

REGULAR MEETING
FEBRUARY 13, 2017
9:00 A.M.

BOOK 38 PAGE 132

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 Thomas E. Pridgeon, Jr., Dist. 2; Commissioner Lisa Walker, Dist. 3; Commissioner Anthony Adams, Dist. 4; Commissioner Earnest L. Jones, Dist. 5; and Leenette McMillan-Fredriksson, County Attorney.

OPEN THE PLANNING & ZONING BOARD MEETING

CPA 17-01

On a motion by Mr. Lamb and a second by Mr. Pridgeon, the Board voted unanimously to have Mrs. McMillan-Fredriksson ready CPA 17-01 by title only. On a motion by Mr. Pridgeon and a second by Mr. Lamb, the Board voted unanimously to adopt CPA 17-01, to amend the future Land Use Plan Map of the Comprehensive Plan by changing the future land use classification from conservation to agriculture for 105 acres.

LDR 17-02

On a motion by Mr. Pridgeon and a second by Mr. Adams, the Board voted unanimously to have Mrs. McMillan-Fredriksson ready LDR 17-02 by title only. On a motion by Mr. Lamb and a second by Mr. Pridgeon, the Board voted unanimously to adopt LDR 17-02, an application by the Board to amend the official zoning atlas of the Land Development Regulations by changing the zoning district from conservation to agricultural for 105 acres.

ADJOURN THE PLANNING & ZONING BOARD MEETING

On a motion by Mr. Adams and a second by Mr. Pridgeon, the Board voted unanimously to adjourn the Planning and Zoning Board meeting.

APPROVE THE MINUTES

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

VI JOHNSON – UPDATES AND REQUEST TO THE BOARD

Vi Johnson discussed several issues with the Board. She gave an update on the Chamber of Commerce and the Historical Society to the Board. She also requested that the Board put up Parking Signs to direct people of where open parking spaces are since the street side parking spaces have been removed by the Department of Transportation due to the addition of the turning lane at the red light. The Board told her that they will work on this request and speak with someone at the Department of Transportation to see what they can do to help.

MAYO COMMUNITY CENTER DAMAGE

Marcus Calhoun discussed recent damage at the Mayo Community Center by a renter with the Board. There is damage to the tile flooring and the wood. The Board discussed the possibility of having the renter come to the next meeting to address this issue. The Board decided to recess the morning meeting to go out to the Community Center and assess the damage and see what they want to do to repair it.

DAY COMMUNITY CENTER FLOORING BIDS

Marcus Calhoun discussed the bids that were opened for the Day Community Center flooring at the last meeting. The following bids were turned in: Live Oak Paint and Flooring - \$23,785.93; and Vann Carpet One - \$20,976.00. On a motion by Mr. Lamb and a second by Mr. Pridgeon, the Board voted unanimously to award the bid to Vann Carpet One as the low bidder.

MAYO COMMUNITY CENTER CUSTODIAN POSITION

On a motion by Mr. Lamb and a second by Mr. Adams, the Board voted unanimously to accept the resignation of Tina Finch as the Mayo Community Center Custodian, and to offer it to Amy Underwood, who was the other applicant for the Courthouse Custodian position.

FIRST READING OF ORDINANCE FOR CPA 17-01

Mrs. McMillan-Fredriksson read the Ordinance for CPA 17-01. This is the first reading of this Ordinance. The second reading will be on February 27, 2017.

ORDINANCE NO. 2017-01

Mrs. McMillan-Fredriksson read Ordinance No. 2017-01 which is an amendment to Ordinance No. 2000-5. On a motion by Mr. Adams and a second by Mr. Lamb, the Board voted unanimously to adopt the Ordinance.

LEASE AGREEMENT WITH DOCTOR'S MEMORIAL HOSPITAL

On a motion by Mr. Pridgeon and a second by Mr. Adams, the Board voted unanimously to approve the Lease Agreement with Doctor's Memorial Hospital, pending the review and approval of their staff also.

ORDINANCE FOR MEDICAL MARIJUANA MORATORIUM

On a motion by Mr. Lamb and a second by Mrs. Walker, the Board voted unanimously to have Mrs. McMillan-Fredriksson read the Ordinance for a Medical Marijuana Moratorium by title only. The second reading will be at the next meeting.

APPROVE THE BILLS

On a motion by Mr. Lamb and a second by Mr. Adams, with the exception of the Pridgeon's Power Equipment bill, the Board voted unanimously to approve the following bills:

General Fund - \$363,278.04
Emergency 911 Fund - \$1,338.41
Industrial Park Fund - \$582.37

On a motion by Mr. Lamb and a second by Mr. Adams, with Mr. Pridgeon abstaining, the Board voted unanimously to approve the Pridgeon's Power Equipment bill in the amount of \$1,159.48.

