

RESOLUTION NO. 2017 - 111

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING RESOLUTION NO. 99-61, AS AMENDED, WHICH ESTABLISHED PROCEDURES FOR REGULAR AND SPECIAL MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS

WHEREAS, the Board of County Commissioners has established procedures for their Regular and Special Meetings which are set forth in Resolution No. 99-61, as amended; and

WHEREAS, the Board of County Commissioners, in order to allow more public input and establish better procedures for public input, has found it necessary to further amend Resolution No. 99-61, as amended, regarding regularly scheduled meetings.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Nassau County, Florida, that Resolution No. 99-61, as amended by Resolution No. 2002-20, Resolution No. 2003-46, 2005-101, Resolution No. 2008-101, Resolution No. 2008-130, Resolution No. 2011-52, and Resolution No. 2013-107 shall be further amended as follows:

1. The Board of County Commissioners hereby establishes three regular meetings per month for Board of County Commission meetings.

2. The meetings shall be held on the Second and Fourth Mondays and the Third Wednesday of each month.
3. The meetings on the Second and Fourth Mondays shall commence at 6:00 PM.
4. The meeting on the Third Wednesday of each month shall commence at 9:00 AM. ~~for the purpose of discussion and consideration of the county's current and proposed capital projects, discussion of growth issues including the Comprehensive Plan, Land Development Regulations and related ordinances along with Regular Business Items which may include Clerk's Business, Consent Items, County Manager's Business, business of the departments under the County Manager, SAISSA and other MSBU's and County Attorney's Business items.~~
5. Agenda format and the placing of items on an agenda is within the purview of the County Manager subject to changes by the Board of County Commissioners.

➤ An Item may be included in the Agenda of any meeting of the Board of County Commissioners of Nassau County, Florida, entitled "Consent Agenda." For purpose of convenience and for expediting the Board meetings, matters of business of a repetitive and/or routine nature

(including but not limited to Constitutional Officers' Business, Resolutions, fund transfers, grants, Board of County Commissioners' appointments, bid awards, contract approvals, etc.) may be included in the Consent Agenda, and all such matters of business contained in the Consent Agenda shall be voted on collectively.

- A particular matter may be removed from the Consent Agenda for discussion and for a separate vote upon the request of any County Commissioner, the County Manager, and County Attorney or member of the public. In such case, the matter of business shall be severable from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda shall be voted on collectively.

65. All public hearings shall be held on the Second and Fourth Mondays, subject to Paragraph 7. Department heads who desire an agenda item to be submitted for approval for any meeting on the Second or Fourth Monday must have the approval and consent of the County Manager. All requested items shall be submitted to the County Manager, who will submit

~~same to the Board as an expansion item to the Second or Fourth Monday meeting agenda. No agenda request shall be submitted by Department Heads for approval on the Second or Fourth Monday meeting agenda unless it is a "time sensitive" matter and one that requires immediate action and which cannot be delayed. The reason must indicate that the particular item must be acted upon and cannot be considered at a later time and why it was not presented by the deadline.~~

76. No public hearings shall be conducted on the Third Wednesday of each month without prior approval by the Board of County Commissioners and proper notice.
87. Agendas shall be prepared and published by the County Manager or designee.
98. Agendas for any ~~on the Second and Fourth Monday's~~ meeting may also have County Manager's Business, Constitutional Officers Business ~~Clerk's Business~~, County Attorney's Business items, departmental agenda items and public hearings.
109. The County Manager's Office shall prepare the electronic agenda and the agendas will close ten days prior to the Monday and Wednesday meetings at 5:00 PM. Items may be continued from one meeting to

another meeting based upon a motion of the Board indicating the reasons for the continuance. The ten (10) day requirement shall not apply to a continued item. The electronic agenda shall be distributed to the Board of County Commissioners, Clerk and County Attorney no later than 5:00 PM on the Thursday preceding the Monday and Wednesday meetings. The members of the County Commissioners may meet individually with the County Manager, County Attorney and/or other staff, as determined by the County Manager, prior to the Monday and Wednesday meetings to address any questions as to the agenda or agenda items.

