0COLUMBIA COUNTY ADMINISTRATIVE CODE

ARTICLE 1: GENERAL PROVISIONS

Section 1. Title and Purpose. This Code, together with any and all amendments thereto, shall be known and may be cited and referred to as the Columbia County Administrative Code. The purpose of this Code is to organize County government and to set forth the duties, responsibilities and powers of the County Manager, the County Attorney, and the Departments of the Board of County Commissioners, as mandated under Section 125.87, Florida Statutes, and the Home Rule Charter for Columbia County, Florida (the "Charter"). This Code shall be interpreted, construed, and applied in a manner that is consistent with the Charter and shall be viewed as a continuing program to provide greater efficiency and economy in the operation of County government.

Section 2. Definitions. For purposes of this Code, each of the following words and phrases shall have the meaning provided herein unless the context clearly requires otherwise:

a) "Attorney" shall mean the County Attorney.

b) "Board" shall mean the Board of County Commissioners of the County as established under Article 2 of the Charter.

c) "Charter" shall mean the Home Rule Charter for Columbia County, Florida, as same may be amended from time to time by the electors of Columbia County.

d) "Code" shall mean this Columbia County Administrative Code.

e) "County" shall mean Columbia County, Florida, a political subdivision of the State of Florida.

f) "Department" or "Departments" shall mean those components of County government created pursuant to section 4.1 of the Charter and through which governmental authority is exercised and services provided to the citizens of the County.

g) "Department Head" shall mean the person appointed by the Manager as the chief administrator or head of a Department as provided under Section 4.2 of the Charter. A "Department Head" may sometimes be referred to as a "Department Director".

h) "Manager" shall mean the County Manager as established under Section 3.1 of the Charter.

i) "Assistant" or "Assistants" shall mean the Assistant County Manager(s) who act in the capacity of the Manager as delegated by the Manager.

Section 3. Form of Government. Columbia County is a home rule charter county under the Constitution of the State of Florida and shall have all powers of local self-government not inconsistent with general law or with special law approved by vote of the electors, all pursuant to the provisions of the Charter.

Section 4. Separation of Powers. The powers of County government are divided between legislative and executive branches as set forth in the Charter. The legislative responsibilities and powers of the County to adopt policy are assigned to and vested in the Board. The executive responsibilities and powers of the County to implement policy are assigned to and vested in the Manager, who carries out the directives and policies of the Board and enforces all orders, resolutions, ordinances, and regulations of the Board. The Board and the Manager are always governed by the Charter and general laws of the State of Florida.

Section 5. Assurance of Equal Rights. A set forth in the Preamble to the Charter, it is the policy of the County to afford equal employment opportunity and access to County services for all qualified persons; to prohibit discrimination in employment because of race, color, religion, sex, national origin, age or handicap; and to ensure the full realization of equal opportunity through a positive continuing program of equal employment opportunities throughout the County, including compliance with the Americans with Disabilities Act (ADA). The legislative and executive branches of County government shall coordinate their efforts to ensure that County policies, programs, ordinances, and regulations work to promote and protect the equal rights of all citizens of the County.

ARTICLE 2:
BOARD OF COUNTY COMMISSIONERS

Section 1. Powers and Duties. The powers and duties of the Board are set forth in section 2.8 of the Charter as may be amended from time to time.

ARTICLE 3:
COUNTY MANAGER

Section 1. Manager's Powers and Duties. The Manager is the head of the administrative branch of county government. The Manager is accountable to the Board for the proper administration of all affairs under the jurisdiction of the Board. The powers and duties of the Manager are set forth in section 3.3 of the Charter as may be amended from time to time

Section 2. Assistant's Powers and Duties. The Assistant or Assistants as appointed by the Manager shall assist the Manager in carrying out the powers and duties of the Manager. The Assistant shall be accountable to the Manager for the proper administration of all assigned responsibilities. In the absence of the Manager, the powers and duties of the Manager shall become those of the Assistant during such time of the Manager's absence. In addition, the Assistant or Assistants shall:

a) Attend meetings of the Board, with authority to participate in discussions as requested by the Manager.

b) Perform such other duties and exercise such other powers as may be assigned by the Manager.

ARTICLE 4:
COUNTY ATTORNEY

Section 1. Selection and Qualifications. The Attorney is elected by the Columbia County electorate and serves as general counsel to the County government and its various offices, boards, committees, and departments. The Attorney shall at all times be a member in good standing of the Florida Bar.

Section 2. Duties and Responsibilities. The Attorney shall be the attorney for the Board unless the Attorney declares a conflict precluding his or her participation in that capacity at any given time. The duties and responsibilities of the Attorney shall include:

a) Advising and representing the Board and the County.

b) Advising and representing the Manager's office in the fulfillment of the Manager's duties and responsibilities.

c) Advising and representing the various boards, departments, committees, or agencies created by the Board, as well as similar agencies or organizations created by law for which a county attorney is nominated to provide such representation.

d) See to the prosecution and defense of all legal actions by or against the County as authorized by the Board; provided that the Attorney is at all times authorized and directed to take such actions on behalf of the Board and the County as may be necessary in the Attorney's professional judgment to protect the rights of the Board and the County in any matter, subject to later ratification by the Board.

Section 3. Constitutional Officers. The Attorney is authorized to provide advice and representation to the Constitutional Officers for the County, namely the Sheriff, Tax Collector, Property Appraiser, Clerk of Court, or Supervisor of Elections provided that such representation does not and is not reasonably expected to conflict with the Attorney's primary duties set forth in Section 2 of this part. Such representation, if undertaken, shall be undertaken pursuant to a contractual engagement between the Attorney and the Constitutional Officer, and shall not be undertaken pursuant to the Attorney's contract with the Board or County.

Section 4. Conflict Counsel. The Manager and Attorney, subject to the approval of the Board, shall be responsible for engaging standby conflict counsel to perform the duties of the Attorney in the event of any declared conflict affecting the Attorney's ability to discharge duties under this part. Conflict counsel shall only be called into service upon a conflict declared by the Attorney, and once engaged shall be charged only with those duties to the extent conflict exists.

Once a conflict is declared, it shall be the Manager's responsibility to communicate with and coordinate the work of the Conflict Counsel, and the Attorney will not be consulted regarding the conflict matter.

Section 5. Special Counsel. With the approval of the County Attorney, the Manager may engage special counsel from time to time to represent the Board or the County in specific matters. Outside counsel may also be engaged by the Attorney or the Manager to assist, advise or consult with the Board, the Attorney, or the Manager.

Section 6. Service of Lawsuits, Waiver of Defects. With respect to any lawsuit brought against the County, the Board, any member of the Board in his or her official capacity, or any department of the County, the Attorney is authorized in the exercise of his or her discretion and professional judgment, but is not legally obligated:

a) To accept service of process on behalf thereof.

b) To accept service without summons on behalf thereof.

c) To waive any defect in process or in the service thereof in any case wherein such defect is technical in nature and is immaterial to the merits of the claim or cause asserted.

ARTICLE 5:
DEPARTMENT HEADS

Section 1. Appointment, Removal, and Qualifications. Except for the Office of the County Attorney, the Manager shall appoint, terminate and supervise all Department Heads as required by section 4.2 of the Charter. Department Heads shall serve at the pleasure of the Manager, subject to the right to appeal the Manager's decision to terminate a Department Director as provided in the Charter, subject to the policy provided herein. The Manager shall, by administrative order, specify the Departments and activities that each Department Head will oversee and direct. Each Department Head shall possess the qualifications recommended by the Manager and approved by the Board as required for each particular department. Department Heads shall provide both effective assistance to the Manager and direction to the subordinate staff of the department with which the Department Head is charged.

Section 2. Powers, Duties, and Responsibilities of Department Heads. The powers, duties, and responsibilities of the Department Heads shall include the following:

a) Performing administrative duties assigned or delegated by the Manager.

b) Directing, supervising, and coordinating the activities of the Department for which administrative responsibility is delegated to him or her by the Manager.

c) Recommending hiring, promotion, discipline, and termination of subordinate personnel as provided in the County's Personnel Policies and Procedures Manual.

d) Reporting to and being responsible to the Manager, as the Manager may designate, for the administration of each Department, including all divisions thereof and programs thereunder, according to the provisions of this Code and all applicable laws, ordinances, resolutions, rules, and regulations.

e) Undertaking any task of another Department or office on a temporary basis as directed by the Manager.

f) Delegating the duties and responsibilities within his or her Department to subordinate personnel, provided that in no case shall overall responsibility and accountability be relinquished.

g) Advising and assisting other Department Heads on matters within each Department Head's respective area of responsibility and coordinating activities and cooperating with other Departments and offices on matters of mutual concern.

h) Developing and supervising the effective and efficient implementation of departmental operating policies and procedures, and continuously evaluating all departmental services.

i) Preparing an annual budget for the Department and submitting the same to the Manager for review and processing in accordance with the annual budget policies adopted by the Board and procedures established by the Manager.

j) Managing departmental operations consistent with the adopted budget and monitoring expenditures in order to ensure that activities of the Department are consistent with the adopted budget.

k) Managing all personnel matters in conjunction with the Human Resources Department concerning the Department consistent with the County's Personnel Policies and Procedures Manual, including any applicable collective bargaining agreements, and evaluating the performance of all subordinate personnel.

l) Responsibility for the maintenance and custody of all records, books, and property under the control of each Department Director.

m) Through participation in professional organizations or continuing education, keeping informed of the latest developments in the particular area for which the Department Head is responsible and, with the approval of the Manager, implementing such new practices as may be of benefit to County government and the public.

n) Promoting community knowledge and understanding of departmental activities through contact with the public, civic groups, and state and local officials.

o) Performing other functions as may be prescribed by the Manager.

Section 3. Termination and Appeal. The Manager may terminate a Department Head at any time with or without cause. Any terminated Department Head has the right to appeal termination to the Board of County Commissioners within 30 days after the effective date of the termination. As provided by section 4.2 of the Charter, it shall be the policy of the Board to consider only the following in connection with any appeal under this part:

a) The written adverse employment action leading to the termination of the Department Head, if any;

b) All documents included in the investigation file supporting the adverse employment action, if any;

c) A written, verified statement of the Manager of no more than five typewritten pages setting for the facts and argument in support of the termination of the terminated Department Head;

d) A written, verified statement of the terminated Department Head setting forth the facts and arguments supporting reinstatement of the terminated Department Head; and

e) The terminated Department Head's personnel file, excluding documents that are confidential or otherwise exempted from public disclosure by general law.

In no event shall the Board consider or allow testimony or additional evidence to be introduced in any hearing on the appeal of a Department Head's termination. The record on such appeal shall be strictly limited to those items listed in this part.

ARTICLE 6:
DEPARTMENTS

Section 1. Generally. All executive functions of County government under the direction and supervision of the Manager shall be organized into departments and offices, which may be further organized, unified, or grouped by the Manager.

Section 2. Department of Board Administration. There is hereby established the Department of Board Administration, which shall be responsible for the coordination and development of the Board of County Commissioners and County Manager support functions including, management services, procurement, liability insurance and risk management, fiscal and grant oversight, veterans services, legislative affairs, public information, non-ad valorem assessment administration, and County billing and collection services. Within the Department of ~~Administrative Services~~ the following functions will be performed: personnel functions including, planning, directing and coordinating support services of the County. The role of the department ensures the administrative and fiscal workflows are efficient, productive and follow proper law, policy and procedures within the framework of department goals and objective. Departmental personnel assist County Manager in developing and administering County budget, various special projects, programs and services, the County's insurance/ risk management programs; ensuring compliance with County Purchasing Policies and related Florida Statutes;

assist all Departments in proper procurement and purchasing procedures; Preparation of documents for sealed bids and maintenance of related documents.

Section 3. Department of Human Resources. The Department of Human Resources is hereby established, which shall be responsible for the coordination and development of human resources for the most efficient utilization and delivery of human resources services for the county government. The department Head shall be the Director of Human Resources who shall be responsible for the administration of the department. Within the Department of Human Resources, the following functions will be performed:

a) The personnel and labor relations functions, including the administration of the policies and procedures related to personnel management in accordance with the Columbia County Personnel Policies and Procedures Manual.
b) The effective administration of the Columbia County Personnel Policies and Procedures Manual, including employee benefits, the Classification and Pay Plan and Policies on Drug-Free Workplace.
c) The performance of such duties and responsibilities as are determined by the Director.