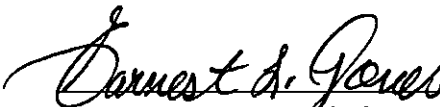
RECESS TO THE MAYO COMMUNITY CENTER

MAYO COMMUNITY CENTER REPAIRS

After assessing the damage, and discussion about repairs, on a motion by Mr. Adams and a second by Mr. Pridgeon, the Board voted unanimously to have Marcus Calhoun glue the tiles back down until a quote can be obtained for total repair work.

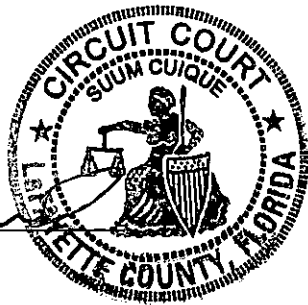
ADJOURN

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


Earnest L. Jones, Chairman

Attest:


Steve Land, Clerk

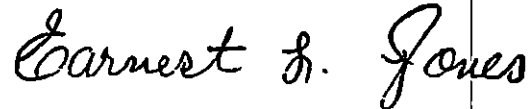


Approved this 27th day of February, 2017.

PUBLIC NOTICE

The Lafayette County Commission will be holding a regular scheduled meeting on Monday, February 13, 2017 at 9:00 a.m. The meeting will be held in the County Commissioner's Meeting Room at the Lafayette County Courthouse in Mayo, Florida. Listed below is an agenda for the meeting.

By Order Of:



Earnest L. Jones, Chairman
Lafayette County Commission

PLANNING & ZONING BOARD:

1. Open the Planning & Zoning Board meeting.
2. Invocation and pledge to the flag.
3. Consider CPA 17-01, an application by the Board of County Commissioners, to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the future land use classification from Conservation to Agriculture (less than or equal to 1 dwelling unit per 40 acres) for 105.00 acres, more or less.
4. Consider LDR 17-02, an application by the Board of County Commissioners, to amend the Official Zoning Atlas of the Land Development Regulations by changing the zoning district from Conservation (CSV) to Agricultural-1 (A-1) for 105.00 acres, more or less.
5. Adjourn the Planning & Zoning Board meeting.

BOARD OF COUNTY COMMISSIONERS:

1. Open the meeting.
2. Approve the minutes.
3. Requests and comments from the community.
 - A) Vi Johnson – Chamber of Commerce update, Historical Society update, and request to the Board.
4. Department Heads:
 - A) Marcus Calhoun – Maintenance.
 - B) Scott Sadler – Public Works.
 - C) Robert Hinkle – Building/Zoning.
 - D) Marty Tompkins – EMS.
 - E) Jana Hart – Extension Office.
5. First Reading of Ordinance:

An Ordinance of Lafayette County, Florida, amending the Lafayette County Comprehensive Plan, as amended; relating to an amendment of more than ten acres of land to the future land use plan map of the Lafayette County Comprehensive Plan, as amended, pursuant to an application, CPA 17-01, by the Board of County Commissioners, under the amendment procedures established in sections 163.3161 through 163.328, Florida Statutes, as amended; providing for changing the future land use classification from conservation to agriculture-1 (less than or equal to 1 dwelling units per 40 acres) of certain lands within the unincorporated area of Lafayette County, Florida; providing severability; repealing all ordinance in conflict; and providing an effective date.

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 17-02, by the Board of County Commissioners; providing for changing the zoning district from Conservation (CSV) to Agricultural-1 (A-1) of certain lands within the unincorporated area of Lafayette County, Florida; providing severability; repealing all ordinances in conflict; and providing an effective date.

6. Adoption of Ordinance:

An ordinance of Lafayette County, Florida, amending Ordinance No. 2000-5, as amended, relating to an amendment to the text of the Lafayette County Land Development Regulations, pursuant to an application, LDR 17-01, by the Board of County Commissioners; providing for amending section 2.4.7 entitled limitation on determination of vested rights to add the criteria that the Board of County Commissioners shall use to determine if a proposed or actual deviation change is a substantial deviation; providing for adding sub-section 2.4.7.2 to state that a vested rights certificate applies to land and is therefore transferrable from owner to owner of the land subject to the permit; providing for adding sub-section 2.4.7.3 to add the parameters for revoking a vested rights determination; providing for addition section 2.4.8 entitled vested rights applications to outline the procedures for determining vested rights; and providing for adding section 2.4.9 entitled vested rights form to add the requirement that the form shall contain information sufficient to permit a determination by the county pursuant to the criteria set forth in this section; providing severability; repealing all ordinances in conflict; and providing an effective date.

- ✓7. Discuss the bids for flooring at the Day Community center that were opened at the last meeting.
8. Approve the lease agreement with Doctor's Memorial Hospital.
9. Leenette McMillan-Fredriksson – various items.
10. Approve the bills.
11. Other Business.
12. Adjourn.