1110. Agendas shall be distributed to the cities, libraries, newspapers, the officially designated county website, and by request. Consistent with Florida law, the Board of County Commissioners shall provide reasonable notice of all meetings by posting said notices on the officially designated county website and by posting said notices at the following locations: (1) the location where the meeting will be held; (2) the County Manager's Office; (3) the James S. Page Governmental Complex building; (4) the

Robert M. Foster Justice Center Nassau County
Judicial Annex; and (5) the Historic Courthouse.

1211. The Board of County Commissioners may expand the agenda at a regular board meeting by a 4/5 vote. The request for an expansion item may be at the request of the Chairman, County Manager or County Attorney. The motion to expand must state with particularity the item to be considered and the reason for considering it at that meeting. The reason must indicate that the particular item must be acted upon and cannot be considered at a later time. ~~and why it was not presented by the aforementioned deadline.~~ No expansion items that have a financial consequence can be considered as an expansion item unless it is an emergency or required by court order and the emergency or court order stated in the record. The clerk or chief deputy clerk shall be notified in advance of the meeting as to the emergency or court order. If the expansion item is informational by the County Manager or County Attorney, the reason is not required.

1312. No contract or financial resolution shall be scheduled for the agenda unless ~~first reviewed and~~ approved by the County Attorney, Clerk, County

Manager, and reviewed by the Clerk. ~~Contract Manager, as applicable.~~ Contracts and financial resolutions and any other matters that have a financial consequence shall be routed for review to the County Attorney, the County Manager and the Clerk immediately upon receipt, but in no case less than seven (7) business days before the agenda cutoff referred to in Paragraph 10 9 above. ~~Upon completion of review, the County Attorney shall provide contract information in its final form, simultaneously to the Clerk and the County Manager, inclusive of any revisions made.~~

1413. A Constitutional Officer ~~The Clerk~~ may request ~~place~~ items be placed on the agenda at any meeting and shall have the requested items to the County Manager by the 5:00 PM deadline as set forth herein so that the items can be provided to the members of the Board and the County Attorney prior to the meeting.

1514. Any matters that have a financial consequence shall be immediately routed to ~~and approved by~~ the County Manager, the County Attorney, as applicable, and the Clerk prior to their being placed on the agenda for consideration by the Board subject to Paragraphs 12 and 13. Any accounts to be designated shall be

accomplished prior to the meeting. The Clerk shall be notified by the County Manager prior to placing ~~an~~ a financial item on the agenda at least five (5) days prior to the meeting date and all materials associated with the financial matter shall be provided as well.

1615. All draft ordinances shall be provided to the County Attorney at least four (4) weeks prior to the date that they are to be reviewed or considered by the Board of County Commissioners. No ordinance shall be considered unless and until the County Attorney has approved said Ordinance.

1716. Special meetings may ~~are to~~ be utilized for matters associated with annual budget discussions and ~~only~~ when matters must be considered that have time deadlines (not created by staff or outside persons, but those that are sent to the Board of County Commissioners, County Attorney, or County Manager by another agency and require an immediate response) or for legal purposes based on specific reasons stated by the County Attorney. No special meetings will be called or utilized without a vote of the Board of County Commissioners or call of the Chairman. The Clerk shall be notified of any special meeting and

an agenda with back up material shall be provided.
The reason for the special meeting shall be set forth in any notice, and if the meeting involves legal issues the County Attorney or his designee shall be advised, and the County Attorney or his designee shall provide an indication as to the necessity for the special meeting. ~~If the meeting involves financial issues, the Clerk or his designee shall be notified in advance of the special meeting and copies of any information to be addressed at the special meeting shall be provided to the Clerk or his designee in advance of the special meeting. Every effort will be made to provide the information at least twenty four (24) hours before the special meeting. and the County Manager or his designee shall be advised, and they shall provide an indication for the necessity of the meeting.~~

18. Workshop meetings. The Board of County Commissioners may designate Workshop meetings at any time during the month, including Regular meeting days. The meeting shall be publicly noticed as a Workshop meeting.

(a) The Chairman or the Board by majority vote may call a Workshop meeting of the Board.