Section 4. Department of Public Works. There is hereby established a Public Works Department which shall be responsible for the management, operation, and control of the public works functions of County government. The Department Head shall be the Public Works Director who shall be responsible for the administration of the Department. Within the Public Works Department the following functions will be performed: provision of fleet maintenance, engineering and permitting services; construction, maintenance and repair of road, stormwater and bridges; construction, and administration of policy on the installation of culverts, street lights, stormwater and speed humps; and maintenance, operation and repair of County traffic control devices and signage

Section 5. Department of Building and Zoning. There is hereby established a Department of Building and Zoning, which shall be responsible for the administration and enforcement of the County's ordinances, rules, and regulations related to planning, zoning, and land development within the County. The Department Head shall be the Director of Building and Zoning, who shall be responsible for the administration of the Department. Within the Department, the following functions will be performed: administration and enforcement of Florida Building Codes and local building codes; implementation, administration and execution of all Land Development Regulations in accordance with State law and local ordinances; development, maintenance, monitoring, and implementation of the components of the county's comprehensive land use plan as required by state law; and services in support of the County's Planning and Zoning/Board of Adjustment and Competency Boards.

Section 6. Cooperative Extension Service Office/Agriculture Department. There is hereby established the Columbia County Cooperative Extension Service Office/Agriculture Department in conjunction with the University of Florida, as described in a Memorandum of Understanding between the Florida Cooperative Extension Service, the University of Florida, and the Board of County Commissioners. This department shall be staffed and operated as provided under that Memorandum of Understanding as it may be amended from time to time.

Section 7. Department of Library Services. There is hereby established a Department of Library Services which shall be responsible for the management, operation, and control of library services functions of County government. The Department Head shall be the Director of Library Services who shall be responsible for the administration of the Department. The Department of Library Services shall be responsible for the management, operations and control of the County's library services functions.

Section 8. Department of Landscape and Parks. There is hereby established a Department of Landscape and Parks, which shall be responsible for the management and upkeep of county owned grounds and parks. The Department Head shall be the Landscape and Parks Director, who shall be responsible for the administration of the Department. The Department shall be responsible for: planning, developing and maintaining county parks and recreation areas and facilities including community centers; preparing and maintaining County facilities before and at conclusion of public events; and providing assistance to other Departments as necessary.

Section 9. Tourist Development Department. There is hereby established a Tourist Development Department, administered by a Department Head who will be the Tourist Development Director. The Tourist Development Department shall work with the Tourist Development Council to promote the development of tourist attractions and special events within Columbia County, and oversee and make recommendations regarding the uses of the Tourist Development Tax revenues.

Section 10. Department of Solid Waste Management. There is hereby established a Department of Solid Waste Management which shall be responsible for the management, operation and control of solid waste disposal functions of County government. The Department Head shall be the Director of Solid Waste Management, who shall be responsible for the administration of the Department. Within the Department of Solid Waste Management, the following shall be performed: management of the proper disposal of all generated solid waste; management of the County's landfill; and management of all County mosquito control programs.

Section 11. Department of Facilities and Maintenance. There is hereby established a Department of Facilities and Maintenance, which shall be responsible for the management, operation, and control of building maintenance functions for County. This includes, but is not limited to, the custodial maintenance functions relating to all County buildings and other facilities owned by the County; operation and control of all in-house construction projects; and supervision of any special projects as assigned by the Manager or Assistant Manager. The Department Head shall be the Director of Facilities and Maintenance who shall be responsible for the administration of the Department.

Section 12. Department of Fire and Rescue. There is hereby established a Department of Fire and Rescue which shall be responsible for fire and rescue services and the management, operation, and control of emergency management service functions throughout Columbia County. The Department Head shall be a Chief of the Fire and Rescue Department who shall be responsible for supervising the activities of the Department and shall have direct supervision over all fire department personnel. The Department of Fire and Rescue shall plan and administer fire protection and emergency management services for Columbia County; plan and coordination

of emergency incident activities to include multi-agency operations; coordinate all ALS/BLS services; and coordinate all volunteer fire department activities; administer and enforce State and local fire codes. The following emergency management functions shall be performed: the planning and implementation of disaster preparedness and all related civil defense functions as required by state and federal regulations; operation, management, and maintenance of the County's public safety communications systems and equipment.

Section 13. 9-1-1 Communications Center Department. There is hereby established a 9-1-1 Communications Center Department that shall be responsible for the management, operation, and control of the 9-1-1 Communications Center functions of county government.
The Department Head shall be the Director of the 9-1-1 Communications Center and shall perform related duties as required. Within the 9-1-1 Communications Center, the following functions shall be performed: management and daily operation of the Emergency 9-1-1 Public Safety Answering Point (PSAP) for Columbia County as required by state law; coordinate law enforcement, fire and EMS 911 response with agencies within Columbia County including the Columbia County Sheriff's Office.

Transfer of the administration and management of this department to another entity other than the Columbia County Board of County Commissioners will require a majority-plus-one vote of the entire Columbia County Board of County Commissioners.

Section 14. Department of Information Technology. There is hereby established a Department of Information Technology, which shall be responsible for the management, operation and control of the information technology services and resources of Columbia County. The Department Head shall be the Director of Information Technology who shall be responsible for the administration of the Department. Within the Department of Information Technology, the following functions shall be performed: plan, operate and maintain the County's computer, network systems, telephone systems, and other information technology resources; research, analyze and identify needs and options for upgrades and improvements to computer, network, and other information technology resources for the County; coordinate and assist with the installation of new computer and security systems and software for the County at all County-owned facilities; monitor and manage the County's intranet and internet activities.

Section 15. Department of Economic Development. There is hereby established a Department of Economic Development, which shall be responsible for the development, supervision and management of the economic development activities of Columbia County. The Department Head shall be the Director of Economic Development, who shall be responsible for the administration of the Department.

Section 16. **Department of Animal Enforcement**. There is hereby established a Department of Animal Enforcement, which shall be responsible for the implementation, management, and operation of animal enforcement services activities of Columbia County. Ensuring compliance with the County's animal control ordinances and Florida Law, including 828.30, Florida Statutes. The Department Head shall be the Director of Animal Enforcement and shall perform related duties as required. Within the Department of Animal Enforcement, the following functions shall be performed: management and daily operation of animal enforcement services for Columbia

County as required by the County's animal control ordinance and Florida law, including 828.30,Florida Statutes, coordinating the shelter of animals with the Lake City Humane Society/Lake City Animal Shelter.

Section 17. **Utility Department**. There is hereby established a Utility Department, which shall be responsible for the management, and operation of water treatment and distribution systems and wastewater treatment and collections systems. The Department Head shall be the Utility Director and shall perform related duties as required.

ARTICLE 7:
IMPLEMENTATION

Section 1. Implementation. The Manager is authorized to implement this Code by the issuance and enforcement of administrative orders, rules, or guidelines provided in Article III of this Code. This Code may be amended by resolution of the Board, or supplemented by resolutions of the Board that establish, amend, or repeal policy.

ARTICLE 8:
MISCELLANEOUS

Section 1. Existing Ordinances, Resolutions and Other Policies, Procedures and Directives. All resolutions, policies, procedures, and directives of the Board in existence on the effective date of this Code shall continue in full force and effect in accordance with their respective terms and provisions until amended, rescinded, repealed, or suspended by appropriate action of the Board, but only to the extent that the same are not in conflict with the express provisions or manifest intent of this Code. In the event that any such term or provision shall be in conflict with the express provisions or manifest intent of this Code, said term or provision shall be deemed superseded hereby; provided, the remaining portions of any such resolution, policy, procedure or directive of the Board shall remain in full force and effect unless the superseded term or provision cannot be severed from such resolution, policy, procedure, or directive without rendering the same meaningless or unenforceable, in which event the entirety of such resolution, policy, procedure or directive shall be deemed superseded hereby. All ordinances adopted by the Board and in existence on the effective date of this Code shall remain in full force and effect in accordance with their respective terms and provisions, and no provisions of this Code or any amendments hereto shall be deemed to amend, modify, suspend, repeal, or supersede the same. If any term or provision of this Code shall conflict with the express provisions or manifest intent of any such ordinance, said term or provision shall have no force and effect with respect to the application, interpretation or enforcement thereof, but only with respect to the limits of the matters addressed in such ordinance.

Section 2. Severability. It is the declared intent of the Board that if a court of competent jurisdiction holds any section, subsection, sentence, clause, phrase, or provision of this Code invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed to render invalid or unconstitutional the remaining provisions of this Code.