All members of the public are welcome to attend. Notice is further hereby given, pursuant Florida Statute 286.0105, that any person or persons deciding to appeal any matter considered at this public hearing will need a record of the hearing and may need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.

Persons with disabilities requesting reasonable accommodations to participate in this proceeding should contact (386) 294-1600 or via Florida Relay Service at (800) 955-8771.

See www.lafayetteclerk.com for updates and amendments to the agenda.

MAYO FREE PRESS
Please Run 2/9/17.

RESOLUTION NO. PZ/LPA CPA 17-01

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 MORE THAN TEN ACRES OF LAND TO THE FUTURE LAND USE PLAN MAP OF THE LAFAYETTE COUNTY COMPREHENSIVE PLAN, PURSUANT TO AN APPLICATION BY THE BOARD OF COUNTY COMMISSIONERS, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED, PROVIDING FOR CHANGING THE LAND USE CLASSIFICATION FROM CONSERVATION TO AGRICULTURE (LESS THAN OR EQUAL TO 1 DWELLING UNIT PER 40 ACRES) 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 Comprehensive Plan, in accordance with said regulations;

WHEREAS, Sections 163.3161 to 163.3248, Florida Statutes, as amended, the Community Planning Act, empowers the Local Planning Agency of Lafayette County, Florida, hereinafter referred to as the Local Planning Agency, to recommend to the Board of County Commissioners approval or denial of amendments to the Comprehensive Plan, in accordance with said statute;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency;

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, on said application for an amendment, as described below, and considered all comments received during said public hearing and the Concurrency 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 said application for an amendment, as described below, to be compatible with the Land Use Element objectives and policies, and those of other affected elements of the Comprehensive Plan; and

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.

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, CPA 17-01, by the Board of County Commissioners, to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the future land use classification of certain lands, 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 land use classification be changed from CONSERVATION to AGRICULTURE (less than or equal to 1 dwelling unit per 40 acres) on property described, as follows:

A parcel of land lying within Section 27, Township 07 South, Range 10 East, Lafayette County, Florida. Being more particularly described, as follows: Commence at the Southeast corner of said Section 27; thence South 88°49'07" West 556.40 feet, along the South line of said Section 27 to the Point of Beginning; thence North 02°07'15" West 2,645.60 feet; thence South 89°20'42" West 2,014.70 feet to the Easterly right-of-way line of State Road 51; thence South 08°43'41" West 1,303.80 feet, along the Easterly right-of-way line of said State Road 51; thence North 84°14'24" East 1,160.00 feet; thence South 00°18'20" East 55.00 feet; thence South 89°49'51" East 50.20 feet; thence South 19°22'26" West 1,532.60 feet to the South line of said Section 27; thence North 88°48'23" East 514.00 feet, along the South line of said Section 27; thence South 00°22'02" East 208.80 feet; thence North 89°16'12" East 210.10 feet; thence North 00°22'02" East 208.80 feet to the South line of said Section 27; thence North 88°42'42" East 892.80 feet, along the South line of said Section 27, to the Point of Beginning.

Containing 105.00 acres, more or less.

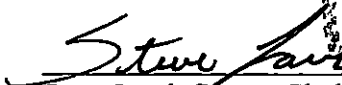
Section 2. All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.


Section 3. This resolution shall become effective upon adoption.

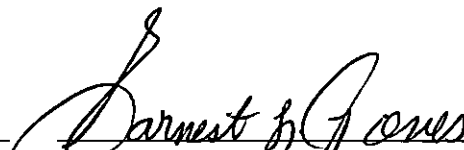
PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, this 13th day of February 2017.

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

Attest:


Steve Land, County Clerk




Earnest L. Jones, Chair

RESOLUTION NO. PZ/LPA LDR 17-02

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 BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR CHANGING THE ZONING DISTRICT FROM CONSERVATION (CSV) TO AGRICULTURAL-1 (A-1) 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 163.3248, Florida Statutes, as amended, the Community Planning 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 Concurrency 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;
- (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 17-02, by the Board of County Commissioners, 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 CONSERVATION (CSV) to AGRICULTURAL-1 (A-1) for property described, as follows:

A parcel of land lying within Section 27, Township 07 South, Range 10 East, Lafayette County, Florida. Being more particularly described, as follows: Commence at the Southeast corner of said Section 27; thence South 88°49'07" West 556.40 feet, along the South line of said Section 27 to the Point of Beginning; thence North 02°07'15" West 2,645.60 feet; thence South 89°20'42" West 2,014.70 feet to the Easterly right-of-way line of State Road 51; thence South 08°43'41" West 1,303.80 feet, along the Easterly right-of-way line of said State Road 51; thence North 84°14'24" East 1,160.00 feet; thence South 00°18'20" East 55.00 feet; thence South 89°49'51" East 50.20 feet; thence South 19°22'26" West 1,532.60 feet to the South line of said Section 27; thence North 88°48'23" East 514.00 feet, along the South line of said Section 27; thence South 00°22'02" East 208.80 feet; thence North 89°16'12" East 210.10 feet; thence North 00°22'02" East 208.80 feet to the South line of said Section 27; thence North 88°42'42" East 892.80 feet, along the South line of said Section 27, to the Point of Beginning.

Containing 105.00 acres, more or less.

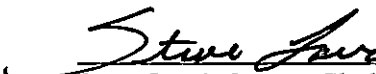
Section 2. All resolutions or portions of resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

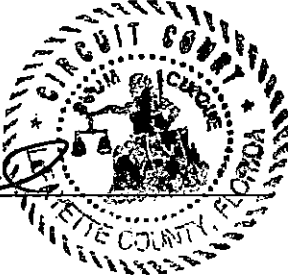
Section 3. This resolution shall become effective upon adoption.

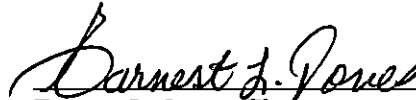
PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, this 13th day of February 2017.

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

Attest:


Steve Land, County Clerk




Earnest L. Jones, Chair

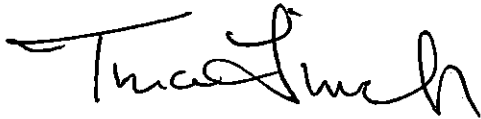
02/07/17

Dear County Commissioner's,

I would like to submit my formal resignation to you for the position title of Community Center Custodian for the 5th district Community Center. I have greatly enjoyed cleaning it but, since my recent job change I am unable to find the time to be able to do this job. Thanks so much for the opportunity.

Thanks Again,

Tina Finch

A handwritten signature in black ink that reads "Tina Finch". The signature is written in a cursive style with a long horizontal stroke at the beginning.

ORDINANCE NO. _____

AN ORDINANCE OF LAFAYETTE COUNTY, FLORIDA, AMENDING THE LAFAYETTE COUNTY COMPREHENSIVE PLAN, AS AMENDED; RELATING TO AN AMENDMENT OF MORE THAN TEN ACRES OF LAND TO THE FUTURE LAND USE PLAN MAP OF THE LAFAYETTE COUNTY COMPREHENSIVE PLAN, AS AMENDED, PURSUANT TO AN APPLICATION, CPA 17-01, BY THE BOARD OF COUNTY COMMISSIONERS, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR CHANGING THE FUTURE LAND USE CLASSIFICATION FROM CONSERVATION TO AGRICULTURE (LESS THAN OR EQUAL TO 1 DWELLING UNIT PER 40 ACRES) 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 implement a Comprehensive Plan;

WHEREAS, Sections 163.3161 through 163.3248, Florida Statutes, as amended, the Community Planning Act, empowers and requires the Board of County Commissioners to prepare, adopt and implement a Comprehensive Plan;

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, the Board of County Commissioners held the required public hearings, with public notice having been provided, pursuant to the procedures established in Sections 163.3161 to 163.3248, Florida Statutes, as amended, on said application for an amendment, as described below, and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during the public hearings, 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;

WHEREAS, the Board of County Commissioners has determined and found said application for an amendment, as described below, to be compatible with the Land Use Element objectives and policies, and those of other affected elements of the Comprehensive Plan; 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,

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

Section 1. Pursuant to an application, CPA 17-01, by the Board of County Commissioners, to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the land use classification of certain lands, the land use classification is hereby changed from CONSERVATION to AGRICULTURE (less than or equal to 1 dwelling unit per 40 acres) on property described, as follows:

A parcel of land lying within Section 27, Township 07 South, Range 10 East, Lafayette County, Florida. Being more particularly described, as follows: Commence at the Southeast corner of said Section 27; thence South 88°49'07" West 556.40 feet, along the South line of said Section 27 to the Point of Beginning; thence North 02°07'15" West 2,645.60 feet; thence South 89°20'42" West 2,014.70 feet to the Easterly right-of-way line of State Road 51; thence South 08°43'41" West 1,303.80 feet, along the Easterly right-of-way line of said State Road 51; thence North 84°14'24" East 1,160.00 feet; thence South 00°18'20" East 55.00 feet; thence South 89°49'51" East 50.20 feet; thence South 19°22'26" West 1,532.60 feet to the South line of said Section 27; thence North 88°48'23" East 514.00 feet, along the South line of said Section 27; thence South 00°22'02" East 208.80 feet; thence North 89°16'12" East 210.10 feet; thence North 00°22'02" East 208.80 feet to the South line of said Section 27; thence North 88°42'42" East 892.80 feet, along the South line of said Section 27, to the Point of Beginning.

Containing 105.00 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 parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, 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.

The effective date of this plan amendment if the amendment is not timely challenged, shall be thirty-one (31) days after the Florida Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Florida Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Economic Opportunity.

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 163.3248, Florida Statutes, as amended.

PASSED upon first reading this 13th day of February 2017.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners in regular session this _____ day of _____ 2017.

Attest:

BOARD OF COUNTY COMMISSIONERS
OF LAFAYETTE COUNTY, FLORIDA

Steve Land, County Clerk

Earnest L. Jones, Chair

ORDINANCE NO. 2017-01

AN ORDINANCE OF LAFAYETTE COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2000-5, AS AMENDED, RELATING TO AN AMENDMENT TO THE TEXT OF THE LAFAYETTE COUNTY LAND DEVELOPMENT REGULATIONS, PURSUANT TO AN APPLICATION, LDR 17-01, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR AMENDING SECTION 2.4.7 ENTITLED LIMITATION ON DETERMINATION OF VESTED RIGHTS TO ADD THE CRITERIA THAT THE BOARD OF COUNTY COMMISSIONERS SHALL USE TO DETERMINE IF A PROPOSED OR ACTUAL DEVIATION CHANGE IS A SUBSTANTIAL DEVIATION; PROVIDING FOR ADDING SUB-SECTION 2.4.7.2 TO STATE THAT A VESTED RIGHTS CERTIFICATE APPLIES TO LAND AND IS THEREFORE TRANSFERRABLE FROM OWNER TO OWNER OF THE LAND SUBJECT TO THE PERMIT; PROVIDING FOR ADDING SUB-SECTION 2.4.7.3 TO ADD THE PARAMETERS FOR REVOKING A VESTED RIGHTS DETERMINATION; PROVIDING FOR ADDING SECTION 2.4.8 ENTITLED VESTED RIGHTS APPLICATIONS TO OUTLINE THE PROCEDURES FOR DETERMINING VESTED RIGHTS; AND PROVIDING FOR ADDING SECTION 2.4.9 ENTITLED VESTED RIGHTS FORM TO ADD THE REQUIREMENT THAT THE FORM SHALL CONTAIN INFORMATION SUFFICIENT TO PERMIT A DETERMINATION BY THE COUNTY PURSUANT TO THE CRITERIA SET FORTH IN THIS SECTION; 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 163.3248, Florida Statutes, as amended, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Comprehensive Plan;

WHEREAS, an application, 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 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;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, is consistent with the purposes and objectives of the comprehensive planning program and the Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, will further the purposes of the Land Development Regulations and other ordinances, regulations, and actions designed to implement the Comprehensive Plan; 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.

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

Section 1. Pursuant to an application, LDR 17-01, by the Board of County Commissioners, to amend the text of the Land Development Regulations, Section 2.4.7, entitled Limitation on Determination of Vested Rights, is hereby amended to read, as follows:

2.4.7 Limitation on Determination of Vested Rights

2.4.7.1 Development subject to a Vested Rights Certificate shall be consistent with the terms of the development approval(s) upon which the Certificate was based. Substantial deviation from a prior approval, except as required by governmental action, shall cause the development to be subject to policies and implementing decisions and regulations of the County's Comprehensive Plan. The Board of County Commissioners shall determine if a proposed or actual deviation change is a substantial deviation based upon:

1. A change in use or intensity of use that would increase the impacts of the development on those public facilities subject to concurrency by more than five (5) percent.
2. A change in access to the project that would increase the transportation impacts of the development by more than five (5) percent on any road subject to concurrency unless the access change would result in an overall improvement to the transportation network.

2.4.7.2 A Vested Rights Certificate applies to the land and is therefore transferrable from owner to owner of the land subject to the permit.

2.4.7.3 Notwithstanding anything in this section to the contrary, a vested rights determination may be revoked upon a showing by the Board of County Commissioners of a peril to public health, safety or general welfare of the residents of the County unknown at the time of approval.

Section 2. Pursuant to an application, LDR 17-01, by the Board of County Commissioners, to amend the text of the Land Development Regulations, Section 2.4.8, entitled Vested Rights Applications, is hereby amended to read, as follows:

2.4.8 Vested Rights Applications. Applications for a determination of vested rights shall be submitted to the Land Development Regulation Administrator on forms provided by the County. The County shall review the application for sufficiency and an insufficient application shall be returned to the applicant for additional information. Upon acceptance by the County, the application shall be assigned a hearing date. The County establishes the schedule of hearing dates and an application deadline for each hearing.

Section 3. Pursuant to an application, LDR 17-01, by the Board of County Commissioners, to amend the text of the Land Development Regulations, Section 2.4.9, entitled Application Forms, is hereby amended to read, as follows:

2.4.9 Application Forms. The application for determination of vested rights shall contain information sufficient to permit a determination by the County pursuant to the criteria set forth in this section.

Section 4. 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 5. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

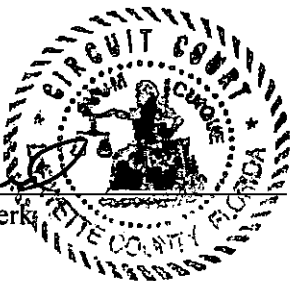
Section 6. Effective Date. Pursuant to Section 125.66, Florida Statutes, as amended, a certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This ordinance shall become effective upon filing of the ordinance with the Florida Department of State.


Section 7. Authority. This ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, as amended, and Sections 163.3161 through 163.3248, Florida Statutes, as amended.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this 13th day of February 2017.

BOARD OF COUNTY COMMISSIONERS
OF LAFAYETTE COUNTY, FLORIDA


Ricky Lyons, County Clerk




Earnest L. Jones, Chair

RESOLUTION NO. PZ/LPA LDR 17-01

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 TO THE TEXT OF THE LAFAYETTE COUNTY LAND DEVELOPMENT REGULATIONS, PURSUANT TO AN APPLICATION BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR AMENDING SECTION 2.4.7 ENTITLED LIMITATION ON DETERMINATION OF VESTED RIGHTS TO ADD THE CRITERIA THAT THE BOARD OF COUNTY COMMISSIONERS SHALL USE TO DETERMINE IF A PROPOSED OR ACTUAL DEVIATION CHANGE IS A SUBSTANTIAL DEVIATION; PROVIDING FOR ADDING SUB-SECTION 2.4.7.2 TO STATE THAT A VESTED RIGHTS CERTIFICATE APPLIES TO LAND AND IS THEREFORE TRANSFERRABLE FROM OWNER TO OWNER OF THE LAND SUBJECT TO THE PERMIT; PROVIDING FOR ADDING SUB-SECTION 2.4.7.3 TO ADD THE PARAMETERS FOR REVOKING A VESTED RIGHTS DETERMINATION; PROVIDING FOR ADDING SECTION 2.4.8 ENTITLED VESTED RIGHTS APPLICATIONS TO OUTLINE THE PROCEDURES FOR DETERMINING VESTED RIGHTS; AND PROVIDING FOR ADDING SECTION 2.4.9 ENTITLED VESTED RIGHTS FORM TO ADD THE REQUIREMENT THAT THE FORM SHALL CONTAIN INFORMATION SUFFICIENT TO PERMIT A DETERMINATION BY THE COUNTY PURSUANT TO THE CRITERIA SET FORTH IN THIS SECTION; 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, hereinafter referred to as the Board of County Commissioners, serving as the Planning and Zoning Board of Lafayette County, Florida, hereinafter referred to as the Planning and Zoning Board, to recommend to 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 163.3248, Florida Statutes, as amended, empowers the Board of County Commissioners, serving as the Local Planning Agency of Lafayette County, Florida, hereinafter referred to as the Board of County Commissioners, 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, the Board of County Commissioners has been designated as the Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency;

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, on said application for amendment, as described below, and considered all comments received during said public hearing 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 a need and justification exists for the approval of 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, is consistent with purposes and objectives of the comprehensive planning program and the Comprehensive Plan;

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, will further the purposes of the Land Development Regulations and other ordinances, regulations, and actions designed to implement the Comprehensive Plan; and

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.

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 17-01, by the Board of County Commissioners, to amend the text 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 Section 2.4.7, entitled Limitation on Determination of Vested Rights, be amended to read, as follows:

2.4.7 Limitation on Determination of Vested Rights

- 2.4.7.1 Development subject to a Vested Rights Certificate shall be consistent with the terms of the development approval(s) upon which the Certificate was based. Substantial deviation from a prior approval, except as required by governmental action, shall cause the development to be subject to policies and implementing decisions and regulations of the County's Comprehensive Plan. The Board of County Commissioners shall determine if a proposed or actual deviation change is a substantial deviation based upon:
 - 1. A change in use or intensity of use that would increase the impacts of the development on those public facilities subject to concurrency by more than five (5) percent.
 - 2. A change in access to the project that would increase the transportation impacts of the development by more than five (5) percent on any road subject to concurrency unless the access change would result in an overall improvement to the transportation network.
- 2.4.7.2 A Vested Rights Certificate applies to the land and is therefore transferrable from owner to owner of the land subject to the permit.
- 2.4.7.3 Notwithstanding anything in this section to the contrary, a vested rights determination may be revoked upon a showing by the Board of County Commissioners of a peril to public health, safety or general welfare of the residents of the County unknown at the time of approval.

Section 2. Pursuant to an application, LDR 17-01, by the Board of County Commissioners, to amend the text 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 Section 2.4.8, entitled Vested Rights Applications, be amended to read, as follows:

2.4.8 Vested Rights Applications. Applications for a determination of vested rights shall be submitted to the Land Development Regulation Administrator on forms provided by the County. The County shall review the application for sufficiency and an insufficient application shall be returned to the applicant for additional information. Upon acceptance by the County, the application shall be assigned a hearing date. The County establishes the schedule of hearing dates and an application deadline for each hearing.

Section 3. Pursuant to an application, LDR 17-01, by the Board of County Commissioners, to amend the text 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 Section 2.4.9, entitled Application Forms, be amended to read, as follows:

2.4.9 Application Forms. The application for determination of vested rights shall contain information sufficient to permit a determination by the County pursuant to the criteria set forth in this section.


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

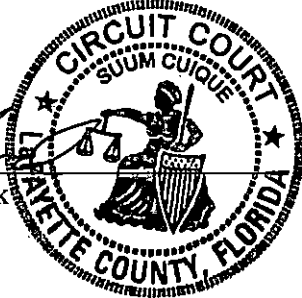
Section 3. This resolution shall become effective upon adoption.

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 13th day of February 2017.

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

Attest:


Steve Land, County Clerk




Earnest L. Jones, Chair

VANN CARPET ONE
 131 WEST DUVAL STREET
 LAKE CITY, FL 32055
 Telephone: 386-752-3420 Fax: 386-752-8093

ES700028

QUOTE

Sold To LAFAYETTE COUNTY BD OF COMM. ATTN: MARCUS PO BOX 88 MAYO, FL 32066	Ship To DAY COMMUNITY CENTER FLOORING
---	--

Quote Date 01/11/17	Tele #1 386-294-4231	PO Number	Quote Number ES700028
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Inventory	Style/Item	Color/Description	Extension
TANDUS/CENTI VA ADH	ANTIQUE WOOD CE 6000 SP VINYL PLANK/TILE INSTALL FREIGHT	DRIFTWOOD 0357 4 GAL PAIL	15,648.00 819.00 2,080.00 830.00
RB	RUBBER COVE BASE 1/8 6" 6" BASE INSTALL TRAVEL	TO BE SELECTED	1,074.00 450.00 75.00

- 1) county employees will remove exst. cove base and will strip finish from exst vinyl tile,
- 2) we will install over exst. vinyl tile per your request.
- 3) furnish and install in all areas measured during walk thur with Marcus on 1-6-2017

— 01/11/17 —

Sales Representative(s):
DONALD

3:21PM —
 Material: 17,541.00
 Service: 3,435.00
 Misc. Charges: 0.00
 Sales Tax: 0.00
 Misc. Tax: 0.00

Donald Harden
 Commercial Flooring Consultant
 131 West Duval St
 Lake City, FL 32055
 E donald_brownvann@hotmail.com
 T 386.752.3420 M 386.397.5531
 F 386.752.8093



QUOTE TOTAL: \$20,976.00

www.vanncarpetonelakecity.com



LEASE AGREEMENT

BOOK 38 PAGE 154

1. **PARTIES.** The parties to this agreement are:

1.1 **LAFAYETTE COUNTY BOARD OF COUNTY COMMISSIONERS**, whose address for purposes of notice under this lease is Post Office Box 88, Mayo, FL 32066, as “Owner”; and

1.2 **DOCTORS MEMORIAL HOSPITAL**, whose address for purposes of notice under this lease is 333 N Byron Butler Parkway, Perry, FL 32347, as “Tenant.”

2. **PREMISES.**

2.1 Owner hereby leases to Tenant the following property (the property):

SEE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF.
Commonly known as “Old Dental Clinic.”

3. **TERM.**

3.1 The term of this lease shall be a period of FIVE (5) YEARS, commencing on December 15, 2016, at 12:01 a.m., and will continue on a five-year basis from said date on like terms and conditions.

3.1 This lease may be renewed at the option of the Tenant for the following terms and at the following rentals:

- (1) An option to renew annually after the five-year lease term.
- (2) Rate negotiable at the time of renewal.

Provided notice be given in writing to the Lessor at least 120 days before the end of the original lease term or any renewal terms; all other terms and conditions of this lease shall remain the same during any renewal terms.

4. **RENT.**

4.1 Tenant shall pay to Owner as rent at the address set forth above, or at any other address that Owner may designate, the minimum annual rent of \$41,296.50, at the rate of \$3441.38 per month (\$10.50 per square foot) in arrears on said property, in lawful money of the United States of America. Rent for a lesser period shall be prorated.

5. USE OF THE PREMISES.

5.1 Tenant shall use the property as a medical facility.

5.2 There shall be no hazardous waste dumping of any type and no use of hazardous substances or pesticides. Tenant is responsible for removal of any hazardous substances.

5.3 Tenant named shall be the sole Tenant of the Agreement. Subletting or re-assignment of said Agreement is prohibited.

5.4. Owner shall be allowed access to the property at any time.

6. UTILITIES.

6.1. Tenant agrees that it will pay all charges for utilities, including but not limited to trash disposal, gas, electricity, water and sewer used on said premises.

7. ALTERATIONS.

7.1 Tenant will make no changes, alterations, or additions in or about the premises without first obtaining Owner's written consent.

8. COMPLIANCE WITH REGULATIONS.

8.1 Tenant must abide by and comply with all governmental laws, ordinances, rules, and orders that apply to tenants of dwelling units.

9. CONDITION OF THE PREMISES.

9.1 Tenant has examined the premises on the date of this lease and finds them in clean and orderly condition and good repair and finds all appliances in good working order.

10. REPAIRS AND MAINTENANCE.

10.1 Tenant will keep and maintain the building and grounds during the term of this lease.

10.2 Tenant will use the premises with due care and will pay for any repairs that are necessitated by any lack of care by Tenant's guests or invitees.

10.3 Owner will make all necessary repairs to the premises within a reasonable time after Tenant notifies Owner of the need for repairs. Owner repairs will include, the roof, exterior walls, parking lot, windows, HVAC, electrical and plumbing systems.

11. WASTE.

11.1 Tenant will not commit or permit any waste of the premises, and on termination of this lease, Tenant must immediately surrender the premises in good order and condition and return all keys to Owner.

12. LIABILITY.

12.1 Owner and Tenant agree that there will be no liability to Owner in regard to Tenant's use of the above property, unless subject liability is a result of Owner's negligence.

12.2 Tenant to maintain at all times during the lease term, at Tenant's cost, a comprehensive liability insurance policy, naming Owner as loss payee, protecting Owner against all claims or demands that may arise or be claimed on account of Tenant's use of the premises, in an amount of at least \$1,000,000.00 for injuries to persons in one accident, \$1,000,000.00 for injuries to any one person, and \$1,000,000.00 for damages to property. The insurance shall be written by a company or companies acceptable to Owner, authorized to engage in the business of general liability insurance in the state of Florida. Tenant shall deliver to Owner annual certificates demonstrating that insurance is paid up and copies of the insurance policies issued by the insurance companies. At its option, Owner may request Tenant to obtain a certified statement by each insurance carrier containing a clause providing that the insurance carrier will give written notice before any cancellation shall be effective. The insurance policies shall be provided by Tenant and shall be for a period of at least one year. If Tenant fails to furnish policies or certificates showing policies to be paid in full as provided in this lease, Owner may obtain the insurance, and the premiums on that insurance will be considered additional rental to be paid by Tenant to Owner on demand.

12.3 To indemnify Owner and the leased premises from all costs, losses, damages, liabilities, expenses, penalties, and fines whatsoever that may arise from or be claimed against Owner or the leased premises by any person or persons for any injury to person or property or damage of whatever kind or character arising from the use or occupancy of the leased premises by Tenant; from any neglect or fault of Tenant or the agents and the employees of Tenant in using and occupying the premises; or from any failure by Tenant to comply and conform with all laws, statutes, ordinances, and regulations of any governmental body or subdivision now or hereafter in force. If any lawsuit or proceeding shall be brought against Owner or the leased premises on account of any alleged violations or failure to comply and conform or on account of any damage, omission, neglect, or use of the premises by Tenant, the agents and employees of Tenant, or any other person on the premises, Tenant agrees that Tenant or any other person on the premises will defend it, pay whatever judgments may be recovered against Owner or against the premises on account of it, and pay for all attorneys' fees in connection with it, including attorneys' fees on appeal.

13. GENERAL PROVISIONS.

13.1 The parties agree to waive trial by jury in any action between them arising out of or in any way connected with this agreement or Tenant's use or occupancy of the property.

13.2 This agreement contains the entire agreement between the parties, and any agreement to amend or modify this agreement will be ineffective unless it is in writing and signed by both parties.

13.3 Owner's and Tenant's obligations to observe or perform the covenants will survive the termination of this agreement.

13.4 Attorneys' Fees and Costs. In any lawsuit brought to enforce this agreement, the prevailing party shall recover their reasonable court costs and attorneys' fees from the losing party.

13.5 Jurisdiction. The parties agree that this agreement shall be governed by the laws of the State of Florida and that venue for any litigation to enforce this agreement shall be in Lafayette County, Florida.

Executed by the parties on _____, 2017.

Signed, sealed, and delivered in our presence as:

TENANT: DOCTORS MEMORIAL HOSPITAL

By: _____
.....

Date: _____

OWNER: BOARD OF COUNTY COMMISSIONERS
LAFAYETTE COUNTY, FLORIDA

By: *Earnest L. Jones*
EARNEST L. JONES, Chairman

Date: 2/13/17

ATTEST:

Steve Land
STEVE LAND, Lafayette County Clerk of Court