(b) The Chairman or the Board may call a Workshop meeting to discuss in detail an issue or issues that, in the opinion of the Chairman or Board, or County Manager or County Attorney, warrant discussion, information gathering, presentations, or specific information from the County Manager or County Attorney or staff.

(c) No motion shall be taken by the Board at a Workshop meeting.

1917. Any organization (profit/not for profit) person wishing to make a presentation to the Board of County Commissioners as an a scheduled agenda item shall make a request, in writing, setting forth the specific purpose of the presentation, and time requirement. No presentation shall exceed fifteen (15) minutes. Said request shall be sent to the County Manager and any supporting documents must be provided. The organization must state the reason for the presentation and why it is necessary for the organization to make the presentation. If additional information is required, the County Manager shall contact the person making the request and indicate what additional information may be required. The County Manager may will place the item on the

appropriate agenda, and notify the person accordingly. The County Manager has the discretion to place the item on a Regular Board meeting agenda. If the County Manager determines the request is not complete or is not necessary and can be addressed by the County Manager or staff, he/she shall notify the organization person and not place the item on the agenda. The organization person making the request may appeal that decision to the Board of County Commissioners. The appeal shall be filed utilizing a form prepared by the County Manager or designee and shall be heard within thirty (30) business days of receipt. The County Manager shall also have the authority to set items on the agenda for presentation that are required, as determined by the County Manager, such as audit reports; TPO reports, FDOT (or similar) reports; government reports or presentations, Economic Development reports, Tourist Development Council reports (or similar presentations) and Constitutional Officer presentations. Presentation times are limited to fifteen (15) minutes.

20. General Rules to ensure that every citizen has the ability to address the Board:

a. All electronic devices, including cell phones and pagers, shall be turned off or silenced.

b. No disruptive behavior will be permitted (i.e. clapping, whistling, heckling, yelling, unrecognized responses, or other disruptive behavior).

c. No prolonged communication in the audience as that disrupts the speaker and the ability to hear a speaker and those communications should occur outside the chambers.

d. No personal attacks on speakers or other members of the audience, individual Board members or staff.

e. Any violation of the General Rules or specific rules set forth herein, shall cause a speaker to relinquish their time to speak and/or removal including removal from the audience by the Bailiff. The Chairman will inform an individual that they are in violation of the rules and must relinquish their time. The Chairman will also inform any member of the audience that they are in violation of the rules and to cease the disruption. If the speaker does

not relinquish their time or the members of the audience do not cease the violation, the Chairman will inform the individual they must leave the chambers. Failure to leave the chambers may cause the Chairman to request that the Bailiff or any Deputy Sheriff to remove the individual from the chambers or building.

2118. Public Comments and Inquiries for Items Not on the Agenda. The comments or inquiries shall be related to matters that are within the authority of the Board of County Commissioners. Persons may address the Commission on items not on the agenda during this period. The Commission shall not take final action on public comment items presented at the same meeting and may refer them to the County Manager and/or County Attorney to follow up or schedule the matter at another County Commission meeting. When inquiries and comments are brought before the Commission, other than for items already on an agenda, the Chairman, with the assistance of the County Attorney, may first determine whether the issue is a matter that is within the authority of the Board of County Commissioners and then:

(a) If the inquiry or comment is about suggestions for changes of ordinances, the Commission may refer the matter to the County Manager and the County Attorney for review and recommendation.

(b) If the inquiry or comment is regarding the performance of administrative staff, administrative interpretation of legislative policy, or administrative policy within the authority of the County Manager, the Chairman shall refer the matter directly to the County Manager for his/her review and action. The Commission may direct that the County Manager report to the Commission when his/her review is completed. Where the Nassau County Code provides a specific procedure for administrative review or appeal, that procedure shall govern.

