

ORDINANCE 2008-04

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA AMENDING ORDINANCE NO. 87-37, KNOWN AS THE NASSAU COUNTY JAIL ORDINANCE; SPECIFICALLY AMENDING SECTION 3, CHIEF CORRECTIONAL OFFICER; SECTION 4, MONETARY CONTROL; DELETING SECTION 5, SUPPLEMENTAL MONIES; DELETING SECTION 6, REPORTS; ADDING A NEW SECTION 6, SEVERABILITY; RENUMBERING AND AMENDING SECTION 7, TERMINATION; RENUMBERING SECTION 8, EFFECTIVE DATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners previously adopted Ordinance 87-37 designating the Sheriff of Nassau County as the Chief Correctional Officer of the County.

WHEREAS, since the ordinance was adopted in 1987, many improvements have occurred in the county correctional system.

WHEREAS, the proposed amendments are consistent with the current policies and practices of the Board of County Commissioners and the Nassau County Sheriff's Office.

NOW, THEREFORE, BE IT ORDAINED THIS 14TH DAY OF APRIL 2008, by the Board of County Commissioners of Nassau County, Florida, that Ordinance 87-37, as amended, shall be further amended as follows:

SECTION 1. TITLE

This ordinance shall be known as the "Nassau County Jail Ordinance".

SECTION 2. PURPOSE

The purpose of this Ordinance is to designate the Sheriff of Nassau County as the Chief Correctional Officer of the County Correctional System of Nassau County, and to provide for budgetary controls.

SECTION 3. CHIEF CORRECTIONAL OFFICER

1. The Sheriff of Nassau County is hereby designated the Chief Correctional Officer of the County, pursuant to Section 951.06, Florida Statutes, for Nassau County, Florida, with all duties and obligations of such office. ~~and he is responsible to appoint correctional officers.~~

~~2. The Sheriff, as Chief Correctional Officer shall appoint correctional officers based upon the budget approved by the Board of County Commissioners. The Sheriff, as Chief Correctional Officer, shall appoint such officers and support personnel, as he deems necessary.~~

3. The Sheriff or his designated Jail Administrator shall enforce all existing State laws and Administrative Rules of the Department of Corrections concerning the operation and maintenance of County Jails.

4. Salaries for said correctional officers shall be paid from the general revenue fund and shall be included by the Sheriff in his proposed budget of expenditures for the ~~maintenance and~~ operation of the County Jail.

5. The Sheriff or his designated Jail Administrator shall be responsible to insure that the facility is operated in accordance with the Department of Corrections requirements and all other existing State laws and the Florida Model Jail Standards.

~~6. The Sheriff or his Jail Administrator shall be responsible to insure that any deficiencies noted by the Department of Corrections are addressed and corrected. The Board of County Commissioners shall provide for all maintenance and repairs needed at the Nassau County Detention Center.~~

~~7. The Sheriff shall insure that all Correctional Officers and the Jail Administrator are properly trained and certified pursuant to State Law. All individuals hired as Correctional Officers shall meet Department of Corrections requirements upon hiring unless written waivers are obtained from the Department.~~

SECTION 4. MONETARY CONTROL

The Sheriff of Nassau County shall, when submitting his annual budget to the Board of County Commissioners, provide a separate budgetary request, with his overall budget, for the Nassau County Detention Facility. Said budget shall include salaries for correctional officers as well as funds for the ~~maintenance and~~ operation of the Detention Facility. The Board of County Commissioners shall adequately fund the operation and maintenance of the Nassau County Detention Facility.

~~a. The approved detention facility budget shall be utilized by the Sheriff of Nassau County for the Nassau County Detention Facility as set forth herein only and for no other purpose other than the Detention Facility.~~

~~b. The Sheriff of Nassau County shall submit, monthly, to the Board of County Commissioners, a statement indicating monies receipted and expended on behalf of the Nassau County Detention Facility. Said~~

~~quarterly statements shall be signed by the Sheriff and reviewed by the Board of County Commissioners at their appropriate meeting.~~

SECTION 5. SUPPLEMENTAL MONIES

~~The Board shall provide no additional monies except for items that pertain to the major structure of the Detention Facility (i.e. roof, support walls). Reports to the Board of County Commissioners from the Sheriff of Nassau County, in his capacity as Chief Correctional Officer, shall submit a monthly report to the Board regarding the Detention Facility and provide the Board with all copies of correspondence between the Sheriff and the Department of Corrections.~~

SECTION 6. REPORTS

~~The Sheriff, in his capacity as Chief Correctional Officer, shall report monthly to the Board of County Commissioners regarding the Detention facility. In addition, copies of all correspondence regarding the Detention facility between the Sheriff and his Jail Administrator and the Department of Corrections or any other entity shall immediately be provided to the Board.~~

SECTION 75. TERMINATION

The appointment of the Sheriff as the Chief Correctional Officer may be terminated upon the vote of the County Commissioners or upon sixty (60) days written notice from the Sheriff of Nassau County to the Chairman of the Board of County Commissioners relinquishing said appointment.

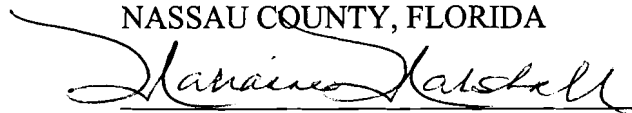
SECTION 6. SEVERABILITY

If any section, sub-section, sentence, clause, provision or phrase of this ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 87. EFFECTIVE DATE

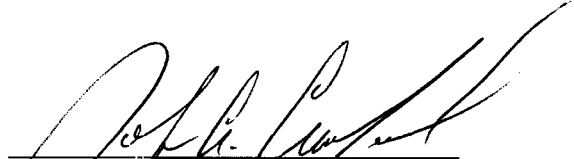
This Ordinance shall take effect upon being filed with the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



Marianne Marshall
Its: Chair

Attest as to Chair's signature:




JOHN A. CRAWFORD
Its: Ex-Officio Clerk

APPROVED AS TO FORM BY THE
NASSAU COUNTY ATTORNEY:



DAVID A. HALLMAN

REVIEWED BY GENE ANAGA
CHIEF DEPUTY COMPLIANCE / ACCOUNTABILITY

 DATE 4/14/08

NEWS LEADER

Published Weekly

511 Ash Street/P.O. Box 766 (904) 261-3696
Fernandina Beach, Nassau County, Florida 32034

NOTICE OF INTENTION TO CONSIDER ENACTMENT OF AN ORDINANCE

NOTICE is hereby given that the Board of County Commissioners of Nassau County, Florida, at a Regular meeting to be held on Monday, the 14th day of April 2008, at 7:00 P.M. at the Commission Chambers, located in the James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida, intends to consider for adoption the following proposed ordinance:

ORDINANCE NO. 2008-
AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA AMENDING ORDINANCE NO. 87-37, KNOWN AS THE NASSAU COUNTY JAIL ORDINANCE; SPECIFICALLY AMENDING SECTION 3, CHIEF CORRECTIONAL OFFICER; AMENDING SECTION 4, MONETARY CONTROL; DELETING SECTION 5, SUPPLEMENTAL MONIES; DELETING SECTION 6, REPORTS; ADDING A NEW SECTION 6, SEVERABILITY; RENUMBERING AND AMENDING SECTION 7, TERMINATION; RENUMBERING SECTION 8, EFFECTIVE DATE; AND PROVIDING AN EFFECTIVE DATE.

Copies of the Ordinance are available at the Clerk's Office of the Judicial Annex, located at 76347 Veterans Way, Yulee, Florida, Monday through Friday, 8:30 a.m. through 5:00 p.m., except for legal holidays.

THE PUBLIC IS INVITED TO BE PRESENT AND BE HEARD. 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 OR SHE WILL NEED A RECORD OF THE PROCEEDINGS. THAT FOR SUCH PUBLIC RECORD OR SHE MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

The Board of County Commissioners may continue hearings on this matter.

ATTEST:
/s/ JOHN A. CRAWFORD
Its: Ex-Officio Clerk
BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA
BY: /s/ MARIANNE MARSHALL
Its: Chairman

Individuals with disabilities needing a reasonable accommodation to participate in this proceeding should contact the Office of the Ex-Officio Clerk to the Board of County Commissioners at least seventy two (72) hours prior to the proceeding at (904) 548-4660, or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD).
2f 04-02-09-2008
6506

STATE OF FLORIDA COUNTY OF NASSAU:

Before the undersigned authority personally appeared **Michael B. Hankins**

who on oath says that he is the Advertising Director of The Fernandina Beach *News-Leader*, a weekly newspaper published at Fernandina Beach in Nassau County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

NOTICE OF INTENTION TO CONSIDER ENACTMENT OF AN ORDINANCE Board of County Commissioners of Nassau County, Florida

was published in said newspaper in the issues of **04-02-09-2008**
ref. No. **6506**

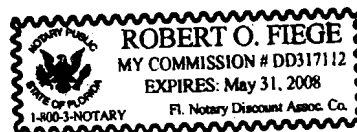
Affiant further says that the said Fernandina Beach *News-Leader* is a newspaper published at Fernandina Beach, in said Nassau County, Florida, and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter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

Michael B. Hankins

Sworn to and subscribed before me
this 9th day of April, A.D. 2008.

Robert O. Fiege
Robert O. Fiege, Notary Public

[Signature] Personally Known



Nassau County Record

617317 Brandies Avenue, PO Box 609
Callahan, Florida 32011
(904) 879-2727 - Fax (904) 879-5155

STATE OF FLORIDA COUNTY OF NASSAU:

Before the undersigned authority personally appeared
Michael B. Hankins
who on oath says that he is the Advertising Director of the Nassau County Record, a weekly newspaper published at Callahan in Nassau County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

NOTICE OF INTENTION TO CONSIDER ENACTMENT OF AN ORDINANCE

ORDINANCE # 2008

was published in said newspaper in the issue of
4/3/08 & 4/10/08

REF. 2562

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

Michael B. Hankins

Sworn to and subscribed before me this 10th day of April, A.D. 2008.

Angeline B. Mudd
Angeline B. Mudd, Notary Public

AM Personally Known

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ATTEST:

/s/ JOHN A. CRAWFORD

Its: Ex-Officio Clerk
BOARD OF COUNTY
COMMISSIONERS
OF NASSAU COUNTY,
FLORIDA

BY: /s/ MARIANNE
MARSHALL

Its: Chairman

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