

RESOLUTION NO. 2013 -107

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 Florida Legislature adopted SB 50, creating s. 286.0114, Florida Statutes, requiring that a member of the public be given a reasonable opportunity to be heard by a board or commission before it takes official action on a proposition; and

WHEREAS, even before enactment of SB 50, which created s. 286.0114, Florida Statutes, the Nassau County Board of County Commissioners has recognized and honored the public's right to be heard; and

WHEREAS, s. 286.0114, Florida Statutes, shall take effect on October 1, 2013; and

WHEREAS, the Board of County Commissioners has found it necessary to further amend Resolution No. 99-61, as amended, regarding regularly scheduled meetings.

NOW, THEREFORE, BE IT RESOLVED this 23rd day of September, 2013, 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 and Resolution No. 2011-52 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. All public hearings shall be held on the Second and Fourth Mondays. Department heads who desire an agenda item to be submitted for approval 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.
6. No public hearings shall be conducted on the Third Wednesday of each month.
7. Agendas shall be prepared and published by the County Manager.
8. Agendas on the Second and Fourth Monday's meeting may also have County Manager's Business, Clerk's Business, County Attorney's Business items, departmental agenda items and public hearings.

9. The County Manager's Office shall prepare the ~~"agenda books"~~ 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 and 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 ~~"agenda books"~~ 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 and/or other staff prior to the Monday and Wednesday meetings to address any questions as to the agenda or agenda items.

10. 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 Nassau County Judicial Annex; and (5) the Historic Courthouse.

11. The Board of County Commissioners may expand the agenda at a regular board meeting by a 4/5 vote. 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.
12. No contract or resolution shall be scheduled for the agenda unless first reviewed and approved by the County Attorney, Clerk, County Manager, and Contract Manager, as applicable. Contracts and 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 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.

13. The Clerk may place items 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 prior to the meeting.
14. 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. 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 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.
15. 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.

16. Special meetings are to be utilized 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 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 and the County Manager or his designee shall be advised, and they shall provide an indication for the necessity of the meeting.
17. Any person wishing to make a presentation to the Board of County Commissioners as an agenda item

shall make a request, in writing, setting forth the specific purpose of the presentation and time requirement. Said request shall be sent to the County Manager and any supporting documents must be provided. 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 will place the item on the appropriate agenda and notify the person accordingly. If the County Manager determines the request is not complete, he/she shall notify the person and not place the item on the agenda. The person making the request may appeal that decision to the Board of County Commissioners.

18. 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. Each speaker appearing during the Audience Input portion of the agenda 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. Public comment shall also be heard on any proposition which the Board is to take action 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 official act 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) 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.

19. 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.

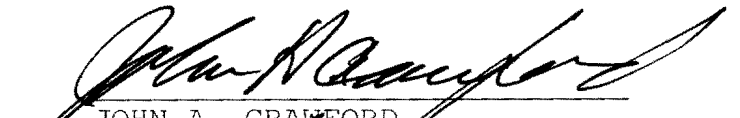
1920. There shall be a time limit of not more than fifteen
(15) minutes for any presentation pursuant to
Paragraph 17.


BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



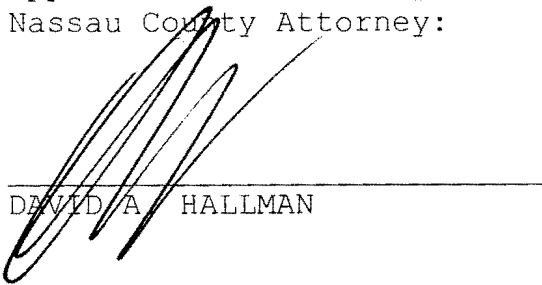
DANIEL B. LEEPER
Chairman

Attest as to Chairman's
Signature:



JOHN A. CRAWFORD
County Official Clerk

Approved as to form by the
Nassau County Attorney:

MES
09.24.13



DAVID A. HALLMAN