(c) If the inquiry is regarding County projects or requests for work to be done, the matter shall be referred to the County Manager who shall meet with the individual or refer the matter to a designated department head or Assistant County Manager. ~~Persons may appear before the Board during the Regularly Scheduled meetings and sign~~

~~in to speak under the Audience Input portion of the agenda, which is conducted after the opening of the meeting. Persons wishing to appear before the board shall complete a Speaker Sign In Card in order to inform the board of a desire to be heard; to indicate his or her support, opposition, or neutrality on a proposition; and to indicate his or her designation of a representative to speak for him or her or his or her group on a proposition if he or she so chooses. The Chairman will have the County Attorney read the procedures for non-agendaed items. Each speaker appearing during the Audience Input portion of the agenda, after being recognized shall: ~~be given a reasonable opportunity to be heard on a proposition before the Board and shall be allotted three (3) minutes to address the Board of County Commissioners.~~~~

- Come up to the speakers' rostrum and give his/her name and address;
- Limit comments to three (3) minutes;
- Address all remarks to the Commission as a body, and not a member thereof or to the audience;

- The public comment portion is for items not on the agenda. The public can address the Board as to any matter that is within the Board's authority.
- Speakers should make comments concise and to the point, and present any data they wish the Commission to consider. No person may speak more than once on the same subject.
- Personal attacks are not relevant and will not be allowed. Topics that are not within the authority of the Board of County Commissioners will not be allowed. Anyone who presents information that is not within the authority of the Board of County Commissioners, as determined by the Chairman and County Attorney, will be directed to stop their presentation and their time will be relinquished.

2218. Public comment shall also be heard on any item on the agenda or expansion item ~~proposition~~ which the Board is to take action on. As each item is considered, the Chairman will ask if anyone wishes to address the Board as to the item, including Consent Items, and they will be afforded three (3)

minutes for their presentations. Again, the presentation must be relevant to the item and personal attacks are not relevant and will not be permitted. Any person whose presentation is not relevant, as determined by the Chairman and County Attorney, will relinquish their time. Each person addressing an agenda item will after being recognized:

- Come up to the speakers' rostrum and give his/her name and address;
- Limit comments to three (3) minutes;
- Address all remarks to the Commission as a body, and not a member thereof, nor the audience;
- Speakers should make comments concise and to the point, and present any data or evidence they wish the Commission to consider. No person may speak more than once on the same subject.
- Personal attacks are not relevant and will not be allowed. Anyone who presents irrelevant information, as determined by the Chairman and County Attorney, will be directed to stop

their presentation and their time will be relinquished.

~~which was either not on the agenda or distributed to the public prior to the commencement of the meeting. The opportunity to be heard need not occur at the same meeting at which the Board takes official action on the proposition if the opportunity occurs at a meeting that is during the decision making process and is within reasonable proximity in time before the meeting at which the Board takes the official action; however, unless otherwise provided by law, members of the public are not entitled to a reasonable opportunity to be heard in public meetings of the Board in the following circumstances: (a) the Board is making an This does not apply to: (a) official act(s) that must be taken in order to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the Board to act; (b) the Board is making an official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations; (c) the meeting is exempt~~

from s. 286.011, Florida Statutes; or (d) legislative or quasi judicial hearings. The procedures for legislative and quasi judicial hearings will be read by the County Attorney. ~~the meeting is one in which the Board is acting in a quasi-judicial capacity. This circumstance does not affect the right of a person to be heard as otherwise provided by law. The opportunity for individuals to speak in a quasi judicial public hearing is pursuant to established hearing criteria utilized by the Board.~~

2319. The Board may recognize representatives of groups or factions on a proposition to address the Board rather than all members of such groups or factions, at meetings in which a large number of individuals wish to be heard.

~~20. There shall be a time limit of not more than fifteen (15) minutes for any presentation pursuant to Paragraph 17.~~

24. Rules of Order and Debate. Every Commission member desiring to speak shall address the Commission Chairman and, upon recognition by the Chairman, shall confine his/her comments to the question under debate.

a. The maker of a motion shall be entitled to the floor first for debate.

b. A member, once recognized, shall not be interrupted when speaking unless to call said member to order. The member shall then cease speaking until the question of order is determined, without debate, by the Chairman. If in order, said member shall be at liberty to proceed.

c. If the Commission Chairman wishes to put forth or second a motion, he/she shall relinquish the chair to (1) the Vice Chairman; (2) the senior Commission member (if the Vice Chairman is absent); or (3) another Commission member who has remained impartial, until the main motion on which the presiding officer spoke has been disposed.

d. The Commission shall follow simplified parliamentary procedures based on these rules and on Robert's Rules of Order Newly Revised so long as they do not conflict with ordinances, statutes, or these rules.

