxed under the provisions of Chapter 206, Florida Statutes, for a period of time commencing January 1, 2021, and in force and effect until December 31, 2022, which tax shall be collected and distributed in accordance with the procedures set forth in Section 336.025(2), Florida Statutes.
3. Municipality is located within Hamilton County, Florida and is eligible to receive a portion of the Local Option Gas Tax under Section 336.025, Florida Statutes.
4. After deduction of all fees or charges made by the State of Florida or any of its agencies, the proceeds of the Local Option Gas Tax under the proposed Ordinance shall be divided among, and distributed to, Hamilton County and the municipalities within Hamilton County as follows:

<u>RECIPIENT</u>	<u>SHARE OF PROCEEDS</u>
Hamilton County	72.49%
City of Jasper	13.56%
Town of Jennings	7.40%
Town of White Springs	6.55%

5. This Agreement shall take effect on January 1, 2021 and shall terminate on December 31, 2022, and this agreement shall also govern the division and distribution of proceeds of the local option gas tax imposed through December 31, 2022, but not collected or otherwise available for distribution until after December 31, 2022.
6. County has previously provided the State of Florida Department of Revenue the currently established distribution proportions.
7. County and Municipality agree that all expenditures of the local option gas tax proceeds, divided and distributed pursuant to this agreement, shall be utilized only for transportation expenditures in accordance with the provisions and requirements of Section 336.025, Florida Statutes.

IN WITNESS WHEREOF, the parties hereto have adopted this Interlocal Agreement on the respective dates hereafter shown. Adopted by the County on July 21, 2020.

Attest:

BOARD OF COUNTY COMMISSIONERS
HAMILTON COUNTY, FLORIDA

By: [Signature]
Clerk, Greg Godwin

By: Robert E. Brown
Chairman, Robert Earl Brown

[Signature]
Commissioner, Josh Smith

[Signature]
Commissioner, William Mitchell

Beth Burnam
Commissioner, Beth Burnam

[Signature]
Commissioner, Randy Ogburn

Adopted by the Municipality, on the 14th day of July, 2020.

Town of White Springs, Florida

By: [Signature]
Mayor

Attest:

[Signature]
Clerk

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT, pursuant to Section 163.01, Florida Statutes, between HAMILTON COUNTY, FLORIDA, a political subdivision of the State of Florida, through its Board of County Commissioners, hereafter called "County" and Town of White Springs, Florida, a municipal corporation in Hamilton County, Florida, organized and existing under the Laws of the State of Florida, hereafter called "Municipality";

WITNESSETH:

1. In consideration of the mutual covenants contained herein, and pursuant to the authority of Section 336.025(3)(a)(1), Florida Statutes, County and Municipality agree as hereafter shown.

2. County intends to adopt an Ordinance levying a six (6) cent per gallon tax upon every gallon of motor fuel and special fuel sold in Hamilton County and taxed under the provisions of Chapter 206, Florida Statutes, for a period of time commencing January 1, 2023, and in force and effect until December 31, 2027, which tax shall be collected and distributed in accordance with the procedures set forth in Section 336.025(2), Florida Statutes.

3. Municipality is located within Hamilton County, Florida and is eligible to receive a portion of the Local Option Gas Tax under Section 336.025, Florida Statutes.

4. After deduction of all fees or charges made by the State of Florida or any of its agencies, the proceeds of the Local Option Gas Tax under the proposed Ordinance shall be divided among, and distributed to, Hamilton County and the municipalities within Hamilton County as follows:

<u>RECIPIENT</u>	<u>SHARE OF PROCEEDS</u>
Hamilton County	72.49%
City of Jasper	13.56%
Town of Jennings	7.40%
Town of White Springs	6.55%

5. This Agreement shall take effect on January 1, 2023 and shall terminate on December 31, 2027, and this agreement shall also govern the division and distribution of proceeds of the local option gas tax imposed through December 31, 2027, but not collected or otherwise available for distribution until after December 31, 2027.

6. County has previously provided the State of Florida Department of Revenue the currently established distribution proportions.

7. County and Municipality agree that all expenditures of the local option gas tax proceeds, divided and distributed pursuant to this agreement, shall be utilized only for transportation expenditures in accordance with the provisions and requirements of Section 336.025, Florida Statutes.

IN WITNESS WHEREOF, the parties hereto have adopted this Interlocal Agreement on the respective dates hereafter shown. Adopted by the Municipality, on the _____ day of _____, 2022.

Town of White Springs, Florida

By: _____
Mayor

Attest:

Clerk

ADOPTED by the County on the ____ Day of _____, 2022.

Attest:

BOARD OF COUNTY COMMISSIONERS
HAMILTON COUNTY, FLORIDA

By: _____
Clerk, Greg Godwin

By: _____
Chairman, Josh Smith

Commissioner, Randy Ogburn

Commissioner, Robert Earl Brown

Commissioner, Richie McCoy

Commissioner, Jimmy Murphy

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT, pursuant to Section 163.01, Florida Statutes, between HAMILTON COUNTY, FLORIDA, a political subdivision of the State of Florida, through its Board of County Commissioners, hereafter called "County" and Town of White Springs, Florida, a municipal corporation in Hamilton County, Florida, organized and existing under the Laws of the State of Florida, hereafter called "Municipality";

WITNESSETH:

1. In consideration of the mutual covenants contained herein, and pursuant to the authority of Section 336.025(3)(a)(1), Florida Statutes, County and Municipality agree as hereafter shown.

2. County intends to adopt an Ordinance levying a six (6) cent per gallon tax upon every gallon of motor fuel and special fuel sold in Hamilton County and taxed under the provisions of Chapter 206, Florida Statutes, for a period of time commencing January 1, 2023, and in force and effect until December 31, 2027, which tax shall be collected and distributed in accordance with the procedures set forth in Section 336.025(2), Florida Statutes.

3. Municipality is located within Hamilton County, Florida and is eligible to receive a portion of the Local Option Gas Tax under Section 336.025, Florida Statutes.

4. After deduction of all fees or charges made by the State of Florida or any of its agencies, the proceeds of the Local Option Gas Tax under the proposed Ordinance shall be divided among, and distributed to, Hamilton County and the municipalities within Hamilton County as follows:

<u>RECIPIENT</u>	<u>SHARE OF PROCEEDS</u>
Hamilton County	72.49%
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6. County has previously provided the State of Florida Department of Revenue the currently established distribution proportions.

7. County and Municipality agree that all expenditures of the local option gas tax proceeds, divided and distributed pursuant to this agreement, shall be utilized only for transportation expenditures in accordance with the provisions and requirements of Section 336.025, Florida Statutes.

IN WITNESS WHEREOF, the parties hereto have adopted this Interlocal Agreement on the respective dates hereafter shown. Adopted by the Municipality, on the _____ day of _____, 2022.

Town of White Springs, Florida

By: _____
Mayor

Attest:

Clerk

ADOPTED by the County on the ____ Day of _____, 2022.

Attest: BOARD OF COUNTY COMMISSIONERS
HAMILTON COUNTY, FLORIDA

By: _____
Clerk, Greg Godwin

By: _____
Chairman, Josh Smith

Commissioner, Randy Ogburn

Commissioner, Robert Earl Brown

Commissioner, Richie McCoy

Commissioner, Jimmy Murphy

ORDINANCE NO. 2022-_____

Board of County Commissioners,
Hamilton County, Florida

AN ORDINANCE IMPOSING A SIX (6) CENT LOCAL OPTION FUEL TAX UPON EVERY GALLON OF MOTOR FUEL AND SPECIAL FUEL SOLD IN HAMILTON COUNTY, FLORIDA, AND TAXED UNDER THE PROVISION OF CHAPTER 206, FLORIDA STATUTES; PROVIDING THAT THE IMPOSITION SHALL BE EFFECTIVE FOR A TERM TO COMMENCE JANUARY 1, 2023, AND EXPIRE DECEMBER 31, 2027; PROVIDING FOR DISTRIBUTION BETWEEN HAMILTON COUNTY AND ALL OF THE MUNICIPALITIES IN HAMILTON COUNTY, FLORIDA, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 336.025, FLORIDA STATUTES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Hamilton County, Florida, on August 20, 2020 adopted Ordinance No. 2020-03, providing for a six (6) cent local option fuel tax upon every gallon of motor fuel and special fuel sold in Hamilton County, Florida, and taxed under the provisions of Chapter 206, Florida Statutes, for the term from January 1, 2021 to December 31, 2022; and, in connection with said Ordinance No. 2020-03, Interlocal Agreements were entered into between said County and all of the incorporated municipalities in said County in accordance with the provisions of Section 336.025, Florida Statutes; and

WHEREAS, said Ordinance No. 2020-03 will expire on December 31, 2022;
and

WHEREAS, the Board of County Commissioners desires to impose said tax for the term commencing January 1, 2023, and to be in force and effect until December 31, 2027; now, therefore, the premises considered, be it

ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
HAMILTON COUNTY, FLORIDA, that:

Section 1. This Ordinance is authorized by, and adopted pursuant to, Section 336.025, Florida Statutes, and other applicable law.

Section 2. There is hereby imposed a six (6) cent local option fuel tax upon every gallon of motor fuel and special fuel sold in Hamilton County and taxed under the provisions of Chapter 206, Florida Statutes.

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Section 6. All ordinances or parts of ordinances in conflict with the provisions contained herein are hereby repealed.

Section 7. If any section, subsection, sentence, clause, provision, or part of this Ordinance shall be held invalid for any reason, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

Section 8. In accordance with Section 125.66 Florida Statutes, a certified copy of this Ordinance, as enacted, shall be filed by the Clerk of this Board with the Department of State of the State of Florida within 10 days after enactment by said Board and shall take effect upon filing with the Department of State.

DULY ADOPTED, during a regular meeting at Jasper, in Hamilton County Florida, this _____ day of _____ 2022.

BOARD OF COUNTY COMMISSIONERS
HAMILTON COUNTY, FLORIDA

Attest:

Ex-Officio Clerk, Greg Godwin

By: _____
Chairman, Josh Smith

Commissioner, Robert Earl Brown

Commissioner, Randy Ogburn

Commissioner, Jimmy Murphy

Commissioner, Richie McCoy

