

RULES AND POLICIES
of the
BOARD OF COUNTY COMMISSIONERS
for
COLUMBIA COUNTY, FLORIDA

ADOPTED August 3, 2017

Adopted by Resolution 2017R-23

Requests for changes or revisions must be sent in writing
to the County Manager for further consideration.

Table of Contents

CHAPTER 1: ORGANIZATION OF THE BOARD	1
PART 1: STANDING RULES AND POLICIES	1
RULE 1.101 STANDING RULES	1
RULE 1.102 AMENDMENTS TO STANDING RULES.....	1
RULE 1.103 SUSPENSION OF STANDING RULES.....	1
RULE 1.104 PURPOSE OF STANDING RULES	1
PART 2 REORGANIZATION OF THE BOARD OF COUNTY COMMISSIONERS.....	1
RULE 1.201 REORGANIZATION MEETING.....	1
RULE 1.202 PURPOSE OF THE REORGANIZATION MEETING	1
RULE 1.203 RECOGNITION OF OUTGOING BOARD MEMBERS	1
RULE 1.204 OATH OF OFFICE FOR NEWLY ELECTED COMMISSIONERS.....	2
RULE 1.205 OFFICERS	2
RULE 1.206 METHOD OF ELECTION OF OFFICERS.....	2
RULE 1.207 VICE-CHAIR	2
RULE 1.208 COMMISSION COMMITTEE OR BOARD APPOINTMENTS	2
RULE 1.209 COMMISSIONER LIAISONS	2
RULE 1.210 COMMISSIONER’S DUTY TO SUPPORT BOARD POSITION	3
RULE 1.211 REPLACEMENT OF CHAIR AND VICE-CHAIR.....	3
PART 3 CHAIR OF THE BOARD OF COUNTY COMMISSIONERS.....	4
RULE 1.301 DUTIES OF THE CHAIR.....	4
RULE 1.302 GENERAL AUTHORITY OF CHAIR.....	4
RULE 1.303 DUTIES OF VICE-CHAIR.....	4
RULE 1.304 VACANCIES	5
PART 4 COMMISSIONER AS MEMBER OF THE BOARD.....	5
RULE 1.401 COMMISSIONER TO VOTE.....	5
RULE 1.402 COMMISSIONER SUBJECT TO STANDARDS OF CONDUCT	5
RULE 1.403 USE OF OFFICES AND COMMISSIONER COMMUNICATION.....	5
RULE 1.404 CORRESPONDENCE AND OTHER COMMUNICATION.....	6
RULE 1.405 TRAVEL EXPENSES.....	6

PART 5 COUNTY MANAGER	6
RULE 1.501 COUNTY MANAGER’S ROLE	6
RULE 1.502 DIRECTIVES AND POLICIES OF THE BOARD.....	7
RULE 1.503 REPORTING TO THE BOARD.....	7
RULE 1.504 INFORMATION TO BOARD OR COMMISSIONERS.....	7
RULE 1.505 BOARD MEETINGS	7
RULE 1.506 AGENDA	7
RULE 1.507 COUNTY OFFICERS	7
RULE 1.508 CITIZENS COMPLAINT SYSTEM	7
RULE 1.509 BUDGETARY RESPONSIBILITIES TO BOARD	7
RULE 1.510 BOARD OWNED PROPERTY	8
RULE 1.511 NEGOTIATE FOR BOARD.....	8
RULE 1.512 BOARD PROJECTS	8
RULE 1.513 BOARD PERSONNEL	8
RULE 1.514 ADMINISTRATIVE POLICY.....	8
PART 6 COMMISSIONERS’ RELATIONSHIP TO EMPLOYEES.....	8
RULE 1.601 THROUGH COUNTY MANAGER.....	9
RULE 1.602 NO PERSONAL ERRANDS	9
RULE 1.603 POLITICAL ACTIVITY.....	9
CHAPTER 2: COMMITTEES	9
PART 1 SPECIAL COMMITTEES OF THE BOARD	9
RULE 2.101 SPECIAL COMMITTEES DEFINED.....	9
RULE 2.102 MEETINGS.....	9
RULE 2.103 ATTENDANCE AND VOTING	10
RULE 2.104 CONSIDERATION OF REFERRED MATTERS.....	10
RULE 2.105 POWERS OF SPECIAL COMMITTEES.....	10
RULE 2.106 RULES IN SPECIAL COMMITTEES	10
RULE 2.107 SPECIAL COMMITTEE MINUTES.....	11
PART 2 BOARD-APPOINTED BOARDS, COMMITTEES, COMMISSIONS, AND AUTHORITIES	11
RULE 2.201 MEMBERSHIP	11
RULE 2.202 ATTENDANCE, ALTERNATES AND VACANCIES	12
RULE 2.203 LIMITATIONS OF TERMS OF SERVICE	12
RULE 2.204 APPLICATION TO SERVE.....	13

RULE 2.205	PROCEDURES, OFFICERS, RULES	13
RULE 2.206	REQUIREMENTS OF BOARDS OR COMMITTEES.....	14
RULE 2.207	PRECEDENCE	15
CHAPTER 3 LEGISLATION		15
PART 1 GENERAL RULES		15
RULE 3.101	PRINCIPLE FUNCTION.....	15
RULE 3.102	MANNER OF LEGISLATION.....	15
RULE 3.103	PREPARATION OF LEGISLATION	15
RULE 3.104	INTRODUCTION OF LEGISLATION.....	16
RULE 3.105	WITHDRAWAL OF LEGISLATION	16
PART 2 PUBLICATION, PUBLIC HEARING.....		16
RULE 3.201	MATTERS TO BE PUBLISHED	16
RULE 3.202	TIMES FOR PUBLICATION.....	17
RULE 3.203	MANNER OF PUBLICATION	17
RULE 3.204	PROOF OF PUBLICATION.....	17
RULE 3.205	PUBLIC HEARINGS: BOARD OF COUNTY COMMISSIONERS	17
RULE 3.206	PUBLIC HEARINGS: COMMITTEES.....	18
PART 3 MISCELLANEOUS COMMUNICATIONS		19
RULE 3.301	DISPOSITION OF MISCELLANEOUS COMMUNICATIONS	19
RULE 3.302	READING OF MISCELLANEOUS COMMUNICATIONS	19
RULE 3.303	MESSAGES DURING MEETINGS.....	19
CHAPTER 4: GENERAL PROCEDURES.....		19
PART 1 MEETINGS		19
RULE 4.101	MEETINGS: GENERALLY	19
RULE 4.102	REGULAR MEETINGS	19
RULE 4.103	WORKSHOP MEETINGS.....	19
RULE 4.104	SPECIAL MEETINGS.....	20
RULE 4.105	EMERGENCY MEETINGS	20
RULE 4.106	RECESSED OR ADJOURNED MEETINGS.....	20
RULE 4.107	QUORUM	20

PART 2 PRESIDING OFFICER.....	20
RULE 4.201 DUTIES OF PRESIDING OFFICER.....	21
RULE 4.202 RULINGS BY THE CHAIR, APPEALS.....	21
PART 3 AGENDAS.....	21
RULE 4.301 SETTING THE AGENDA.....	21
RULE 4.302 CONSENT AGENDA.....	21
RULE 4.303 ADOPTION OF REGULAR AGENDA.....	22
PART 4 RULES OF DECORUM AND CIVILITY.....	22
RULE 4.401 BOARD TO PROMOTE AND PRESERVE DECORUM AND CIVILITY.....	22
RULE 4.402 MANNER OF SPEAKING.....	22
RULE 4.403 POSITIVE EXPECTATIONS OF BOARD DISCOURSE.....	23
RULE 4.404 DISRUPTIONS.....	23
RULE 4.405 PROMPTNESS OF ATTENDANCE; ABSENCE FROM MEETINGS.....	23
RULE 4.406 AUDITORIUM OFFICAL USE ONLY AREA.....	23
PART 5 VOTING.....	24
RULE 4.501 MAJORITY ACTION.....	24
RULE 4.502 VOTING REQUIRED UNLESS EXCUSED.....	24
RULE 4.503 MANNER OF VOTING.....	24
RULE 4.504 CHANGE OF VOTE PROHIBITED.....	24
RULE 4.505 PROXY VOTING PROHIBITED.....	24
PART 6 MOTIONS.....	24
RULE 4.601 MOTIONS: HOW MADE, WITHDRAWAL.....	24
RULE 4.602 MOTIONS REQUIRING NO SECOND.....	24
RULE 4.603 PRECEDENCE.....	25
RULE 4.604 PROPOSING QUESTIONS.....	25
RULE 4.605 RECONSIDERATION.....	25
RULE 4.606 POSTPONE INDEFINITELY.....	26
RULE 4.607 LAY ON TABLE.....	26
PART 7 RULES OF DEBATE.....	26
RULE 4.701 CHAIR MAY PARTICIPATE IN PROCEEDINGS.....	26
RULE 4.702 OBTAINING FLOOR OR RECOGNIZED BY CHAIR.....	26

RULE 4.703	INTERRUPTION OF SPEAKERS	26
RULE 4.704	PRIVILEGE OF FLOOR AND PUBLIC COMMENT	26
RULE 4.705	DECORUM	27
CHAPTER 5: ETHICS POLICIES AND PROCEDURES		28
PART 1 GENERALLY		28
RULE 5.101	INTENT AND PURPOSE.....	28
RULE 5.102	ACKNOWLEDGMENT OF RULES.....	28
RULE 5.103	INTERPRETATION, ADVISORY OPINIONS.	28
RULE 5.104	DEFINITIONS.	28
RULE 5.105	CONFLICTS WITH STATE LAW.....	31
PART 2 STANDARDS OF CONDUCT.....		31
RULE 5.201	SOLICITATION OR ACCEPTANCE OF GIFTS.....	31
RULE 5.202	DOING BUSINESS WITH ONE’S AGENCY.....	31
RULE 5.203	UNAUTHORIZED COMPENSATION.	31
RULE 5.204	SALARY AND EXPENSES.....	31
RULE 5.205	MISUSE OF PUBLIC POSITION.	32
RULE 5.206	CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.	32
RULE 5.207	DISCLOSURE OR USE OF CERTAIN INFORMATION.	32
RULE 5.208	POST-EMPLOYMENT RESTRICTIONS; STANDARDS OF CONDUCT.....	32
RULE 5.209	COUNTY EMPLOYEES HOLDING OFFICE.	33
RULE 5.210	EXEMPTION.	33
RULE 5.211	ADDITIONAL EXEMPTION.	34
RULE 5.212	NON-INTERFERENCE IN COUNTY REAL ESTATE TRANSACTIONS.	34
RULE 5.213	VOTING CONFLICTS.	35
RULE 5.214	USE OF OFFICE FOR POLITICAL OR PERSONAL MATTERS.....	37
PART 3 INVESTIGATION AND PROSECUTION OF COMPLAINTS.....		37
RULE 5.301	COMPLAINT.....	37
RULE 5.302	INVESTIGATION	37
RULE 5.303	DISPOSITION.....	38
RULE 5.304	HEARINGS AND APPEALS	38

CHAPTER 1: ORGANIZATION OF THE BOARD

PART 1: STANDING RULES AND POLICIES

RULE 1.101 STANDING RULES

After adoption, the Standing Rules and Policies shall be used at each meeting of the Board of County Commissioners.

RULE 1.102 AMENDMENTS TO STANDING RULES

Any Commissioner may propose amendments to the Standing Rules and Policies. A proposed change to the Standing Rules and Policies shall be submitted in writing to the County Manager and will be reviewed by the County Attorney for legal approval before placement before the Board for consideration. Amendments to the Standing Rules and Policies can only be made by a majority plus one of the full Board.

RULE 1.103 SUSPENSION OF STANDING RULES

A motion to temporarily suspend the Standing Rules and Policies may be made by any Commissioner. A suspension is a non-debatable motion. The Standing Rules and Policies may be suspended by a majority plus one of the Commissioners present. Once suspended, the rules remain suspended only for the limited time indicated in the motion which shall not extend beyond the meeting in which the motion is made for suspension.

RULE 1.104 PURPOSE OF STANDING RULES

These Rules and Policies are for the efficient operation of the Board and all subordinate boards and committees of the Board. Non-compliance as to any particular Rule or Rules shall not independently be grounds for the invalidation of any Board action. Where the context so indicates, these Rules and Policies shall apply not only to the Board, but to all employees and officers of the County who are within the authority of the Board of County Commissioners.

PART 2 REORGANIZATION OF THE BOARD OF COUNTY COMMISSIONERS

RULE 1.201 REORGANIZATION MEETING

A special meeting will be called each December in accordance with section 2.7 of the County Charter to reorganize the Board of County Commissioners. The reorganization shall be called to order as a special meeting and shall take place prior to a regular meeting scheduled for the same day.

In an election year, newly elected Commissioners shall be sworn as required by the County Charter and shall participate fully in the reorganization of the Board.

RULE 1.202 PURPOSE OF THE REORGANIZATION MEETING

- A. Honor outgoing Board members.
- B. Election of Chair and Vice-Chair.
- C. Orientation for new Board members.

RULE 1.203 RECOGNITION OF OUTGOING BOARD MEMBERS

As adopted by Resolution 2017R-23

The previous Board members will be presented by the Chair with a token of appreciation from the Board.

RULE 1.204 OATH OF OFFICE FOR NEWLY ELECTED COMMISSIONERS

The newly elected Commissioners will receive the oath of office as required by the County Charter. They shall take an oath to support the Constitution of the United States, the Constitution of the State of Florida, the Home Rule Charter for Columbia County, Florida, and to truly and faithfully discharge the duties of their office to the best of their knowledge and ability.

RULE 1.205 OFFICERS

The elected officers of the Board of County Commissioners shall be a Chair and a Vice-Chair and shall assume office immediately upon election, and shall serve for a period of one (1) year unless otherwise designated by vote of the Board. Following an election, these officers shall be elected after the new Board has been seated.

RULE 1.206 METHOD OF ELECTION OF OFFICERS

The Chair and Vice-Chair shall be elected one at a time beginning with the Chair. The vote will be a voice vote for each office and the nomination serves as a motion. The nomination must be seconded. The different names shall be repeated by the outgoing or acting Chair as they are moved and seconded. The vote shall be taken after the Chair declares that nominations are closed and shall be taken on each nominee in the order in which they were nominated until one is elected by a majority.

RULE 1.207 VICE-CHAIR

The Vice-Chair shall assist the Chair in the expeditious conduct of the Board's business during meetings and shall act in the Chair's stead in the event of the Chair's absence for any reason. The Vice-Chair may execute orders, resolutions, or ordinances of the Board when serving in the capacity of Acting Chair.

RULE 1.208 COMMISSION COMMITTEE OR BOARD APPOINTMENTS

After the election of the Vice-Chair, each Commissioner shall submit to the Chair their requests for appointments to committees or boards. The Chair shall appoint members to committees or boards from the pool of Commissioners requesting appointment. In the event no request is made for appointment to any committee or board, the Chair may appoint him- or herself to fill that position or may appoint any Commissioner to that committee or board.

RULE 1.209 COMMISSIONER LIAISONS

- A. Commissioners may be appointed and removed by the Chair as Commissioner Liaisons to various boards, authorities, committees and councils that are not subordinate to, organized by, or created pursuant to an interlocal agreement with the Board of County Commissioners. In the event that a majority of the Board membership should desire that a different Commissioner serve as Commissioner Liaison to a particular board, authority, committee or council, the Board of County Commissioners may, upon the affirmative vote of three or more Board members, remove the current Commissioner Liaison and appoint a different Commissioner Liaison. The vote to remove and substitute the Commissioner Liaison shall be by a single motion.

- B. Duties of each Commissioner Liaison include, but are not limited to:
1. Reasonably attempt to attend each meeting of the board, authority, committee or council to which assigned as Liaison.
 2. Become knowledgeable with the procedures, authority and functions for the board, authority, committee or council to which assigned.
 3. Enhance and implement communication between the assigned board, authority, committee or council and the Board of County Commissioners.
- C. A Commissioner Liaison is not delegated to act on behalf of or in the place of the Board of County Commissioners in relation to an assigned board, authority, committee or council without specific and particular instructions by the Board. Therefore, a Commissioner Liaison shall not act as a member of, or give direction to, the assigned board, authority, committee or council without specific instructions from the Board of County Commissioners. This rule shall not be interpreted to restrict the right of any Commissioner Liaison to exercise his or her right of free speech by informing any board, authority, committee or council of the personal opinions or views of that Commissioner. In communicating with a board, authority, committee or council, each Commissioner shall clearly state whether he or she is acting pursuant to a specific instruction from the Board of County Commissioners or is speaking in an individual capacity without authorization from the Board of County Commissioners to influence, bind or direct such board, authority, committee or council.

RULE 1.210 COMMISSIONER'S DUTY TO SUPPORT BOARD POSITION

Where a Commissioner is assigned to a board, authority, committee, or council, as a member, as required by statute, ordinance, interlocal agreement, or resolution (for example, the Tourism Development Council), the Commissioner shall participate on that body as required. As an appointed member to a board, authority, committee, or council, a Commissioner will, as a representative of the Board of County Commissioners, in good faith support the official positions of the Board of County Commissioners, if any, on a particular matter. Where the Board has not taken a specific position on a particular matter, the appointed Commissioner will consider the Board's related adopted goals and objectives as a guideline for decisions and shall act accordingly. If appointed to a board, authority, committee, or council that is an advisory body to the Board of County Commissioners, a Commissioner while sitting as a member of the Board of County Commissioners is not restricted to voting the same way as the Commissioner had voted on the advisory board.

RULE 1.211 REPLACEMENT OF CHAIR AND VICE-CHAIR

The Chair and Vice-Chair serve at the pleasure of the majority of the Board of County Commissioners and may be removed and replaced at the pleasure of a majority of the full membership of the Board.

RULE 1.212 PARLIAMENTARIAN

The County Attorney shall serve as Parliamentarian to the Board and shall rule on questions of parliamentary procedure when requested by any member of the Board. The Parliamentarian shall assist the Chair or Vice-Chair in conducting orderly meetings for the efficient completion of the

Board's business.

PART 3 CHAIR OF THE BOARD OF COUNTY COMMISSIONERS

RULE 1.301 DUTIES OF THE CHAIR

As the presiding officer of the Board, the Chair shall:

- A. Take the Chair at every meeting precisely at the time for the meeting to begin, immediately call the Board to order, call the roll on the appearance of a quorum, and proceed to the business of the Board.
- B. Sign all ordinances enacted and resolutions adopted by the Board.
- C. Appoint all committees of the Board, and designate the Chair and Vice-Chair thereof, unless otherwise ordered by the Board.
- D. Review the placement of items on the Regular Agenda, and order the removal of items from the Consent Agenda to the Regular Agenda.
- E. Exercise the powers granted by these Rules and Policies to the Chair or to the presiding officer.
- F. Present or designate another Commissioner to present all awards, resolutions and honors presented on behalf of the Board.
- G. Approve travel expenditures for all Commissioners, except the Chair. The Vice-Chair or County Manager shall approve the travel expenses of the Chair.
- H. Perform such other duties as the Board may direct.

RULE 1.302 GENERAL AUTHORITY OF CHAIR

In addition to his/her duties and powers as the presiding officer of the Board, the Chair shall be responsible for the proper execution of these Rules and Policies, the orders of the Board and the ordinances of the County pertaining to the Board.

The Chair, through the County Manager, shall have general control of the Board chamber and committee rooms assigned to the use of the Board.

RULE 1.303 DUTIES OF VICE-CHAIR

The Vice-Chair shall, in the temporary absence, disability, or conflict of the Chair, preside at all meetings of the Board and exercise such administrative powers vested in the Chair. The Chair shall exercise such administrative powers vested in the Chair as the Chair may delegate. At all times the Vice-Chair shall advise and assist the Chair in the business of the Board and shall perform such other Board duties as he or she may be assigned by the Chair. Should the Vice-Chair be absent or have a conflict, the Chair will appoint a temporary Vice-Chair.

RULE 1.304 VACANCIES

- A. Chair: Whenever the Chair is unable to perform the duties of that office (i.e. death, resignation, removal from office, permanently disabled) the Vice-Chair shall become the Chair until a successor is elected by the Board.
- B. Vice-Chair: Whenever the Vice-Chair is unable to perform the duties of that office (i.e. death, resignation, removal from office, permanently disabled) the Chair shall appoint a temporary Vice-Chair to serve until the entire Board can elect a replacement. When the Board elects a new Vice-Chair of the Board, he or she shall serve for the remainder of the unexpired Vice-Chair term and until a successor is elected.
- C. Terms of Appointments: For the purpose of allowing the Chair elected or elevated permanently to that office during a regular term to carry out his or her duties and responsibilities under these Rules and Policies, the term of all of the previous Chair's appointments to the committees or boards of the Board shall be deemed to have ended upon the election or elevation of the new Chair.

PART 4 COMMISSIONER AS MEMBER OF THE BOARD

RULE 1.401 COMMISSIONER TO VOTE

Florida Statutes, Sections 112.311 through 112.326 sets forth a code of ethics for public officers and employees. Florida Statutes, Section 112.3143(3) (a) addresses voting conflicts pertaining to County Commissioners. Florida Statute 286.012 provides that a County Commissioner may not abstain from voting unless there is, or appears to be, a possible conflict of interest under Florida Statutes Chapter 112.311, 112.313 or 112.3143 and then, in such instances, the Commissioner must comply with the disclosure requirements of Chapter 112.3143 which requires that prior to the vote being taken the Commissioner shall publicly state to the assembly the nature of his or her interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his/her interest as a public record in a memorandum filed with the clerk for the Board, who shall incorporate the memorandum in the minutes.

RULE 1.402 COMMISSIONER SUBJECT TO STANDARDS OF CONDUCT

Each Commissioner is subject to the standards of conduct set out in Part III, Chapter 112, Florida Statutes. By personal example and by admonition to colleagues whose behavior may threaten the honor of the Board, each Commissioner shall watchfully guard the responsibility of office. Commissioners should comply with Federal and State standards of conduct and the standards set forth in Chapter 5 of these rules and policies. Each Commissioner will attend and receive annual ethics training as required by Section 112.3142, Florida Statutes.

RULE 1.403 USE OF OFFICES AND COMMISSIONER COMMUNICATION

Each Commissioner shall have access to the Board of County Commissioners' administrative offices, shall be provided with an official box for incoming hardcopy correspondence, and shall be provided with an email address and account for conducting county business. The County Manager is responsible for staffing and establishing procedures for the management of the administrative offices and each Commissioner shall observe and follow the County Manager's procedures when making use of the administrative offices. No visitor, guest, or other invitee shall be left

unsupervised in the administrative offices or any other area of any county building not designated for public use or access.

RULE 1.404 CORRESPONDENCE AND OTHER COMMUNICATION

All formal correspondence by a Commissioner in an official capacity shall be prepared on official Board letterhead. Official correspondence will not be prepared on unofficial letterhead or on plain paper, and official Commission letterhead shall not be used for the personal correspondence of any Commissioner. All authorized communications by a Commissioner in an official capacity shall be paid for by the Board as funds allow. Nothing in this rule prevents the use of email for informal correspondence. All correspondence shall be made and retained in compliance with public records laws. With Board approval, a Commissioner may use the official County seal on individual letterhead for official business. Such letterhead shall be printed at the expense of the individual Commissioner. Individual members of the Board of County Commissioners may request assistance from the County Manager to disseminate information relating to the Board's Goals and Objectives, the operation of County business, or the implementation of County policies. Distributed information must be informational in nature, factual, and not contrary or detrimental to the Board's official position on a matter. Communications made on behalf of the Board shall be non-political, shall refrain from uncivil references to the personalities or opinions of any individual, and must represent the best interests of the County as a whole. All information disseminated on behalf of the Board, or an individual Commissioner, will be distributed subsequent to review and approval of the County Manager or his or her designee to ensure compliance with these Rules and consistency with the publicly stated and approved positions of the Board.

RULE 1.405 TRAVEL EXPENSES

- A. Board members shall be allowed reimbursement for travel expenses related to official County Commission business only and shall be subject to the same travel policies and regulations that are utilized by all County employees pursuant to the Administrative Code.
- B. Use of County vehicles by Board members is not authorized. Nothing in this rule prevents a Commissioner from travelling as a passenger in a County vehicle on official business, as reasonably determined by the County Manager.
- C. In-county travel expenses incurred by Board members will not be reimbursed by the County.
- D. Members of the Board of County Commissioners are authorized to use a rental car for out-of-county travel in accordance with the County's travel policies.
- E. No payments will be made by the County for rental vehicles for trips of less than one hundred shortest distance travel (100) miles (one way) from point of departure to point of destination.
- F. Unless otherwise indicated in the Rules and Policies, the County's Travel Procedures will be followed.
- G. Travel expenses pertaining to the County Manager shall be submitted to the Chair for approval.

PART 5 COUNTY MANAGER

RULE 1.501 COUNTY MANAGER'S ROLE

As adopted by Resolution 2017R-23

- A. The County Manager is the Administrative Head of the Board of County Commissioners and is responsible for the administration of all departments of County Government which the Board has authority to control pursuant to the County Charter, County ordinance, the General Laws of Florida and other applicable legislation. Other than budgetary controls, neither the County Manager nor the Board of County Commissioners have authority to direct the office of the County Attorney.
- B. The County Manager shall perform such other duties as may be required by the Board.
- C. The County Manager shall be appointed by a majority of the membership of the Board of County Commissioners. The County Manager may be terminated only in the manner set forth by the County Charter, the County Manager's contract, and Florida Law.

RULE 1.502 DIRECTIVES AND POLICIES OF THE BOARD

The County Manager is to administer and carry out the directives and policies of the Board of County Commissioners and enforce all orders, resolutions, ordinances and regulations of the Board to assure that they are faithfully executed.

RULE 1.503 REPORTING TO THE BOARD

The County Manager is to report to the Board on action taken pursuant to any Board directive or policy within the time set by the Board and provide an annual report to the Board on the state of the County, the work of the previous year and any recommendations as to action or programs the County Manager deems necessary for the improvement of the County and the welfare of its residents.

RULE 1.504 INFORMATION TO BOARD OR COMMISSIONERS

The County Manager is to provide the Board, upon request, with data or information concerning County government and provide advice and recommendations on County government operations to the Board.

RULE 1.505 BOARD MEETINGS

The County Manager is to attend all meetings of the Board with authority to participate in the discussion of any matter and to make recommendations to the Board.

RULE 1.506 AGENDA

The County Manager is to prepare an agenda for all Board meetings and workshops in accordance with Board instructions.

RULE 1.507 COUNTY OFFICERS

The County Manager is to cooperate with other County Officers in the performance of their duties.

RULE 1.508 CITIZENS COMPLAINT SYSTEM

The County Manager is to maintain a citizen complaint system to help prevent and address possible deficiencies within Board departments, offices, and activities.

RULE 1.509 BUDGETARY RESPONSIBILITIES TO BOARD

The County Manager has the following budgetary responsibilities:

- A. Prepare and submit to the Board for its consideration and adoption an annual operating

- budget, a capital budget, and a capital program.
- B. Establish the schedules and procedures to be followed by all County departments, offices and agencies in connection with the Board budget and supervise and administer all phases of the Board budgetary process.
 - C. Prepare and submit to the Board after the end of each fiscal year a complete report on the finances and administrative activities of the County for the preceding year and submit recommendations.

RULE 1.510 BOARD OWNED PROPERTY

The County Manager is to supervise the care and custody of all property that is under the control or ownership of the Board.

RULE 1.511 NEGOTIATE FOR BOARD

The County Manager is to negotiate leases, contracts and other agreements, including consultant services, for the Board, subject to approval of the Board, and make recommendations concerning the nature and location of Board funded improvements.

The County Manager is to see that all terms and conditions in all Board leases, contracts and agreements are performed and notify the Board of any noted violation thereof.

RULE 1.512 BOARD PROJECTS

The County Manager is to propose a project priority list, revised semi-annually, for confirmation or revision by the Board, and prepare and submit quarterly status reports on each project.

RULE 1.513 BOARD PERSONNEL

The County Manager has the following responsibilities regarding Board personnel:

- A. Recommend to the Board a current position classification and pay plan for all positions under the Board.
- B. Select, employ and supervise all non-legal personnel and fill all non-legal vacancies and positions of employment under the jurisdiction of the Board. As used in this Policy, the term "non-legal" shall refer to County personnel or functions that are not part of the Office of the County Attorney.
- C. Suspend, discharge or remove any non-legal employee under the jurisdiction of the Board pursuant to procedures adopted by the Board.
- D. Order, and promptly advise the Board thereof, any department or agency under the County Manager's jurisdiction to undertake any task for any other department or agency on a temporary basis when the County Manager deems it necessary for the proper and efficient administration of the County government to do so.

RULE 1.514 ADMINISTRATIVE POLICY

The County Manager is to organize the work of the departments and offices (other than the legal department) that are under the jurisdiction of the Board, subject to an administrative policy developed by the County Manager and adopted by the Board, and review the departments, administration and operation thereof and make recommendations pertaining thereto for reorganization by the Board.

PART 6 COMMISSIONERS' RELATIONSHIP TO EMPLOYEES

RULE 1.601 THROUGH COUNTY MANAGER

Board instruction or directives to non-legal employees of County government under the jurisdiction and control of the Board of County Commissioners shall be issued only through the County Manager. A County Commissioner shall not give orders or instructions, publicly or privately, to any County official or employee who is subject to the direction and supervision of the County Manager. However, interaction, communication and observance will be permitted so long as no direction is given. Violation of this part shall constitute a violation of the Board’s ethics policies set forth herein and may be investigated accordingly. If a majority of the Board of County Commissioners finds that a County Commissioner has violated this section, the Board may declare the violation an act of misfeasance.

RULE 1.602 STAFF OBLIGATION TO REPORT TO SUPERVISOR

In the event any County employee receives or believes he or she has received direction from any Commissioner other than a policy directive of the Board, the employee shall immediately report that interaction to his or her supervisor. If, in the judgment of the supervisor, a direct instruction was given, the supervisor shall report the interaction to the County Attorney. The supervisor may, if otherwise consistent with the employee’s job duties, direct the employee to fulfill the Commissioner’s directive without committing a violation of this part.

RULE 1.603 NO PERSONAL ERRANDS

No Commissioner shall ask staff to conduct any personal or business errands for them.

RULE 1.604 POLITICAL ACTIVITY

While on duty, while inside any County facility, while dressed in attire identifying him or her as a County employee, or while operating or riding in any County vehicle, neither the County Manager nor any member of the County staff shall engage in any political activity involving candidates for Columbia County elective office other than casting his or her ballot. This section shall not be construed to limit the political expression of County employees outside of the reasonable limited conditions set forth herein.

CHAPTER 2: COMMITTEES

PART 1 SPECIAL COMMITTEES OF THE BOARD

RULE 2.101 SPECIAL COMMITTEES DEFINED

A Special Committee is an *ad hoc* committee appointed or created by the Board of County Commissioners to give particular and exclusive attention to a single subject matter because of its technical nature or because its importance to the County requires concentrated study. Unless otherwise directed by the Chair or the Board, a Special Committee shall have a specified period of time within which to study the matter and make its recommendations to the Board. Board of County Commissioner members may be appointed to a Special Committee, but participation must be limited to less than a majority of the Board.

RULE 2.102 MEETINGS

Special Committees shall meet at such times and places as may be necessary to conduct their

business. If a majority of the Special Committee determines that meetings of the Special Committee should be regular meetings, then the Chair of the committee shall set a schedule of meetings which shall be noticed to the public as provided herein. Otherwise, notice of meetings of Special Committees shall be provided from time to time as required by law. Notices of Special Committee meetings and agendas with backup materials, if any, shall be available on the County website according to the County Charter.

RULE 2.103 ATTENDANCE AND VOTING

- A. Attendance. It shall be the responsibility of each Commissioner to attend the regular or special meetings of each Special Committee to which he or she is appointed. Commissioners may attend meetings of any committee of which he or she is not a member and offer comments and observations, but may not participate in the committee debate on the matter nor vote on any question and must observe Sunshine Laws at all times.
- B. Voting or Consensus. No member of a Special Committee shall be allowed under any circumstances to vote by proxy. Each present member of a committee shall vote as provided in Rule 1.401. The Chair may ask for consensus on any issue. Hearing no opposition from the Vice-Chair, it shall be reported to the Board as a consensus of the committee.

RULE 2.104 CONSIDERATION OF REFERRED MATTERS

All Special Committees shall report on every subject referred to them, and shall dispatch as expeditiously as reasonably possible and proper the public business assigned to them. It shall be the duty of the committee Chair to ensure that the committee's business is promptly and properly considered.

RULE 2.105 POWERS OF SPECIAL COMMITTEES

A Special Committee shall have and may exercise the following powers in carrying out the duties assigned to it by these Board Rules and Policies or by the Board or by the Chair of the Board:

- A. By its Chair or Vice-Chair in his or her absence, to request attendance from staff or the County Attorney through the Board of County Commissioners, when needed at meetings.
- B. A Special Committee, by unanimous consent, may request through the Board of County Commissioners that the County Attorney draft a resolution. The resolution must relate to items which are under the purview of that Committee. Resolutions will stay in committee until the committee approves the final committee draft. Upon approval of final committee draft it shall be sent to the Board Chair to be placed on the agenda.

The resolution shall be referred to as a "Draft Resolution of _____ Committee" until adopted by the Board of County Commissioners.

- C. A committee may not direct the County Attorney to draft ordinances. The committee Chair may request the Board of County Commissioners to support a committee request for the County Attorney's office to prepare or review an ordinance. The County Attorney will prepare or review an ordinance as approved by a majority vote of the Board of County Commissioners (refer to Rules 3.102 and 3.103).

RULE 2.106 RULES IN SPECIAL COMMITTEES

Unless otherwise provided for, all Special Committees shall follow the following procedural rules:

- A. A quorum of a committee shall be a majority of its regular members.
- B. After the committee has fully considered an issue, it may be referred to the full Board with one of the following:
 - 1. Recommendation for approval (must come from the full committee membership).
 - 2. Recommendation for denial (must come from the full committee membership).
 - 3. A split decision.
 - 4. No recommendation (not considered).
- C. Voting or consensus in all committees shall be by voice vote, but upon the request of any member of the committee, the vote shall be taken by roll call.
- D. Any committee intending to conduct a public hearing at a special meeting, as defined in Rule 3.206, shall give each member of the committee not less than three (3) days written notice of such hearing, which notice shall include a statement of the subject matter of the public hearing, and it may include the phrase "and all other matters that may come before the committee."
- E. The rules of the Board shall govern proceedings in committee, except as otherwise provided by Rule.

RULE 2.107 SPECIAL COMMITTEE MINUTES

- A. The proceedings of every Special Committee shall be electronically recorded, and unless excused by the committee Chair, the Clerk of Court's designee shall be in attendance to take notes, care for the committee and legislative files being used by the committee, assist in the preparation of committee reports and perform other duties as instructed by the Chair. Written minutes of the proceedings are required and shall be prepared in the standard format used by the Clerk for the Board. Memorandum minutes only will be prepared by the Clerk's designee.
- B. Copies of committee minutes may be obtained through the Clerk of Court's Office.

PART 2 BOARD-APPOINTED BOARDS, COMMITTEES, COMMISSIONS, AND AUTHORITIES

RULE 2.201 MEMBERSHIP

- A. Appointment. Members of boards, committees, commissions and authorities shall be appointed by the Board of County Commissioners except where otherwise expressly provided for. A member will be considered to have full voting rights and privileges when all required paperwork including, where applicable, the member's Financial Disclosure is completed and filed with the appropriate office.
- B. Qualifications. Applicants must be residents of Columbia County, Florida, unless otherwise approved by the Board of County Commissioners, and meet any other requirements set forth by the Board for a particular appointment.
- C. Compensation. No member of any appointed board or committee shall receive compensation for services as such, except as otherwise provided herein, or be entitled to pension or other retirement benefits on account of such service. Appointees shall not utilize their position to solicit or conduct private business at any time during the meeting or recess, while on County property or while conducting County business. However, certain boards may find it necessary to travel. If so, they may receive their actual or necessary expenses

incurred in the performance of their duties of office, including travel reimbursement or stipend in accordance with Section 125.9404, Florida Statutes, as approved by the Board of County Commissioners and as budgeted each fiscal year.

- D. Term Expiration. Letters notifying members of impending term expiration will be at a minimum mailed two times a year - in January and July - for expiration dates occurring in the first and last six months of the year, respectively.
- E. Correspondence. All official correspondence to appointees shall be signed by the initiating County Commissioner or staff, and all Commission members shall be copied on the same.

RULE 2.202 ATTENDANCE, ALTERNATES AND VACANCIES

- A. Attendance.
 - 1. If any appointed member of a board or committee fails to attend three (3) consecutive regularly scheduled meetings or five (5) of twelve (12) regular or special meetings or workshops, the board or committee shall declare the member's office vacant and the vacancy shall be filled as provided herein, unless otherwise provided by law. Staff shall maintain a record of absences and enforce the attendance policy.
 - 2. For those boards or committees that meet twice a month on a regular basis, the attendance threshold shall be six (6) consecutive regularly scheduled meetings or ten (10) of twenty-four (24) regular or special meetings or workshops. Staff shall maintain a record of absences and enforce the attendance policy.
 - 3. The above attendance requirement notwithstanding, the Board of County Commissioners may take action to allow an appointee to continue to serve in office upon a showing of good cause and exceptional circumstances. If a member is interested in invoking this policy, the member should address a letter to the County Commission Chair, copied to the Board's County Commission Liaison (if applicable) and staff support, stating such intentions. The matter will then be brought to the full County Commission for action. The Board may appoint an interim member as circumstances dictate.
 - 4. It is the responsibility of the appointee to notify appropriate staff support no later than seven (7) days in advance of a planned absence, or as soon as possible in the event of an unexpected absence.

RULE 2.203 LIMITATIONS OF TERMS OF SERVICE

- A. Unless otherwise provided for in the creating legislation of a particular board or committee or otherwise specified by law, appointments shall be for a term of two (2) years.
- B. A member seeking reappointment to a board or committee must submit a letter of interest and be considered as any other applicant. A record of attendance will be considered as part of the applicant process for reappointment.
- C. Any member appointed to a board or committee for two (2) consecutive terms shall not be eligible for the next succeeding term, unless otherwise stated in legislation regarding a particular board or committee.
- D. In the event that a member is appointed to complete an unexpired term two (2) years or less in length, that member is eligible to serve an additional two (2) full terms.
- E. All members serve at the pleasure of the Board of County Commissioners and may be removed at any time without cause, or as provided by law.
- F. The State's prohibition on dual office holding is expressly recognized. Additionally, no one

may serve on more than one board or committee at the same time, unless at the specific direction of the Board of County Commissioners. Upon appointment of a current member to a second committee for dual service, the County Commission shall have a specific, stated reason for this action clearly stated in all pertinent motions. An applicant seeking dual status must be in good standing, as attested to by the County Commission liaison of the affected board or committee.

- G. Any member of a board or committee may apply for service on another board or committee if he or she first resigns from the current board or committee on which he or she serves, unless applying for dual status. If a member is granted dual status and appointed to a second board or committee, then resigns the position on the original board or committee, it will count as an automatic resignation and removal from both boards or committees.
- H. Periodically, situations require that membership on boards or committees be staggered to maintain a continuous presence of a majority of experienced members at any one time. Term limits, with regard to staggering, shall be addressed in the following manner:
 - 1. A member appointed to an initial, staggered term less than two (2) years in length will be eligible for an additional two (2) full two (2) year consecutive terms at the conclusion of the initial, staggered term.
 - 2. A member appointed to an initial, staggered term two (2) years or more in length is eligible for only one (1) additional two (2) year term after the initial staggered term is complete.

RULE 2.204 APPLICATION TO SERVE

- A. Application. Anyone wishing to serve on a board or committee must submit a completed application, which may be obtained from County Administration. No one will be considered for appointment without a completed application on file.
- B. Vacancy Notification. Vacancies will be posted and advertised as necessary.
- C. Disclosure. Certain appointees may be required to complete disclosure forms as required by State law. County Administration will maintain a list of those boards or committee to which this requirement pertains and appointees shall timely complete disclosures or be subject to removal.
- D. Inactive Applications. Applications on file for six (6) months without activity will be deemed inactive. Prior to being purged, applicants will be notified to determine whether the application will remain active for a second six (6) months. At no time will an application remain active longer than one (1) year.
- E. Reappointment. See Rule 2.203 B.

RULE 2.205 PROCEDURES, OFFICERS, RULES

- A. Meeting Schedule. Unless otherwise provided for, each board or committee shall hold regular meetings, and may meet more frequently if needed as provided in its rules. In no event shall any board or committee meet less than once per year.
- B. Quorum. A majority of the membership of a board or committee shall constitute a quorum for the purpose of meetings and transacting business.
- C. Officers. Each board or committee shall elect a Chair and a Vice-Chair, each of whom shall serve for one (1) year and until a successor is chosen, unless otherwise provided for, with respect to a particular board or committee.
- D. Minutes. Written minutes will be taken and maintained. Copies of minutes will be made

- available as provided by law.
- E. Rules. Each board or committee may adopt, amend, and repeal rules for its further organization, not inconsistent with these Rules. Initial rules and rule changes shall be approved by the Board of County Commissioners on the Consent Agenda. Each board or committee shall allow public comment consistent with Rule 4.704 herein.
 - F. New Committees. All new boards or committees, ad hoc or regular, shall, as a group, receive training regarding the Sunshine Law, public record laws, ethics laws, and County Commission policies relating to standards of conduct. Training will be provided by the County Attorney's office at the new board or committee's organizational meeting and anytime thereafter as necessary.
 - G. Staff and Administrative Support. A County employee shall be appointed by the County Manager to serve as Staff Support for each board or committee appointed by the Board of County Commissioners. The Staff Support will be assigned to monitor activities, serve as liaison and promote communication. Each such board or committee and Staff Support shall be assigned to a County Department for administrative support and oversight. Each such board or committee which requires staff support of the County shall address such request to the board or committee Staff Support appointed for that particular board or committee. If such Support is not available to timely address a particular need of a board or committee, the request may be addressed to the County Manager. This provision shall not be interpreted as restricting any board or committee member from making an individual public records request to any County agency, although such individual shall have individual responsibility for the cost of such request. Board or committee use of County equipment and services (i.e., postage, copies, research, minutes, business cards) is allowed as needed and approved by County Administration.
 - H. Legal Assistance. Legal advice to any board or committee will be provided by the County Attorney's office as reasonably requested, and approved by the Board of County Commissioners.
 - I. Specific Findings. All orders or recommendations of a board or committee shall give specific findings and reasoning for any decision or recommendation.
 - J. Presence During an Appeal. If a decision is appealed before the Board of County Commissioners, a member of the board or committee designated by the board or committee chair will be present at such hearing. The board or committee chair may appoint him- or herself to be present at hearing.

RULE 2.206 REQUIREMENTS OF BOARDS OR COMMITTEES

- A. Annual Reports. Each board or committee must submit an Annual Report to the County Manager by April 1st of each year indicating its activities and accomplishments for the previous calendar year. The report should include projections for the current calendar year and any other relevant information, such as budgetary requests.
- B. Boards Subject to Certain Laws. Each board and committee is subject to applicable Florida law, including but not limited to the provisions of Chapters 112, 119 and 286, Florida Statutes (regarding Public Officers & Employees, Public Records and Government in the Sunshine, respectively). Each prospective member of a board or committee shall be provided with a copy or summary of Chapters 112, 119 and 286, Florida Statutes. The rules of each board or committee shall have County staff as custodian of the records of the board or committee, who shall be responsible for the records' safekeeping on County property

and administration, according to Chapter 119, Florida Statutes. County employees may not serve as voting members on any County Board or Committee. For the purpose of this paragraph, County Commissioners shall not be considered County employees.

- C. Employee Harassment Policy. Columbia County expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex, national origin, age, disability, Veteran status or status in any group protected by state or local law. Improper interference with the ability of Columbia County employees to perform their expected job duties is not tolerated. board or committee members shall comply with this policy in their interactions with County employees.
- D. Rules of Decorum and Civility. Each board or committee and members thereof shall comply with Part 4 Rules of Decorum and Civility. Board or committee members are encouraged to make constructive comments and policy recommendations to the Board of County Commissioners but shall avoid disrespectful commentary of any kind.

RULE 2.207 PRECEDENCE

Where Florida law or County ordinance or regulation sets forth criteria (for example: terms of office) for any particular board or committee, that regulation shall prevail when in conflict with these Rules and Policies.

CHAPTER 3 LEGISLATION

PART 1 GENERAL RULES

RULE 3.101 PRINCIPLE FUNCTION

As provided by the County Charter, the Board of County Commissioners represents the legislative body of Columbia County's government, and all proposed legislation governing the County must flow through or emanate from the Board. These rules shall govern the process whereby Commissioners, County Staff, the County Attorney, or the citizens of Columbia County shall place all legislation before their elected Commissioners to ensure a fair and level process for the impartial and open consideration of legislation to serve the best interests of Columbia County.

RULE 3.102 MANNER OF LEGISLATION

The Board shall take official action only by means of ordinances, resolutions, or motions. For the purposes of these Rules:

- A. "Ordinance" means an official legislative action of the Board, which action is a regulation of a general and permanent nature and enforceable as a local law.
- B. "Resolution" means an expression of the Board concerning matters of County business, an expression of temporary, advisory or exhortative character or a provision for the disposition of a particular item of the business of the Board.
- C. "Motion" means a proposal that certain action shall be taken or shall not be taken or a certain view be expressed.

RULE 3.103 PREPARATION OF LEGISLATION

Legislation consisting of ordinances will typically be prepared by the County Attorney upon an affirmative consensus by a majority of the Board. Any ordinance not prepared by the County Attorney's Office shall be reviewed by the County Attorney and shall meet with the County

Attorney's approval as to form before such ordinance may be scheduled for public hearing. The Board shall not cast a vote on any ordinance that has not been approved as to form by the County Attorney.

RULE 3.104 INTRODUCTION OF LEGISLATION

There shall be a reasonable limitation on subject and matter embraced in ordinances, amendments, or enacting clauses. Every ordinance shall embrace but one subject and matter properly connected therewith, and the subject shall be briefly expressed in the title. No ordinance shall be revised or amended by reference to its title only. Ordinances to revise or amend shall set out in full the revised or amended section, subsection or paragraph of a subsection, such that the amendment may be reasonably understood in context. Ordinances bearing the approval of the County Attorney as to their form shall be presented to the Board as follows:

- A. Upon request for an adoption hearing, which hearing shall not occur during the same meeting in which it is requested.
- B. At the adoption hearing.

RULE 3.105 WITHDRAWAL OF LEGISLATION

Any legislation may be withdrawn by the introducer at any time before amendment or before putting the question to a vote, with the consent of a majority of the Board present. Once legislation has been amended by the Board it may not be withdrawn and shall be put to a vote to adopt or reject the proposed legislation.

RULE 3.106 POLICY CHANGES TO REQUIRE WORKSHOP

Items related to policy changes shall not be introduced for placement on an agenda prior to completion of a full staff review and Commission workshop. Any Commissioner seeking to change any policy of the Board shall request that a workshop on the policy be set and completed. Any other party wishing to suggest changes to Board policy shall submit their request in writing to the County Manager who may, in his discretion, request the Board set a workshop to discuss changes to that policy.

PART 2 PUBLICATION, PUBLIC HEARING

RULE 3.201 MATTERS TO BE PUBLISHED

- A. Matters required to be published by County Staff: Ordinances of the Board shall be published as required by general law. Matters relating to land use or zoning shall be published as required by the applicable statutes to the proceedings coming before the Board. The titles of all proposed Ordinances shall be published other than emergency ordinances.
- B. Matters required to be published by Applicants: Unless otherwise provided as part of an application process, where a matter requires publication of a notice by an applicant before the Board for matters such as road closings, the applicant shall incur the costs associated with publication directly and shall produce proof of publication before placement on any agenda.
- C. Matters which may be published: Any other matter may be published at the direction of the Chair, the Board or any committee with respect to its business.

RULE 3.202 TIMES FOR PUBLICATION

Publication shall be made as soon as possible after a hearing date is established. Where applicable, notices required to be published by law shall be published within the statutory periods prescribed for their publication. Discretionary matters shall be published as directed.

RULE 3.203 MANNER OF PUBLICATION

Official advertisements and notices shall be submitted to County Administration to be published for the prescribed periods of time in a newspaper which meets the requirements of Sections 50.011 and 50.031, F.S., for publication of legal and official advertisements. Unless otherwise prescribed by law or directed by the Chair, Board or committee, official advertisements or notices shall be published once only and, wherever possible, matters to be published concerning the same ordinance or resolution shall be published in a single advertisement or notice. Publication shall be posted in addition to publication in a newspaper. All matters published shall also be published to the County website at or before the time of publication in a newspaper.

RULE 3.204 PROOF OF PUBLICATION

Proof of publication shall be obtained and shall be filed in the Clerk of Court's files with the minutes of the meeting at which the Public Hearing occurs.

RULE 3.205 PUBLIC HEARINGS: BOARD OF COUNTY COMMISSIONERS

- A. Public Hearing Defined. A public hearing is a specified portion of a meeting of the Board in which the privilege of the floor is granted to the general public and members thereof may address the Board on the subject for which the public hearing is called. A public hearing is designed to elicit comments and observations from the general public and to afford the members of the general public an opportunity to speak directly to the full Board.
- B. When Held. Although the Board has need of the comments and observations of the members of the general public, the business of the Board requires that public hearings by the full Board be held to the minimum number. Consequently, except for public hearings required by law, a public hearing by the full Board will be scheduled only by order of the Chair or by the affirmative vote of a majority of a quorum of the Commissioners.
- C. Conduct of Public Hearings. When the Board of County Commissioners holds a public hearing on proposed legislation, the Chair shall announce that the time for the public hearing has arrived and declare the same open to the general public. Rules for each speaker will follow rules for public comment as specified in Rule 4.704. At any time during the public hearing, the Commissioners may question any speaker concerning the speaker's remarks, and they may recall any speaker for clarification of his or her previous remarks or for additional remarks. When all members of the general public who wish to speak have done so and the Board has finished their questions of the speakers, the Chair shall declare the public hearing to be closed. No further remarks shall be heard from the general public. Once the public hearing is closed, a motion may be made and voted upon in accordance with all procedures contained herein
- D. The Commissioners may question a speaker only to elicit information, comments or opinions and shall not debate the merits of the legislation, either with a speaker or among themselves, during the part of the hearing open for public input.
- E. Public Hearings without Legislation. The Board may schedule a public hearing on any matter when there is no legislation concerning such matter pending before the Board, in

order to determine the need for possible legislation and to gather information to be used in drafting such legislation.

- F. Recess. Public hearings may be recessed by order of the Chair or by a majority of the Commissioners present to a time certain.
- G. Continuances of Agenda Items. The Board shall consider requested continuances be set for a time certain at subsequent regularly scheduled meetings of the Board.
- H. Conduct of hearings or appeals to the Board of County Commissioners. Appellate hearings before the Board of County Commissioners shall be announced by the Chair. The appropriate County staff member shall introduce the matter to the Board, explaining all prior proceedings related to the matter on appeal and name the appellant. The appellant shall then explain the basis for the appeal and the relief he or she is requesting. Next, those persons supporting the appellant's position may speak. Then, the staff person for the agency whose decision is being appealed shall explain the decision, apprising the Board of relevant findings of fact and reasoning underlying the decision. Then, all those supporting the decision being appealed may speak. The appellant shall then be given an opportunity to reply to the statements and arguments of those supporting the decision. The above procedures notwithstanding, the Board may elect to utilize a more detailed hearing format as recommended by the County Attorney, including but not limited to permitting cross examination of opposing speakers.
- I. The Parliamentarian may impose reasonable limits on the number of people permitted to speak or the length of time each person may speak, and may require each speaker from the general public to complete a written request to speak. At any time during the hearing, the Commissioners may question any speaker concerning the speaker's remarks, and they may recall any speaker for clarification of his or her previous remarks or for additional remarks. When all those who have been scheduled to speak have done so and the Commissioners have finished their questions of the speakers, the Chair shall declare the hearing on the appeal closed and no further remarks shall be heard. Once the hearing is closed, a motion may be made and voted upon as to whether the relief requested by the appealing party shall be granted or denied.
- J. The Commissioners may question a speaker only to elicit information, comments or opinions and may not debate the merits of the appeal, either with a speaker or among themselves, during the portion of the appellate hearing open for public input.

RULE 3.206 PUBLIC HEARINGS: COMMITTEES

- A. Public Hearing Defined. A public hearing is a meeting of a committee during which the privilege of the floor is granted to the general public and members thereof may address the committee on the subject for which the public hearing is called. A public hearing is specifically designed to elicit comments and observations from the general public and to afford the members of the general public an opportunity to speak directly to the committee concerning a particular matter of great public interest or importance. All meetings of a committee are public meetings, at which the public may, at the pleasure of the committee, address the committee; but a public hearing is an extraordinary procedure used only to gain information not otherwise obtained or to hear both sides of a controversy or to argue the merits of a matter.
- B. When Held. A committee shall hold a public hearing when ordered by the Chair, the Board or a majority of the committee members. A committee shall hold a public hearing only on

a matter referred to it. Public committee hearings may be held in any public building within the County.

- C. Recess. Public hearings may be recessed by order of the committee Chair to a time certain.

PART 3 MISCELLANEOUS COMMUNICATIONS

RULE 3.301 DISPOSITION OF MISCELLANEOUS COMMUNICATIONS

Miscellaneous communications to the Board may, at the discretion of the Chair, be referred to the appropriate committee or staff for appropriate action.

RULE 3.302 READING OF MISCELLANEOUS COMMUNICATIONS

Miscellaneous communications shall not be read to the Board, unless a majority of the Board requires such reading.

RULE 3.303 MESSAGES DURING MEETINGS

During public meetings, Commissioners shall neither send nor receive or review any written or electronic messages pertaining to the meeting in session unless presented as part of the meeting for public review. Any Commissioner receiving such communication shall immediately report it to the Chair for introduction into the record of the meeting.

CHAPTER 4: GENERAL PROCEDURES

PART 1 MEETINGS

RULE 4.101 MEETINGS: GENERALLY

All regularly scheduled Board meetings shall be duly noticed and held at a location readily accessible to and open to the public. In case of special meetings, emergency meetings, or workshops, the Board may determine another suitable meeting location within the County.

RULE 4.102 REGULAR MEETINGS

The Board shall hold regular meetings the first and third Thursdays of each month commencing at 5:30 pm. When a regular meeting day shall fall on a legal holiday observed by the County, the regular meeting of the Board may be rescheduled or canceled by the Board. Rescheduled meetings shall be advertised accordingly.

RULE 4.103 WORKSHOP MEETINGS

The Board may designate workshop meetings at any time during the month, including regular meetings days. However, when so designated, that meeting date, or portion thereof, shall be publicly noticed as a Workshop Meeting.

- A. From time to time, in order to build consensus among its members, it may be advantageous in the opinion of the Board to discuss in detail an issue or issues under its consideration without taking action. In such situations, the Board shall conduct such discussions in a Workshop Meeting.
- B. In that the purpose of such a meeting is open discussion, fact finding and consensus building, no formal action may be taken by the Board at Workshop Meetings. All other

rules of the Board relating to the procedures to be followed during Workshop Meetings shall be in accordance with Chapter 4 of these Board Rules and Policies.

- C. With the purpose of a Workshop Meeting of the Board described above, the Board may wish to hear reports by staff and the comments and observation of the general public. The conduct of public comment at a Workshop Meeting shall follow that prescribed by these Rules, unless modified by the Chair.
- D. The Chair or the Board by majority vote may call a Workshop Meeting of the Board. Advance notice of a Workshop Meeting shall not be less than those required for a Special Meeting of the Board, as provided in Rule 4.104.

RULE 4.104 SPECIAL MEETINGS

The Chair or a majority of the Commissioners may call a Special Meeting of the Board upon not less than seventy-two (72) hours notice to each Commissioner. Notice of the call of such Special Meeting shall be in writing via the Commissioner's box at County Administration and via County email. The time stamp on an email shall be presumed to be the effective time of giving notice. The notice shall state the business to be transacted at such meeting, including "all other business that may come before the Board." The notice shall be published to the County's website and disseminated via email to all local media who have requested to receive such notices. The Chair may, upon not less than twenty-four (24) hours notice and via email to every Commissioner and every party receiving email notification hereunder, cancel any special meetings of the Board which he or she had previously called pursuant to this Rule.

RULE 4.105 EMERGENCY MEETINGS

The Chair, Vice-Chair or County Manager may call an emergency meeting of the Board at any time to consider and take action upon a public emergency. When the emergency meeting is called to order, no action shall be taken by the Board unless and until the Board declares by motion or resolution on the record of the emergency meeting that an emergency in fact exists and the action taken at the meeting shall directly pertain to that emergency. Prior notice of the emergency meeting shall be given by the most appropriate and effective method(s) available under the circumstances. Continuity of government issues shall prevail. Every effort shall be made at all levels of government to ensure public safety and welfare in times of emergency.

RULE 4.106 RECESSED OR ADJOURNED MEETINGS

The Board, at any meeting, may recess or adjourn to a time certain on the same or another day, or fix the date and time of a meeting, for transacting any business or specified business only, as may be determined by the Board in taking such action.

RULE 4.107 QUORUM

A quorum of the Board for the transaction of business shall consist of a majority of the Commissioners, but a lesser number may come to order to adjourn any meeting until a quorum is present. It shall always be in order to suggest the lack of a quorum, whereupon the proceedings shall cease, the determination of a quorum may be made and the proceedings continue, if a quorum is present, or be suspended or adjourned, if a quorum is lacking.

PART 2 PRESIDING OFFICER

RULE 4.201 DUTIES OF PRESIDING OFFICER

The Chair shall serve as the Presiding Officer unless unable to serve. The duties of the presiding officer shall include the following:

- A. State every question before the Board.
- B. Record the vote on all matters concerning which the recording of the ayes and nays is required or requested.
- C. Announce the results of every vote.
- D. Announce the order of business and insure the orderly disposition of the items on the agenda.
- E. Maintain order and enforce the rules of decorum and discipline.
- F. Sign each written measure passed by the Board during the meeting at which he or she is presiding officer.
- G. Execute the orders of the Board made during the time he or she is presiding officer.
- H. Seek a ruling of the Parliamentarian if in doubt about the enforcement or application of these Rules.

RULE 4.202 RULINGS BY THE CHAIR, APPEALS

The County Attorney shall serve as the County Official who shall advise the Chair on parliamentary issues and shall rule on all questions of order and priority of debate. Any Commissioner may appeal the decision of the Chair, either by the Chair or through the Parliamentarian, in which event a majority vote of the Board present shall conclusively determine the ruling appealed. No other business, except a motion to adjourn or to lay on the table, shall be in order until the question on appeal has been decided.

PART 3 AGENDAS

RULE 4.301 SETTING THE AGENDA

The County Manager shall provide a tentative agenda to the Chair of the Board of Commissioners, who shall then set the agenda for the Board. Any Commissioner or Department Director desiring placement of an item on the agenda will make such request of the County Manager. All requests for agenda items will be turned in by 9:00 am eight (8) days prior to the meeting at which the item is to be presented, complete with all appropriate back-up material sufficient to warrant discussion. If the back-up material provided by this date is determined by the County Manager to be insufficient for proper consideration of the item, then the item may be removed from the agenda by the County Manager. The agenda shall be considered closed after the deadline provided herein, except for emergency items as may be called by the Chair. After the agenda has closed but prior to the Board meeting, the Chair shall review the agenda, make any additions or revisions deemed appropriate in the Chair's discretion, and with the assistance of the County Manager prioritize the order of business on the agenda (excepting for advertised public hearings which shall be set in the order of their submission). There shall be included on the agenda all items to be considered by the Board and the public hearings to be held by the Board. When the agenda has been set, County Administration shall cause the same to be compiled and published to the County website and printed and distributed to those Commissioners or staff requiring physical copies.

RULE 4.302 CONSENT AGENDA

- A. Contents, Approvals, Changes. There shall be included on the Consent Agenda routine

business items including, but not limited to, ministerial matters such as approval of minutes, budget amendments with a net budgetary impact of less than \$20,000.00, purchases less than \$20,000.00, conveyance or acquisition of real property less than \$20,000.00, subdivision plats, and final development plans. Consent Agenda items shall be submitted with backup materials sufficient for their consideration as if they were placed on the Board's regular agenda. The Chair shall approve inclusion of the Consent Agenda as a part of the Regular Agenda for each Board meeting, and may order that items be removed therefrom, placed on the Regular Agenda, referred to a committee or delayed to another Board meeting. After the Consent Agenda is published, no items may be added to it.

- B. Consideration. At the appropriate time after a meeting is convened, the Chair shall announce the taking up of the Consent Agenda. Any item on the Consent Agenda may be removed therefrom on the request of any one Commissioner or the Chair for the purpose of further debate, in which case the item so removed shall be debated and considered as part of the Regular Agenda or delayed to a future meeting. After items have been removed for further debate, the Chair shall call for one vote on the entire Consent Agenda, which vote shall be applicable to each item on the Consent Agenda (except those items removed).

RULE 4.303 ADOPTION OF REGULAR AGENDA

While in session, and after the addition of any item removed from the Consent Agenda, the Chair will ask for other changes to the agenda. Changes to the Regular Agenda may be proposed by any Commissioner, the County Manager or the County Attorney. Each change to the Regular Agenda must be approved by a majority vote. In no event shall any matter be added to the Regular Agenda unless it can be demonstrated that the matter could not have been timely submitted prior to the deadline provided in Rule 4.301 due to circumstances beyond the control of the movant seeking addition to the Regular Agenda (for example, a deadline imposed by an outside agency that was announced after the agenda was closed). After all approved changes on the agenda are voted upon, a motion shall be made and seconded to adopt the agenda to include the approved changes. Once adopted the agenda shall control the remainder of the meeting unless changed by a majority consensus.

PART 4 RULES OF DECORUM AND CIVILITY

RULE 4.401 BOARD TO PROMOTE AND PRESERVE DECORUM AND CIVILITY

The Board expressly recognizes that promoting and preserving decorum and civility best enables the Board to fairly and expeditiously conduct the business of the County. While the Board is in session, the Presiding Officer shall preserve order and decorum. A Commissioner shall neither by conversation nor otherwise delay or interrupt the proceedings or the peace of the Board, nor disturb any Commissioner while speaking or refuse to obey the orders of the Board or its Chair. Decorum is expected of all who attend or participate in meetings of the Board. There shall be displayed at the entry of each meeting the Board's Rules of Decorum as attached hereto as Exhibit "A".

RULE 4.402 MANNER OF SPEAKING

No Commissioner shall speak on any question or discuss any matter, nor interrupt another, nor make a motion without first being recognized by the Chair. When two or more Commissioners seek recognition by the Chair, the Chair shall name the Commissioner who is to speak first. No Commissioner shall be interrupted by another without the consent of the Commissioner who has

the floor, except by rising to a question of order. A Commissioner, in speaking on any matter, shall confine him- or herself to the question or matter before the Board; shall not use unbecoming, abusive, or unparliamentary language; and shall avoid commenting on personalities or character of other Board members, former Board members, other officials, staff, or the public.

RULE 4.403 POSITIVE EXPECTATIONS OF BOARD DISCOURSE

Discourse by and before the Board shall:

- A. Focus on what is best for the County, and represent the entire County as well as a Commissioner's individual district.
- B. Maintain respect for the Board and its members and visibly demonstrate respect for, and fairly represent, all members of the Board.
- C. Demonstrate that each is free to disagree, but disagreeable personalities are disfavored.
- D. Avoid attempts to surprise or ambush Commissioners, staff, or members of the general public.

RULE 4.404 DISRUPTIONS

Any person disrupting a Board meeting by interrupting any speaker; making personal, impertinent, or slanderous remarks; by addressing or shouting to the Board from the audience; or by other boisterous behavior while the Board is in session, may be removed from the meeting by order of the Presiding Officer through the assistance of the Sheriff's office or other security personnel. Such removal may be requested by the Chair in his/her discretion, or by consensus of the Board after a question of order is raised, or by the Sheriff's office on its own initiative if there is perceived to be an immediate threat to the safety of any person inside the meeting chamber. No demonstrations of approval or disapproval from the audience shall be permitted. If, after warning by the Chair, such demonstrations are made and result in a disruption of the meeting the person(s) creating such disruption may be removed from the meeting. The Chair may without motion recess any meeting until order is restored. The Chair shall call upon the Sheriff's officers or other security officer who may be present during the meeting to enforce directions given by the Chair for any violation of this Rule.

RULE 4.405 PROMPTNESS OF ATTENDANCE; ABSENCE FROM MEETINGS

Board members are expected to observe timely appearance at Board of County Commission regular, workshop, and special meetings or other official Board functions. Any member who is unable to timely attend any such meeting or function will notify either the Board Chair or the County Manager, prior to the meeting, if possible so that notice may be conveyed to all Board members. Any member present at any meeting of the Board will immediately give notice to the Chair if leaving the meeting for any extended period of time.

RULE 4.406 AUDITORIUM OFFICAL USE ONLY AREA

To ensure the timely business of the Board proceeds with limited distractions and to respect public speakers, a portion of the meeting chambers shall be designated as "Official Use Only". This Official Use Only area encompasses the dais area, including the sections designated for staff and the public speaker podiums. While any meeting is called to order, those permitted in the Official Use Only area shall be limited to the Board of County Commissioners, County staff, and members of the public expressly recognized by the Chair and invited to come forward and speak, such as public speakers and proclamation recipients. Unless expressly recognized by the Chair, members

of the public and media shall remain in the gallery area of the auditorium until the meeting is recessed or adjourned.

PART 5 VOTING

RULE 4.501 MAJORITY ACTION

Unless otherwise required by State Statute, ordinance, or indicated by these Rules, all action by the Board shall be by majority vote of those Commissioners present. Failure to receive a majority vote of the Commissioners present shall operate as a denial of the proposed question that is before the Commission.

RULE 4.502 VOTING REQUIRED UNLESS EXCUSED

Every Commissioner who is present when a question is called, unless he or she is excused as provided under these Rules or by law, shall give his or her vote in the affirmative or negative.

RULE 4.503 MANNER OF VOTING

Voice votes shall be used unless otherwise required by law. The vote on the motion to declare a measure to be an emergency shall be a rollcall. In the case of any vote, if the Chair is in doubt as to the outcome, or upon the request of a Commissioner for any reason, the Chair shall call for a rollcall vote. The rollcall vote shall be called by the Clerk in a rotating sequence.

RULE 4.504 CHANGE OF VOTE PROHIBITED

After announcement of the results of a vote, no vote may be changed or taken on the question, unless a motion for reconsideration is approved.

RULE 4.505 PROXY VOTING PROHIBITED

A Commissioner shall not cast a vote for another Commissioner, nor shall any person not a Commissioner cast a vote for a Commissioner. Commissioners must be physically present in the meeting chambers to cast their own vote.

PART 6 MOTIONS

RULE 4.601 MOTIONS: HOW MADE, WITHDRAWAL

- A. Every motion shall be made orally, unless the Chair requests that it be reduced to writing. No motion shall be debated or put to a vote without a second, except for those motions stated in Rule 4.602. When a motion is made and, when required, seconded, it shall be restated by the Presiding Officer and the Commissioner who made the motion shall have the floor. After a motion has been stated or read, it shall be deemed to be in the possession of the Board and shall be disposed of by vote of the Board. The Commissioner making the motion may withdraw a motion, except a motion to reconsider, at any time before the same has been amended or before a vote shall have commenced, but only if a majority of the Board present consent to withdrawal.
- B. A motion may be made to suspend the Rules as provided in Rule 1.103.

RULE 4.602 MOTIONS REQUIRING NO SECOND

The following motions shall be decided or acted upon without requiring a second:

- A. Call for the division of a question.
- B. Motion to receive committee and agency recommendations.
- C. Fill a blank.
- D. Inquires of any kind.
- E. Leave to withdraw a motion.
- F. Object to the consideration of a question.
- G. Parliamentary inquiry.
- H. Point of information.
- I. Point of order.
- J. Question of privilege.

RULE 4.603 PRECEDENCE

When a question is under debate, the following motions shall be entertained and shall take precedence over each other in the following order:

- A. Adjourn to a date certain.
- B. Adjourn.
- C. Take a recess.
- D. Close debate at a specified time.
- E. Postpone to a day certain.
- F. Refer to a committee.
- G. Amend.
- H. Postpone to a certain time.
- I. Postpone indefinitely.
- J.

RULE 4.604 PROPOSING QUESTIONS

The Chair shall propose all questions in the order in which they are moved unless the subsequent motion be previous in nature, except that in naming sums and fixing times the largest sums and the longest times shall be put first.

RULE 4.605 RECONSIDERATION

- A. After the decision of any question, it shall be in order only for a Commissioner voting on the prevailing side to move a reconsideration, but such motion may be seconded by any Commissioner. When a majority of the Commissioners present vote in the affirmative but the question is lost because the concurrence of a greater number is necessary for adoption or passage, any Commissioner may move for a re-consideration. If a motion to reconsider is lost, it shall not be renewed again. A motion to reconsider may be laid on the table or postponed indefinitely, the effect of such action in either case shall be to defeat the motion to reconsider and to prevent further consideration thereof.
- B. Disposition. If a motion to reconsider the vote on a main question is made immediately after such vote is taken, it may, at the option of the mover, be decided immediately or left pending. If it is made other than immediately after such vote is taken, it shall be left pending for consideration by the Board. All motions for reconsideration not immediately disposed of shall be considered and disposed of at the same hearing or meeting.
- C. Collateral Matters. The adoption of a motion to reconsider a vote upon any secondary matter shall not remove the main subject under consideration from consideration of the Board. A motion to reconsider a collateral matter must be disposed of at once during the

course of the consideration of the main subject to which it is related and such motion shall be out of order after the Board has passed to other business.

RULE 4.606 POSTPONE INDEFINITELY

Motions to postpone indefinitely shall be applicable only to main motions. The adoption of a motion to postpone indefinitely shall dispose of such measure for the duration of the Board meeting at which it is made.

RULE 4.607 LAY ON TABLE

If an amendment is laid on the table, such action shall not carry the main question or any other amendment with it. The motion to lay on the table may not be made by the introducer or mover of the legislation or proposal.

PART 7 RULES OF DEBATE

RULE 4.701 CHAIR MAY PARTICIPATE IN PROCEEDINGS

The Chair may make motions, second motions, and debate, subject only to such limitations of debate as are enforced by these rules on all Commissioners, and shall not be deprived of any of the rights and privileges as Commissioner by reason of being Chair.

RULE 4.702 OBTAINING FLOOR OR RECOGNIZED BY CHAIR

In order to obtain the floor, any Commissioner desiring to speak in debate on a subject open to debate must address the Chair, and, when recognized by the Chair, may speak only on matters germane to the business or question under debate.

RULE 4.703 INTERRUPTION OF SPEAKERS

A Commissioner or official, once recognized, shall not be interrupted while speaking unless calling the Commissioner or speaker to order for transgressing any rule of the Board or failing to maintain proper decorum. Any Commissioner called to order while speaking shall cease speaking until the question of order is determined by the Chair without debate, and if in order, may proceed.

RULE 4.704 PRIVILEGE OF FLOOR AND PUBLIC COMMENT

- A. Recognition by the Chair. Except for Commissioners and County officials or employees, no person shall approach or address the Board until the Chair permits the person to approach or address the Board.
- B. Members of the public shall be afforded an opportunity to speak on each item on the Board's regular agenda. Members of the public addressing the Board shall comply with the Board's rules of decorum at all times.
- C. Entitlement to Public Comment on propositions before the Board:
 - 1. Members of the public shall be given a reasonable opportunity to be heard on a proposition before a Board. 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 to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause 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 Florida Statute § 286.011.
 - (d) The meeting is one in which the Board is acting in a quasi-judicial capacity. In hearings in which the Board is acting in a quasi-judicial capacity, comment shall be made in conformity with these Rules.
2. Designation of Representative. Groups of more than five members of the public who wish to communicate the same message (e.g., support or opposition to a proposition) to the Board may designate a representative to speak for the group at a public meeting of the Board by filling out a form and submitting it to the designated Staff member present at the meeting, which form indicates the general message of the group and the name and address of each person in the group and which may include a signature from each person in the group in support of the group's message.
 3. Time Limit for Comments and Extension of Time for Comment. Each person addressing the Board shall limit comments to two (2) minutes. Members of the public and designated representatives of groups of five or more persons shall limit their comments to the Board to five (5) minutes. The Chair may elect to extend the time available to individual members of the public or designated representatives for comment for an additional time for good cause. A member of the public or designated representative may not assign his or her time or any part of his or her time to another speaker.
- D. For public comment on items that are not a proposition being considered by the Board, a Citizen Comment period shall be provided prior to the adjournment of all regular meetings of the Board for persons to address the Board on matters which reasonably may need attention of the Board. Each person addressing the Board shall limit comments to two (2) minutes, unless extended by the Chair for good cause.
- E. The Board's "Rules for Public Participation", attached hereto as Exhibit "B", are adopted as part of this policy and shall be displayed at the entrance to the meeting chamber for each meeting of the Board and shall govern all public participation.

RULE 4.705 DECORUM

Members of the public and designated representatives shall address their comments to the Board as a whole and not to any Commissioner individually or any group of Commissioners. Imposing a demand for an immediate response from the Board or any member thereof during public comment shall be considered out of order. Persons shall not address the Board with personal, impertinent, or slanderous remarks, or become boisterous. A Commissioner shall not engage in dialogue with persons making public comment unless the question or comment is directed through the Chair or made with the permission of the Chair.

CHAPTER 5: ETHICS POLICIES AND PROCEDURES

PART 1 GENERALLY

RULE 5.101 INTENT AND PURPOSE.

This Chapter 5 may be referred to as the “Columbia County Board of County Commissioner’s Ethics Policies and Procedures” or “Ethics Policy”. This policy is hereby established as the proper operation of County government requires that County Commissioners be independent and impartial; that County policy and decisions be made through established processes; that County Commissioners not use public office to obtain private benefit; that County Commissioners avoid actions which create the appearance of using public office to obtain a benefit; and that the public have confidence in the integrity of its County government, its County Commissioners, and all those employed by or through the County government.

RULE 5.102 ACKNOWLEDGMENT OF RULES.

All County Commissioners, upon taking their oath of office to their current term and all current County Commissioners within ten (10) days of the passage hereof, shall submit a signed statement to the County Attorney acknowledging that they have received and read Chapter 5 herein, that they understand it, and that they are bound by it. All candidates for County Commission, upon qualifying to run for that office, shall submit a signed statement to the County Attorney acknowledging that they have read Chapter 5 of these Rules and Policies, that they understand it, and that they shall be bound by it upon election to office. All County Employees shall be notified upon adoption of these Rules or upon their employment with the County of this Ethics Policy and shall be bound by it.

RULE 5.103 INTERPRETATION, ADVISORY OPINIONS.

When in doubt as to the applicability and interpretation of the Ethics Policy or any part hereof, any County Commissioner, County Officer, or County Employee may request an advisory opinion from the County Attorney. The County Attorney shall keep a file, open to the public, of all written opinions issued and submit a copy of each opinion rendered to every County Commissioner. Any County Commissioner who dissents from an opinion of the County Attorney issued pursuant to this rule may request a review by the Board of County Commissioners of the advisory opinion in question within thirty (30) days of its issuance. If no request for review is made then the opinion shall become final. A majority vote of the Board of County Commissioners taken at a public meeting after discussion shall be required to override the opinion of the County Attorney.

RULE 5.104 DEFINITIONS.

- A. “Advisory body” means any board, commission, committee, council, or authority, however selected, whose total budget, appropriations, or authorized expenditures constitute less than 1 percent of the budget of each agency it serves or \$100,000, whichever is less, and whose powers, jurisdiction, and authority are solely advisory and do not include the final determination or adjudication of any personal or property rights, duties, or obligations, other than those relating to its internal operations.
- B. “Agency” means any state, regional, county, local, or municipal government entity of this state, whether executive, judicial, or legislative; any department, division, bureau, commission, authority, or political subdivision of this state therein; or any public school, community college, or state university.
- C. “Business associate” means any person or entity engaged in or carrying on a business enterprise with a public officer, public employee, or candidate as a partner, joint venturer, corporate shareholder where the shares of such corporation are not listed on any national or regional stock

- exchange, or co-owner of property.
- D. "Business entity" means any corporation, company, partnership, limited partnership, proprietorship, firm, enterprise, franchise, association, self-employed individual, or trust, whether fictitiously named or not, doing business in this state.
 - E. "Candidate" means any person who has filed a statement of financial interest and qualification papers, has subscribed to the candidate's oath as required by s. 99.021, and seeks by election to become a public officer. This definition expressly excludes a committeeman or committeewoman regulated by chapter 103 and persons seeking any other office or position in a political party.
 - F. "Conflict" or "conflict of interest" means a situation in which regard for a private interest tends to lead to disregard of a public duty or interest.
 - G. "Corruptly" means done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his or her public duties.
 - H. "County Officer" shall include any person elected or appointed to hold office in the County government, including County Commissioners, the County Manager, an Assistant County Manager, the County Attorney, the County Engineer, and any person serving on an advisory body.
 - I. "County Commissioner" shall include any member of the Board of County Commissioners.
 - J. "County Employee" shall include any person employed by the Board of County Commissioners or the County Manager.
 - K. "Gift," for purposes of ethics in government and financial disclosure required by law, means that which is accepted by a donee or by another on the donee's behalf, or that which is paid or given to another for or on behalf of a donee, directly, indirectly, or in trust for the donee's benefit or by any other means, for which equal or greater consideration is not given within 90 days, including:
 - a. Real property
 - b. The use of real property
 - c. Tangible or intangible personal property.
 - d. The use of tangible or intangible personal property. For the purposes of this part "intangible personal property" means property as defined in s. 192.001(11)(b), Florida Statutes.
 - e. A preferential rate or terms on a debt, loan, goods, or services, which rate is below the customary rate and is not either a government rate available to all other similarly situated government employees or officials or a rate which is available to similarly situated members of the public by virtue of occupation, affiliation, age, religion, sex, or national origin.
 - f. Forgiveness of indebtedness.
 - g. Transportation, other than that provided to a public officer or employee by an agency in relation to officially approved governmental business, lodging, or parking.
 - h. Food or beverage.
 - i. Membership dues.
 - j. Entrance fees, admission fees, or tickets to events, performances, or facilities.
 - k. Plants, flowers, or floral arrangements.
 - l. Services provided by persons pursuant to a professional license or certificate.
 - m. Other personal services for which a fee is normally charged by the person providing the services.
 - n. Any other similar service or thing having an attributable value not already provided for in this section.
 - o. For the purposes of this part the term "consideration" does not include a promise to pay or otherwise provide something of value unless the promise is in writing and enforceable through the courts.
 - L. "Gift" does not include:
 - a. Salary, benefits, services, fees, commissions, gifts, or expenses associated

primarily with the donee's employment, business, or service as an officer or director of a corporation or organization.

- b. Contributions or expenditures reported pursuant to chapter 106, Florida Statutes, campaign-related personal services provided without compensation by individuals volunteering their time, or any other contribution or expenditure by a political party.
 - c. An honorarium or an expense related to an honorarium event paid to a person or the person's spouse.
 - d. An award, plaque, certificate, or similar personalized item given in recognition of the donee's public, civic, charitable, or professional service.
 - e. An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization.
 - f. The use of a public facility or public property, made available by a governmental agency, for a public purpose.
 - g. Transportation provided to a public officer or employee by an agency in relation to officially approved governmental business.
 - h. Gifts provided directly or indirectly by a state, regional, or national organization which promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to members of that organization or officials or staff of a governmental agency that is a member of that organization.
- M. "Indirect" or "indirect interest" means an interest in which legal title is held by another as trustee or other representative capacity, but the equitable or beneficial interest is held by the person required to file under this part.
- N. "Liability" means any monetary debt or obligation owed by the reporting person to another person, entity, or governmental entity, except for credit card and retail installment accounts, taxes owed unless reduced to a judgment, indebtedness on a life insurance policy owed to the company of issuance, contingent liabilities, or accrued income taxes on net unrealized appreciation. Each liability which is required to be disclosed by s. 8, Art. II of the State Constitution shall identify the name and address of the creditor.
- O. "Material interest" means direct or indirect ownership of more than 5 percent of the total assets or capital stock of any business entity. For the purposes of this act, indirect ownership does not include ownership by a spouse or minor child.
- P. "Purchasing agent" means any public officer or employee having the authority to commit the expenditure of public funds through a contract for, or the purchase of, any goods, services, or interest in real property for an agency, as opposed to the authority to request or requisition a contract or purchase by another person.
- Q. "Relative," unless otherwise specified in this part, means an individual who is related to a public officer or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, person who is engaged to be married to the public officer or employee or who otherwise holds himself or herself out as or is generally known as the person whom the public officer or employee intends to marry or with whom the public officer or employee

intends to form a household, or any other natural person having the same legal residence as the public officer or employee.

- R. "Represent" or "representation" means actual physical attendance on behalf of a client in an agency proceeding, the writing of letters or filing of documents on behalf of a client, and personal communications made with the officers or employees of any agency on behalf of a client.

RULE 5.105 CONFLICTS WITH STATE LAW

In the event of conflict between Florida Statutes and this Ethics Policy, the Florida Statutes shall apply.

PART 2 STANDARDS OF CONDUCT.

RULE 5.201 SOLICITATION OR ACCEPTANCE OF GIFTS.

No County Officer, County Employee, or candidate for County office shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding, express or implied, which the County Officer, County Employee, or candidate knows or should know, is intended to influence the vote, official action, or judgment of the County Officer, County Employee, or candidate.

RULE 5.202 DOING BUSINESS WITH ONE'S AGENCY.

No County Employee acting in his or her official capacity as a purchasing agent, or County Officer acting in his or her official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for his or her own agency from any business entity of which the County Officer or County Employee or the County Officer's or County Employee's spouse or child is an officer, partner, director, or proprietor or in which such County Officer or County Employee or the County Officer's or County Employee's spouse or child, or any combination of them, has a material interest. Nor shall a County Officer or County Employee, acting in a private capacity, rent, lease, or sell any realty, goods, or services to the County. This subsection shall not affect or be construed to prohibit contracts entered into prior to:

- a. October 1, 1975.
- b. Qualification for elective office.
- c. Appointment to public office.
- d. Beginning public employment.

RULE 5.203 UNAUTHORIZED COMPENSATION.

No County Officer or County Employee or his or her spouse or minor child shall, at any time, accept any compensation, payment, or thing of value when such County Officer, or County Employee, or local government attorney knows, or, with the exercise of reasonable care, should know, that it was given to influence a vote or other action in which the County Officer or County Employee was expected to participate in his or her official capacity.

RULE 5.204 SALARY AND EXPENSES.

No County Commissioner shall be prohibited from voting on a matter affecting his or her salary, expenses, or other compensation as a County Officer, as provided by law. The County Attorney

shall not be prevented from considering any matter affecting his or her salary, expenses, or other compensation as the local government attorney, as provided by law.

RULE 5.205 MISUSE OF PUBLIC POSITION.

No County Officer or County Employee shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others. This section shall not be construed to conflict with s.104.31, Florida Statutes.

RULE 5.206 CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.

- A. No County Officer or County Employee shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, the County, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the state or any municipality, county, or other political subdivision of the state; nor shall a County Officer or County Employee have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.
- B. If the Board of County Commissioners exercises any regulatory power over a business entity residing in another agency, or when the regulatory power which the legislative body exercises over the business entity or agency is strictly through the enactment of laws or ordinances, then employment or a contractual relationship with such business entity by a County Officer or County Employee shall not be prohibited by this subsection or be deemed a conflict.
- C. This subsection shall not prohibit a County Officer or County Employee from practicing in a particular profession or occupation when such practice is required or permitted by law or ordinance.

RULE 5.207 DISCLOSURE OR USE OF CERTAIN INFORMATION.

No County Officer or County Employee shall disclose or use information not available to members of the general public and gained by reason of his or her official position for his or her personal gain or benefit or for the personal gain or benefit of any other person or business entity.

RULE 5.208 POST-EMPLOYMENT RESTRICTIONS; STANDARDS OF CONDUCT.

- A. No County Officer shall personally represent another person or entity for compensation before the Board of County Commissioners for a period of two (2) years following vacation of office. The manner in which the former County Officer vacated office is immaterial to the applicability of this provision.
- B. No County Officer or County Employee shall participate in any communications, including meetings, telephone calls, written correspondence, or indirect communication of any kind with a former County Officer if: (1) the subject matter of the conversation relates to a third party and the matter is likely to come before the Board of County Commissioners, and (2) the County Officer or County Employee knows or should know the former County Officer left his or her position with the County less than two years prior to the communication. The

manner in which the former County Officer vacated office is immaterial to the applicability of this provision.

RULE 5.209 COUNTY EMPLOYEES HOLDING OFFICE.

- A. No County Employee shall hold office as a member of the Board of County Commissioners or be a candidate for such position while, at the same time, continuing as a County Employee.
- B. The provisions of this subsection shall not apply to any person holding office in violation of such provisions on the effective date of this Policy. However, such a person shall surrender his or her conflicting employment prior to seeking reelection or accepting reappointment to office.

RULE 5.210 EXEMPTION.

The requirements of Rules 5.202 and 5.206 as they pertain to persons serving on advisory boards may be waived in a particular instance by the body which appointed the person to the advisory board, upon a full disclosure of the transaction or relationship to the appointing body prior to the waiver and an affirmative vote in favor of waiver by two-thirds vote of that body. In instances in which appointment to the advisory board is made by an individual, waiver may be effected, after public hearing, by a determination by the appointing entity and full disclosure of the transaction or relationship by the appointee to the appointing entity. In addition, no person shall be held in violation of Rule 5.202 or 5.206 if:

- A. Within the County the business is transacted under a rotation system whereby the business transactions are rotated among all qualified suppliers of the goods or services within the County.
- B. The business is awarded under a system of sealed, competitive bidding to the lowest or best bidder; and
 - 1. The official or the official's spouse or child has in no way participated in the determination of the bid specifications or the determination of the lowest or best bidder;
 - 2. The official or the official's spouse or child has in no way used or attempted to use the official's influence to persuade the agency or any personnel thereof to enter such a contract other than by the mere submission of the bid; and
 - 3. The official, prior to or at the time of the submission of the bid, has filed a statement with the County disclosing the official's relationship to the bidder.
- C. The purchase or sale is for legal advertising in a newspaper, for any utilities service, or for passage on a common carrier.
- D. An emergency purchase or contract which would otherwise violate a provision of Rule 5.202 or 5.206 must be made in order to protect the health, safety, or welfare of the citizens of the County or state.
- E. The business entity involved is the only source of supply within the political subdivision of the County Officer or County Employee and there is full disclosure by the County Officer or County Employee of his or her interest in the business entity to the Board of County Commissioners prior to the purchase, rental, sale, leasing, or other business being transacted.
- F. The total amount of the transactions in the aggregate between the business entity and the agency does not exceed \$500 per calendar year.

- G. The fact that a County Officer or County Employee is a stockholder, officer, or director of a bank will not bar such bank from qualifying as a depository of funds coming under the jurisdiction of the County, provided it appears in the record that the Board of County Commissioners has determined that such County Officer or County Employee has not favored such bank over other qualified banks.
- H. The County Officer or County Employee purchases in a private capacity goods or services, at a price and upon terms available to similarly situated members of the general public, from a business entity which is doing business with Columbia County.
- I. The County Officer or County Employee in a private capacity purchases goods or services from a business entity which is subject to the regulation of the County and:
 - 1. The price and terms of the transaction are available to similarly situated members of the general public; and
 - 2. The County Officer or County Employee makes full disclosure of the relationship to the Board of County Commissioners prior to the transaction.

RULE 5.211 ADDITIONAL EXEMPTION.

No County Officer or County Employee shall be held in violation of Rule 5.202 or 5.206 if the officer maintains an employment relationship with an entity which is currently a tax-exempt organization under s.501(c) of the Internal Revenue Code and which contracts with or otherwise enters into a business relationship with Columbia County, and:

- A. The County Officer's employment is not directly or indirectly compensated as a result of such contract or business relationship;
- B. The County Officer has in no way participated in the County's decision to contract or to enter into the business relationship with his or her employer, whether by participating in discussion at the meeting, by communicating with County Officers or County Employees, or otherwise; and
- C. The County Officer abstains from voting on any matter which may come before the Board of County Commissioners involving the officer's employer, publicly states to the assembly the nature of the County Officer's interest in the matter from which he or she is abstaining, and files a written memorandum as provided in s.112.3143, Florida Statutes.

RULE 5.212 NON-INTERFERENCE IN COUNTY REAL ESTATE TRANSACTIONS.

The following provisions are intended to assure the integrity of the competitive bidding process is preserved, agreements are negotiated at arms-length and consistently enforced, and that no County Commissioner utilizes his or her position or any property within his or her trust, to secure a special privilege, benefit, or exemption for himself, herself, or others.

- A. Definitions. As used in this subsection, unless the context otherwise requires, following terms shall be defined as follows:
 - 1. "County Real Estate Transaction" shall include any existing or proposed real estate transaction in which the County is involved as either a buyer, seller, lessee, lessor, or is otherwise involved as a party.
 - 2. "Communicate" or "Communication" shall include one-on-one meetings, discussions, telephone calls, e-mails, and the use of other persons to convey information or receive information.

3. “Property Manager” shall mean the individual or entity retained by the Board of County Commissioners to lease and manage any County-owned property or, in absence of such an individual, the County Manager.
- B. Restricted Communication with Parties to County Real Estate Transactions.
No County Commissioner shall knowingly communicate with any individual or entity, or their employees, officers, or agents, involved as a party in any County Real Estate Transaction, unless the communication is:
1. Part of the transactional process expressly described in a request for bids or other such solicitation invitation;
 2. Part of a noticed meeting of the Board of County Commissioners; or
 3. Incidental and does not include any substantive issues involving a County Real Estate Transaction in which such individual or entity is a party.
- C. Any Board member who receives a communication in violation of this Rule shall place in the record at the next regular meeting of the Board of County Commissioners, the following:
1. Any and all such written communications;
 2. Memoranda stating the substance of any and all such oral communications; and
 3. Any and all written responses to such communications, and memoranda stating the substance of any and all oral responses thereto, if any.
- D. Restricted Communication with County Employees and Property Manager.
1. No County Commissioner shall directly or indirectly coerce or attempt to coerce the County Manager, the County Attorney, any other County Employee, or the Property Manager, with respect to any County Real Estate Transaction.
 2. The County Manager or his designee shall be responsible for the management of any County-owned property, including the enforcement and termination of leases and license agreements. Except for the purpose of inquiry, County Commissioners shall not communicate directly or indirectly, give directions or otherwise interfere with these property management responsibilities.
 3. Any communication outside a noticed meeting of the Board of County Commissioners between a County Commissioner and the County Manager, the County Attorney, any County Employee, or the Property Manager, which communication involves a substantive issue in a County Real Estate Transaction, shall be summarized in writing by the Commissioner no later than three (3) working days after the communication (the Communication Summary), to include at a minimum, the name of the persons involved in the communication, the date of the communication, the subject matter of the communication, and the way in which the communication was ended. The Communication Summary may also include the remarks of the persons involved.
 4. The Communication Summary shall be delivered in hardcopy or via email using the Commissioner’s county email account to the Chair or, if the communication involved the Chair, to the Vice-Chair, with a copy of the Communication Summary to the County Manager and the County Attorney for review.

RULE 5.213 VOTING CONFLICTS.

- A. As used in this section:

1. "County Officer" includes any person elected or appointed to hold office in the County government, including any person serving on an advisory body.
 2. "Relative" means any father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law
- B. No County Officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency as defined in s. 112.312(2), Florida Statutes; or which he or she knows would inure to the special private gain or loss of a relative or business associate of the County Officer. Such County Officer shall, prior to the vote being taken, publicly state to the assembly the nature of the officer's interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes.
- C. A commissioner of a community redevelopment agency created or designated pursuant to Fla. Stat. s. 163.356 or s. 163.357, or an officer of an independent special tax district elected on a one-acre, one-vote basis, is not prohibited from voting when voting in said capacity.
- D. No appointed County Officer shall participate in any matter which would inure to the officer's special private gain or loss; which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained; or which he or she knows would inure to the special private gain or loss of a relative or business associate of the County Officer, without first disclosing the nature of his or her interest in the matter.
1. Such disclosure, indicating the nature of the conflict, shall be made in a written memorandum filed with the person responsible for recording the minutes of the meeting, prior to the meeting in which consideration of the matter will take place, and shall be incorporated into the minutes. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.
 2. In the event that disclosure has not been made prior to the meeting or that any conflict is unknown prior to the meeting, the disclosure shall be made orally at the meeting when it becomes known that a conflict exists. A written memorandum disclosing the nature of the conflict shall then be filed within 15 days after the oral disclosure with the person responsible for recording the minutes of the meeting and shall be incorporated into the minutes of the meeting at which the oral disclosure was made. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.
 3. For purposes of this subsection, the term "participate" means any attempt to influence the decision by oral or written communication, whether made by the officer or at the officer's direction.

4. Whenever a county officer or former county officer is being considered for appointment or reappointment to public office, the appointing body shall consider the number and nature of the memoranda of conflict previously filed under this section by said officer.

RULE 5.214 USE OF OFFICE FOR POLITICAL OR PERSONAL MATTERS.

Use of County resources, including but not limited to material goods and the use of office staff or any County personnel, for either political campaign purposes or other personal matters, is strictly forbidden.

PART 3 INVESTIGATION AND PROSECUTION OF COMPLAINTS

RULE 5.301 COMPLAINT

A complaint or complaints of any alleged violation or violations of this policy may be made, in writing, by any Commissioner, County Officer, County Constitutional Officer, or County Employee to the County Attorney or, if the complaint raises allegations about the conduct of the County Attorney, to the County Manager. If the alleged violation relates to conduct or omissions of both the County Attorney and the County Manager, then the written complaint may be submitted to the Chair of the Board of County Commissioners for assignment to outside counsel. If the County Attorney directly observes conduct or omissions violating this policy the County Attorney may, in his or her discretion, initiate a complaint and investigation under this part.

A. The complaint shall:

- a. State the name of the complainant.
- b. State the name(s) of the respondent(s) alleged to have violated this policy.
- c. Include a short and plain statement of the facts or circumstances giving rise to the complaint, including the date and location of any violation and the identity of any witnesses to the alleged violation.
- d. Include copies of any documents the complainant wishes to have considered in the investigation of the complaint or, if such documents are not available, a description of such documents and where they are alleged to exist.
- e. Be sworn under oath and signed by the complainant.
 - (1) The complaint shall become public record in accordance with and subject to the exemptions contained in Florida Law

RULE 5.302 INVESTIGATION

The complaint shall be reviewed for sufficiency and shall be returned to the complainant without further action if any deficiency is found with the complaint. The complainant shall have ten (10) days to correct any deficiencies or the deficient complaint shall be closed. If the complaint is sufficient to state a claim then the entity with whom the complaint was filed shall notify the respondent of the allegations and conduct an investigation to determine the validity of the claims contained within the complaint.

1. If, in the opinion of the investigator, a conflict of interest exists or arises in the course of the investigation which will impair the ability of the investigator to complete a diligent and impartial investigation, the investigator shall refer the investigation to outside counsel.

2. If the complainant refuses to cooperate in the investigation then the complaint may be dismissed in the discretion of the investigator and the investigator shall file a report stating that basis for dismissal.
3. The investigation shall be concluded within thirty (30) days unless good cause exists to extend the investigation beyond thirty (30) days. If an investigation is extended the investigator shall set forth in writing the good cause for extending the investigation.
4. A written report including all findings of the investigation shall be completed by the investigator and the complaint shall be disposed in accordance with those findings.

RULE 5.303 DISPOSITION

A. No Probable Cause

A finding of “no probable cause” shall mean that the investigation of the complaint has not resulted in the discovery of substantial competent evidence of a violation of this policy. In the event such a finding is made the complainant and the respondent(s) shall be notified via certified letter of the disposition of the complaint. There shall be no appeal of a determination of no probable cause.

B. Probable Cause

A finding of “probable cause” shall mean that the investigation of the complaint has resulted in the discovery of substantial competent evidence of a violation of this policy. If probable cause is found, the investigator shall take the following action:

1. First Violation: The investigator shall reduce all findings to writing and provide same to the respondent, the Chair, and the County Manager. The findings shall include a statement that the finding of probable cause against the respondent is a first violation of this Policy, and shall include remedial action to be taken by the respondent, including direction on how to avoid future ethical violations. The respondent shall complete the remedial action and report same to the investigator.
2. Second Violation: The investigator shall reduce all findings to writing and provide same to the respondent, the Chair, and the County Manager. The findings shall include a statement that the finding of probable cause against the respondent is a second violation of this Policy, and shall be referred for placement on the Board of County Commissioners’ Regular agenda for consideration of a public reprimand. Remedial actions, if any, shall be ordered by the Board of County Commissioners.
3. Third Violation: The investigator shall reduce all findings to writing and provide same to the respondent, the Chair, and the County Manager. The findings shall include a statement that the finding of probable cause against the respondent is a third violation of this Policy, and the report and findings shall be referred the Florida Commission on Ethics for further action, if any.

C. Criminal Acts

This Policy shall not prevent referral of any complaint to law enforcement if the investigator has reason to believe a criminal act forms any part of the basis for a complaint.

RULE 5.304 HEARINGS AND APPEALS

The respondent shall have the right to appeal any probable cause determination to the Board of County Commissioners. The respondent shall have ten (10) days from the date the respondent receives a probable cause finding to give notice of appeal to the County Manager in writing. A timely request for appeal shall be set on the soonest board agenda possible following the County

Manager's receipt of the request. Such appeal shall be limited in scope to review of the information gathered in the investigation of the complaint, but the respondent shall have the right to cross examine any witnesses as to statements relied upon by the investigator in making any finding adverse to the respondent. At the conclusion of the hearing on the appeal the Board shall, by a vote of a majority of the voting members on the question, sustain or set aside a finding of probable cause. If no majority vote can be obtained then the finding of probable cause shall stand.

EXHIBIT “A”
COLUMBIA COUNTY BOARD OF COUNTY COMMISSIONERS

RULES OF DECORUM

1. Commissioners, county staff, members of the public, and any other person speaking during any meeting of the Board shall be respectful to the Board and all others and shall refrain from making personal attacks of any kind. Any person who becomes disorderly or fails to confine remarks to the identified subject or business at hand shall be cautioned by the Chair and given the opportunity to conclude remarks on the subject in a decorous manner within the designated time limit. Any person failing to comply as cautioned may be found to be out of order. An individual found to be out of order shall not address the Board for the remainder of the meeting unless permission is granted by a majority vote of the Commissioners present.
2. If an individual is found to be out of order, he or she shall immediately relinquish the podium. If the person does not do so, he or she may be subject to removal from the meeting room.
3. Order shall be observed while meetings are in session. Clapping, cheering, heckling, or verbal outbursts in support of or opposition to a speaker or his or her remarks are discouraged. Interruptions of any kind will not be permitted. All attendees shall come to order when called upon to do so by the Chair. Failure to come to order may result in removal of the individual or individuals determined by the Chair to be disrupting the meeting. Persons exiting the meeting while in session shall do so in a quiet and courteous manner.
4. In the interest of public safety, no signs or placards shall be mounted on sticks, posts, poles or similar structures. Any other signs, placards, or banners shall be displayed so as not to disrupt meetings or interfere with public view of board business.

Adopted by Resolution 2017R-23

EXHIBIT “B”
COLUMBIA COUNTY BOARD OF COUNTY COMMISSIONERS

RULES FOR PUBLIC PARTICIPATION

The Board of County Commissioners recognizes the value and benefit of orderly participation of citizens during public meetings. To ensure a fair opportunity for all citizens to participate, the following rules and procedures shall apply to all citizen participation during meetings, public hearings, and workshops. These rules are supplemental to the Board’s rules regarding decorum.

Public Comment at Board Workshops. Time shall be allotted at the conclusion of each workshop item for public comment. When called upon by the Chair and prior to making comment, the speaker shall approach the podium, identify him- or herself, state a place of residence, and state whether the speaker represents anyone other than him- or herself. The remarks of each speaker may be up to two (2) minutes. The Chair shall have discretion to afford additional time to any speaker.

Public Comment on Regular Agenda Items or the Consent Agenda. Each person who wishes to address the Commission regarding a Regular Agenda Item or the Consent Agenda shall complete one comment card for each item and submit the card or cards to County staff in the front of the meeting room. Cards shall be submitted before the meeting is called to order. When called upon by the Chair and prior to making comment, the speaker shall approach the podium, identify him- or herself, state a place of residence, and state whether the speaker represents anyone other than him- or herself. Speakers should speak clearly into the microphone. Although free to ask questions of the Board and staff, speakers are reminded that meetings are not a forum for debate between the Commissioners or staff and the public and that responses, if any, shall be directed through the Chair. **The remarks of each speaker may be up to two (2) minutes per item.** The Chair shall have discretion to afford additional time to any speaker.

Citizen Comment. Each person who wishes to address the Commission during the Citizen Comment portion of the Agenda shall complete a comment card and submit the card to County staff in the front of the meeting room. Cards shall be submitted before the meeting is called to order. When called upon by the Chair and prior to making comment, the speaker shall approach the podium, identify him- or herself, state a place of residence, and state whether the speaker represents anyone other than him- or herself. The remarks of each speaker may be up to two (2) minutes. The Chair shall have discretion to afford additional time to any speaker.

Adopted by Resolution 2017R-23