25. Voting. The votes during all Commission meetings should be transacted as follows:

a. The Chairman may determine to call for the vote by electronic ballot or by voice. The Clerk shall

take a roll call vote, by electronic ballot or by voice. If by voice, the Chairman puts out the question and the deputy clerk call the members' names, except that the Chairman's vote is taken last. Each member responds "Yea" for an affirmative vote, "Nay" for a negative vote. The deputy clerk repeats the name of each member and states his or her vote to ensure accuracy in recording.

b. When the Chairman calls for a vote on a motion, every member present must give their vote, unless the member has publicly stated that he/she is abstaining from voting due to a conflict of interest, pursuant to Section 112.3143 or Section 286.012, Florida Statutes, or other Florida law.

c. The passage of any motion, policy or resolution shall require the affirmative vote of at least a majority of the membership of the Commissioners who are present and eligible to vote, unless otherwise required by statute or ordinance. In case of a tie in votes on any proposal, the proposal shall be considered to have failed and the requested item shall be deemed as denied.

d. If a motion is not carried by at least a majority of Commissioners present, the proposal shall be considered failed.

26. Commission Chair; Presiding Officer. The Presiding Officer (Chairman) shall preside at all meetings of the Commission, and be recognized as the head of the County for all ceremonial purposes. In addition to the powers conferred upon him/her as Chair, he/she will continue to have all the rights, privileges and immunities of a member of the Commission. The Chair's responsibilities are:

a. Call the meeting to order, having ascertained that a quorum is present;

b. Recognize all Commissioners who seek the floor under correct procedure. All questions and comments are to be directed through the Chair and restated by him/her, and he/she declares all votes;

c. Preserve order;

d. Expedite business in every way compatible with the rights of members;

e. The Chair shall have the same rights in debate as any other member. If the Chair wishes to make a motion, the gavel must be relinquished.

Based upon these Rules of Procedure, the gavel will be relinquished in the following manner:

1. Vice Chairman;

2. Other Commissioners based upon seniority;

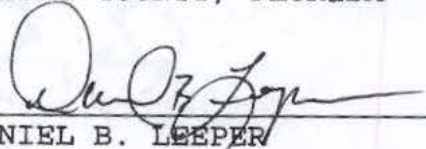
3. Another Commission member who has remained impartial. The presiding officer who relinquished the Chair shall not return to it until the pending main question has been disposed of, since he/she has expressed partisanship as far as that particular matter is concerned.

f. Declare the meeting adjourned when the Commission so votes, or at any time in the event of an emergency affecting the safety of those present.

g. Invoke rules of procedure and parliamentary decorum consistent with the Rules of Procedure necessary for the orderly conduct of public business.

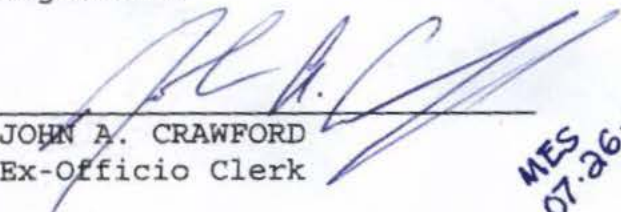
DULY ADOPTED this 24th day of July, 2017.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



DANIEL B. LEEPER
Chairman

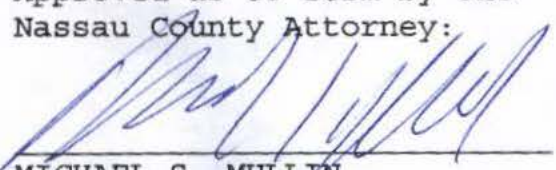
Attest as to Chairman's
Signature:



JOHN A. CRAWFORD
Ex-Officio Clerk

MES
07-26-17

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLEN