



Board of County Commissioners Advisory Board Guide

Marion County Board of County Commissioners

District 1 - Craig Curry, Chairman

District 2 - Kathy Bryant, Commissioner

District 3 - Jeff Gold, Commissioner

District 4 - Carl Zalak III

District 5 - Michelle Stone, Vice Chairman

Marion County MSTU/Assessment

marionfl.org/MSTU 2710 E. Silver Springs Blvd.

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MARION COUNTY ADVISORY BOARDS

The Marion County Board of County Commissioners recognizes the unique contribution made by volunteers and encourages citizen involvement in the policy-making process through service as an advisory board member.

An advisory board is created by ordinance, resolution, or special act to provide advice and to make recommendations to the county commission on diverse matters of public concern. These provisions shall apply to all advisory boards unless otherwise provided by law.

SELECTION OF ADVISORY BOARD MEMBERS

Advertising for members

When an ordinance or resolution is adopted establishing a new advisory council, or when a vacancy exists, the county commission authorizes staff to advertise the vacancy to the public. A notice of vacancy is prepared by the commission office for publication in the legal notices section of a newspaper of general circulation.

Advisory board vacancies will also be posted on the official Marion County website, marionfl.org. The notice of vacancy will state the name of the board, the number of vacancies, the length of term, a brief description of responsibilities, the deadline for receipt of applications, and the date appointments will be made.

Application for appointment

Applications are available in the commission office located at the McPherson Governmental Campus, 601 SE 25th Ave., Ocala and on the official Marion County website, marionfl.org. Persons interested in serving on a board must complete and file an application with the county commission. Prospective appointees may be interviewed at the discretion of the county commission.

Appointment

Appointments to advisory boards are made by the county commission at a regular meeting of the board. Applicants are encouraged to be present on the date of consideration, if possible, to answer any questions the county commission might have.

All applicants are notified as to appointment by the county commission. Applications of those not appointed remain on file for one year from date of receipt by the commission office and the applicant shall be considered for appointment should a vacancy occur on the advisory board during that one-year period.

Current members are notified as to whether they are eligible to apply to serve again near the end of their assigned term and must complete a new advisory board member application.

Some advisory board members are appointed by the county commission based on the results of a general election, such as the Silver Springs Shores Tax District, held to obtain the sentiments of the residents in that particular area, community, or district. Such elections are not required, and the results are not binding on the county commission.

Terms of office

Terms for members vary and depend upon the advisory board of service. The ordinance or resolution establishing the board should be consulted for definition and eligibility for reappointment.

Resignation of advisory board members

If a resignation is received from a member whose term has not yet expired, the resignation is presented to the county commission for action or acceptance. If accepted, the county commission will authorize advertisement of the vacancy.

Any vacancy arising on an advisory board regardless of circumstances shall be filled by the county commission specifying whether the new member will serve the balance of the vacant seat or for a full term.

REQUIREMENTS FOR ADVISORY BOARD MEMBERS

The primary consideration for appointment of citizens to an advisory board shall be providing the board with expertise necessary to accomplish its objectives as established by ordinance.

- Citizens appointed to serve on an advisory board should have a reputation for integrity and community service as well as an interest or experience in the area of service to be provided by the advisory board.
- Citizens appointed to any given board shall be residents of Marion County, unless otherwise noted. In the case of municipal services taxing unit (MSTU)/municipal services business unit (MSBU) advisory boards, the members must be residents of the subdivision for which the MSTU/MSBU exists.
- Only one member of a household may serve as a member of a taxing district advisory board during any given term.
- In accordance with county commission policy 92-08, no person may serve as an appointed member of more than one substantive board, commission, agency, council or other entity whether created by the county commissioners or created by any general or special act of the state legislature.

If an appointment is made which violates the commission policy, the appointee shall submit a resignation from the conflicting board, commission, agency, council, or another entity within 10 days of appointment, otherwise said new appointment shall be null and void.

A person may serve as a member of a municipal service taxing unit or municipal service benefit unit advisory board and as a member of a substantive board provided no conflict exists as determined by the county commissioners.

DUTIES OF ADVISORY BOARD OR COUNCIL MEMBERS

Seminars are held twice a year for all advisory board members, whether newly appointed or current, to better understand the importance of advisory boards, roles and responsibilities of members, the Florida Sunshine Law, budget preparation, and parliamentary procedure. Attendance is required at least one seminar after appointment by the county commissioners, each term.

As requested or directed by the county commissioners, advisory board members may:

- Participate in the preparation of the annual budget request; make recommendations regarding capital expenditures, operations, programs, staffing, proposed budget increases or decreases, and boundary expansions;
- Review and comment on current, proposed, and past programs, activities, operations, goals and objectives of the district, and propose changes or modifications to same;
- Review and make recommendations regarding any matter referred to the advisory board for action or comments by the county commissioners;
- Initiate requests and recommendations for new programs, objectives, goals, expansions, increases to assessments, and expenditures of the district through the staff liaison for recommendation to the county commissioners;
- Review all expenditures of district funds and provide comments to the appointed staff liaison;
- Review and comment on qualifications of prospective members of the advisory council or employees of the district.

Attendance

Advisory board members must attend meetings on a regular basis. If any member fails to attend 3 successive meetings without prior approval of the chairman, or if a member fails to attend 40% or more of all meetings within any calendar year, the county commission may declare the seat held by the member to be vacant and may appoint a new member without notice.

Officers

At the first meeting of an advisory board, a chairperson, vice chairperson, and secretary should be elected. The chairperson shall be in charge of coordinating and researching information between the advisory board and the assigned county staff liaison.

The chairperson conducts all advisory board meetings from this point on and shall coordinate all matters that are presented to the county commission through the staff liaison.

The officers shall serve a one-year term or until a successor is elected. The chairperson or the vice chairperson shall preside at all meetings. The secretary, or a person designated by the chair in the secretary's absence, shall keep minutes of all meetings. Minutes shall be approved by the advisory board and filed with the clerk of the court. Copies shall be provided to the county commissioners and the assigned county staff liaison.

Meetings

The advisory board shall establish a schedule of regular meetings, including time and location. The ordinance or resolution creating an advisory board may dictate a minimum number of required meetings and should be referred to for clarification. Additional meetings may be called upon reasonable notice by the chairperson or at the direction of the county commission.

Notice of all advisory board meetings shall be posted in a conspicuous public place at least seven days prior to the date of the meeting. No business shall be conducted at any meeting without a quorum, which shall consist of a majority of the members of the advisory board. All meetings shall be open to the public and members of the public are entitled to participate in the meetings, subject to reasonable restrictions on the amount of time for each speaker and adherence to the printed agenda, unless otherwise agreed to by the advisory board chairperson or designee.

Any item not submitted in time to be placed on the agenda for a meeting shall be placed on the agenda for the following meeting, or by a majority vote of the members present, may be discussed without appearing on the agenda.

All meetings of two or more advisory board members are subject to the Florida Government-in-the-Sunshine Law and must be publicly noticed. The Florida Government-in-the-Sunshine Law manual may be viewed or downloaded at myfloridalegal.com.

RULES OF ORDER BEFORE BOARDS AND COMMISSIONS

Quorum

Unless otherwise specifically provided, a majority of the members of the advisory board shall constitute a quorum at any regular meeting of the advisory board. In the absence of a quorum, no official meeting may be held, and no official action shall be taken by the advisory board.

Order and decorum

While the advisory board is in session, the members must preserve order and decorum. A member shall neither, by conversation nor otherwise, delay or interrupt the proceedings of the advisory board. Nor shall a member disturb any member while speaking or refuse to obey the order of the advisory board or its presiding officer.

Authority of advisory board chairperson

The chairperson of the advisory board is the presiding officer in the advisory board meeting. The chairperson should arrive before the meeting is scheduled to begin with a copy of the

agenda and, when a quorum is present, call the meeting to order. The chairperson should know all of the business to be discussed during a regularly scheduled meeting prior to the meeting and call for it in its regular order. In referring to one's self, the chairperson is always referred to by the official title "chairman" or "chair"; never by a personal pronoun such as I, me, or mine.

The duties of the chairperson are generally as follows:

- to open the meeting at the time at which the board is to meet, by taking the chair and calling the members to order;
- to announce the business before the board in the order in which it is to be acted upon; to recognize members entitled to take the floor;
- to state and to put to vote all questions which are regularly moved, or necessarily arise in the course of the proceedings, and to announce the result of the vote;
- to protect the advisory board from annoyance due to frivolous or dilatory motions by refusing to recognize them;
- to assist in the expediting of business in every way compatible with the rights of the members, as by allowing brief remarks when undebatable motions are pending, if advisable;
- to enforce on all occasions the observance of order and decorum among the members, deciding all questions of order;
- to inform the advisory board, when necessary or when referred to for the purpose, on a point of order or practice pertinent to pending business;
- to authenticate, by signature, when necessary, all of the acts, orders, and proceedings of the advisory board declaring its will.

The chairperson should set an example of courtesy, and should never forget that to control a room, it is necessary to control one's self. The chairman must be fair and impartial at all times.

When a motion is made, do not recognize any member or allow anyone to speak until the motion is seconded, and you have stated the question. The chairperson may guide the wording of the motions and re-state them in proper form, take the vote, as well as announce the outcome and the result of the vote.

Never interrupt members while speaking, simply because you believe you know more about the matter than they do; never get excited; never be unjust to the most troublesome member, or take advantage of unfamiliarity with parliamentary law. Never be technical, or stricter than is absolutely necessary for the good of the meeting. Use your judgment.

Addressing the advisory board

Any person wishing to address the advisory board should first secure the permission of the presiding officer; however, unless the presiding officer rules otherwise, any person may address the advisory board without securing prior permission under the following business headings:

- **Written communications** – Interested parties, or their authorized representatives, may address the advisory board by written communication regarding matters that are under discussion. Such communications shall be heard in the order of receipt by the chairperson.
- **Oral communications** – Interested parties, or their authorized representatives, may address the advisory board by oral communication on any matter concerning the advisory board's business. Preference shall be given to those persons who have notified the advisory board in advance of their desire to speak in the same order that the matter appears on the agenda.
- **Protests and petitions** – Interested parties, or their authorized representatives, may address the advisory board by reading of protests, petitions, or communications relating to zoning, sewer, and street proceedings; hearings on protest, appeals, and petitions; or similar matters regarding matters under consideration.

Every person addressing an advisory board shall give his or her name and address for the record and limit his or her address to two minutes unless, by a majority vote, the advisory board members agree that such time should be extended.

All remarks shall be addressed to the advisory board and not to any member individually. No person, other than a member of the advisory board and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the advisory board, without the permission of the presiding officer. No questions shall be asked of a member except through the presiding officer.

Compliance with rules and regulations

Any person appearing before an advisory board shall abide by the rules and regulations set forth in the county code of ordinances and such other rules and regulations as any advisory board shall from time to time adopt to promote the orderly and expeditious procedure.

BOARD-STAFF RELATIONSHIP

Each advisory board of appointed citizens who volunteer their services is supported by staff members who are employees of the county commission. Every board has a stated purpose that fits into the framework of county government and provides a link between the citizens and the elected officials.

Role of the staff liaison

A staff liaison, assigned or appointed by the county administrator, is responsible for coordinating with the individual advisory board chairperson, county administrator, and district commissioner, as applicable, on matters pertaining to the recruitment and orientation of new advisory board members.

Additional responsibilities may include:

- Attending annual advisory board seminar;
- Attending and chairing the first meeting held by an advisory board or council to assist the members with organization;
- Regularly attending meetings of the advisory board to be current with members and issues. The liaison is expected to attend a majority of meetings and provide information to the county administrator for the commission's benefit; therefore, it may be necessary to take notes;
- Regularly reviewing meeting minutes and attendance reports; discussing attendance problems with the advisory board chairperson;
- Reviewing applications received in the commissioners' office with the advisory board chairperson prior to placement on the commissioners' agenda for consideration;
- Assist as needed with preparation of the annual budget to be presented to the county commission for consideration and approval;
- Presentation of advisory board requests and recommendations to the county commission for appropriate action, as requested by the department director; and
- Remain accessible to advisory board members to assist with any questions or concerns that may arise.

GOVERNMENT IN THE SUNSHINE LAW

Florida's Government in the Sunshine Law, **Florida Statute 286.011**, commonly referred to as the Sunshine Law, provides a right of access to governmental proceedings of public boards or commissions at the state and local level. The law is equally applicable to elected and appointed advisory boards, and applies to any gathering of two or more members of the same advisory board to discuss some matter which will foreseeable come before that advisory board for action.

Members-elect to such advisory boards or commissions are also subject to the Sunshine Law. There are three basic requirements of **Florida Statute 286.011**.

- Meetings of public boards or commissions must be open to the public;
- Reasonable notice of such meetings must be given; and
- Minutes of the meetings must be taken and promptly recorded.

The Government in the Sunshine Law applies to “any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision.” The Sunshine Law is equally applicable to elected and appointed boards.

Advisory boards created by public agencies may be subject to the Sunshine Law, even though their recommendations are not binding upon the entities that create them. The “dispositive question” is whether the advisory board has been delegated a “decision-making authority,” as opposed to mere “information-gathering or fact-finding authority.”

Private telephone conversations between advisory board members to discuss matters which foreseeably will come before that advisory board for action violate the Sunshine Law.

The Sunshine Law requires advisory boards to meet in public; advisory boards may not act on or engage in private discussion of advisory board business via written correspondence, emails, text messages, or other electronic communications.

A vital element of the Sunshine Law is the requirement that advisory boards which are subject to the law provide “reasonable notice” of all meetings.

Reasonable public notice is required for all meetings subject to the Sunshine Law and is required even though a quorum is not present. Notice is required even though meetings of the board are “of general knowledge” and are not conducted in a closed-door manner.

The Sunshine Law does not define the term “reasonable notice.” Therefore, the type of notice required is variable and depends on the facts of the situation. Notice must be given at such time and in such a manner as to enable the media and the general public to attend the meeting.

While the attorney general’s office cannot specify the type of notice which must be given in all cases, the following notice guidelines are suggested:

- The notice should contain the time and place of the meeting and, if available, an agenda, or if no agenda is available, a statement of the general subject matter to be considered.
- The notice should be prominently displayed in the area in the agency’s offices set aside for that purpose, e.g., for cities, in the city hall, and on the agency’s website, if one exists.
- Except in the case of emergency or special meetings, notice should be provided at least seven days prior to the meeting. Emergency sessions should be afforded the most appropriate and effective notice under the circumstances.
- Special meetings should have no less than 24 and preferably at least 72 hours reasonable notice to the public.
- The use of press releases, faxes, emails, and/or phone calls to the local new media is highly effective in providing notice of upcoming meetings.

Public access to meetings of public boards is a key element of the Sunshine Law, and public agencies are advised to avoid holding meetings in places not easily accessible to the public.

Florida Statute 286.011(6) prohibits advisory boards subject to the Sunshine Law from holding their meetings at any facility which discriminates on the basis of sex, age, race, creed, color, origin, or economic status, or which operates in such a manner as to unreasonably restrict public access to such a facility.

Florida Statute 286.012 provides that no member of an advisory board appointed by a county commission who is present at a meeting can abstain from voting unless there is a possible conflict of interest. Questions as to what constitutes as a conflict of interest and when advisory board members are prohibited from voting under the statutes should be referred to the Florida Commission on Ethics. Roll call votes are not necessary, and secret ballots are prohibited.

Florida Statute 286.011(2) requires that minutes of a meeting of a advisory board be promptly recorded and open to public inspection. The minutes are public records when the person responsible for preparing the minutes has performed his or her duty even though they have not yet been sent to the advisory board members or officially approved by the advisory board.

While an advisory board is authorized to tape record or video tape the meeting, the Sunshine Law requires written minutes. A written transcript is not required, but the advisory board may use a written transcript of the meeting as the minutes, if it chooses to do so. Written minutes of all meetings must be submitted to the clerk of the circuit court for the public record.

A knowing violation of the Sunshine Law is a misdemeanor of the second degree. **Florida Statute 286.011(3)** a person convicted of a second-degree misdemeanor may be sentenced to a term of imprisonment not to exceed 60 days and/or fine up to \$500. **Florida Statutes 775.082(4)(b) and 775.083(1)(e)** the criminal penalties apply to members of advisory boards subject to the Sunshine Law as well as appointed advisory boards.

Florida Statute 286.001(4) reasonable attorney's fees will be assessed against a advisory board found to have violated the Sunshine Law. **Florida Statute 286.011 (4) and (5)** attorney's fees may be assessed against the individual members of the board except in cases where the advisory board sought, and took the advice of its attorney.

If a member of a board charged with a violation of **Florida Statute 286.011** is subsequently acquitted, the advisory board is authorized to reimburse that member for any portion of his or her reasonable attorney's fees. Reasonable attorney's fees may be assessed against the individual filing an action to enforce the provisions of **Florida Statute 286.011**, if the court finds that it was filed in bad faith or was frivolous.

PUBLIC RECORDS ACT

Florida's Public Records Law, **Florida Statute 119**, provides a right of access to records within the custody of state and local government entities as well as private entities acting on the agency's behalf.

In the absence of a statutory exemption, this right of access applies to all materials made or received by an agency in connection with the transaction of official business which are used to perpetuate, communicate, or formalize knowledge.

Florida Statute 119.011(12) defines "public records" to include: all documents, papers, letters, maps, books, tapes, photographs, films, sound records, data processing software, or other material, regardless of the physical form, characteristics or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency. Email messages made or received by agency officers and employees in connection with official business are public records and subject to disclosure in the absence of an exemption. The same rules that apply to email would be considered for electronic communications including Blackberry PINS, text messaging, instant messaging and social media posts made in connection with the transaction of official business.

Florida Statute 119.07 provides that every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision of the custodian of the public records.

CONFLICTS OF INTEREST

Voting

Florida Statute 112.3143 governing voting conflict of interest applies to all public officials including any person serving on an elected or appointed board or council.

No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss, or which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate.

The officer must publicly announce the nature of his or her interest before the vote and must file a memorandum of voting conflict on commission form 8B with the meeting's recording officer within 15 days after the vote occurs disclosing the nature of his or her interest in the matter. The memorandum of voting conflict must be filed with the meeting's recording officer, be provided to the other members of the agency, and be read publicly at the next meeting.

No appointed state or local officer shall participate in any matter which would inure to the officer's special private gain or loss, the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, or a relative, or of a business associate, without first disclosing the nature of his or her interest in the matter.

If the conflict is unknown or not disclosed prior to the meeting, the appointed official must orally disclose the conflict at the meeting when the conflict becomes known. Also, a written memorandum of voting conflict must be filed with the meeting's recording officer within 15 days of the disclosure being made and must be provided to the other members of the agency with the discloser being read publicly at the next scheduled meeting per **Florida Statute 112.3143**.

Financial disclosures

Conflicts of interest may occur when public officials are in a position to make decisions that affect their personal financial interests. This is why public officers and employees, as well as candidates who run for public office, are required to publicly disclose their financial interests. The disclosure process serves to remind officials of their obligation to put the public interest above personal considerations. It also helps citizens monitor the considerations of those who spend their tax dollars and participate in public policy decisions or administration.

Form 1 - Statement of financial interests (limited financial disclosure)

Persons required to file Form 1 include appointed members of boards, councils, commissions, authorities, or other bodies of county, municipality, school district, independent special district, or other political subdivision; boards having the power to enforce local code provisions; boards of adjustment; planning or zoning boards having the power to recommend, create, or modify land planning or zoning with a political subdivision, except for citizen advisory committees, technical coordinating committees and similar groups who only have the power to make recommendations to planning or zoning boards.

Initially, each local officer must file Form 1 within 30 days of the date of his or her appointment. Form 1 requirements are set forth on the form. In general, this includes the sources and types of financial interests, such as names of employers and addresses of real property holdings of the reporting individual. No dollar values are requested. The form requires the discloser of certain relationships with, and ownership interest in, specified types of businesses including banks, savings and loans, insurance companies and utility companies.

After the initial appointment, annual statements of financial interests are due July 1. If the annual form is not filed or postmarked by Sept. 1, an automatic fine of \$25 for each day will be imposed, up to a maximum penalty of \$1,500 per **Florida Statute 112.3145**, which is applicable to non-judicial officials. Failure to file also can result in removal from public office.

At the end of the advisory board member's term, each local officer is required to file a final disclosure form (Form 1F) within 60 days of leaving office. The form covers the disclosure period between Jan. 1 and the last day of office within that same calendar year. However, filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if he or she was in their position on Dec. 31.

In addition, failure to make any required disclosure constitutes grounds for any may be punished by one or more of the following disqualifications from being on the ballot, impeachment, removal, or suspension from office, reprimand, or a civil penalty not exceeding \$10,000, per **Florida Statute 112.317**. Local officers file with the supervisor of elections of the county in which they permanently reside. In Marion County, the supervisor of elections office is located at 981 NE 16th St., Ocala, FL 34478.

Forms are available on the Commission on Ethics' website at ethics.state.fl.us. The Florida Statutes may be viewed online at leg.state.fl.us/statutes.

COMMISSION POLICY 22-01: CITIZEN ADVISORY BOARDS

PURPOSE

The purpose of this policy is to establish consistent procedures to be adhered to by appointed members of any citizen advisory boards and to implement a training program for advisory board members.

POLICY

It is hereby declared to be a policy of the Marion County Board of County Commission (BCC) that the procedures outlined herein regarding citizen advisory boards apply to members of each of the following advisory boards, and any advisory board subsequently created:

- Affordable Housing Advisory Committee
- Board of Adjustment
- Code Enforcement Board
- Dog Classification Board
- Fire Rescue & EMS Advisory Board
- Golden Hills Turf and Country Club
- Hills of Ocala-Recreation Advisory Council
- Historical Commission
- Hospital District Board of Trustees
- Housing Finance Authority
- Industrial Development Authority
- Land Development Regulation Commission
- License Review Board
- Marion Oaks General Services
- Marion Oaks Recreation Advisory Council
- Parks & Recreation Advisory Council
- Pine Run Advisory Council
- Planning & Zoning Commission
- Public Safety Coordinating Council
- Rainbow Lakes Estates MSD Advisory Council
- Silver Springs Shores Special Tax District
- Tourist Development Council
- Well-Florida Council

Citizen advisory boards are created by state statute, county ordinance or BCC resolution. Some advisory boards are tasked with reviewing and researching a topic, hearing appeals or making recommendations considering public safety, welfare, and health.

This policy repeals and replaces the following commission policy: 18-01. This policy shall take effect immediately upon adoption by the BCC on March 15, 2022 and shall remain in effect until amended by the BCC.

Appointment requirements for citizen advisory board members

Notwithstanding any other provisions of the county code of ordinance pertaining to time limitations or term limits for a member's service on an advisory board, a member appointed to an advisory board may be appointed to consecutive terms.

Resignations shall be placed on the agenda for county commission (BCC) notation. Vacancies including due to resignation on any board shall be advertised by commission's executive assistant, in consultation with the chairperson, vice chairperson or the county administrator, at the next advertising cycle after the vacancy occurs.

Sixty days prior to the end of a board member's term, the commission's executive assistant shall advertise for applications to serve on the board.

All applicants for membership on any of the below-specified boards may be scheduled for interview at the most appropriate time prior to the date of appointment. Applicants previously interviewed (within a one-year period) for the position currently being sought will not be interviewed again except at the specific direction of the BCC.

Applicants for membership on the following advisory boards, commissions, or councils may be interviewed prior to appointment by the BCC:

- Hospital District Board of Trustees
- Planning and Zoning Commission
- Tourist Development Council
- Historical Commission

Current alternate member(s) of boards on which vacancy(ies) exist will be interviewed upon specific direction by the BCC.

Attendance requirements for citizen advisory board members

Members of advisory boards, commissions, agencies, councils, or other similar bodies created by the county commission (BCC), or by any general or special act of the state legislature, with the exception of the BCC and the Code Enforcement Board, shall faithfully attend meetings on a regular basis.

Any member failing to attend 3 successive meetings without prior approval of the advisory board chairman or at least 40% of all meetings within a calendar year will be reported to the BCC. The seat may be deemed vacant and a new member may be appointed without notice.

Filing of financial disclosure statements

Members of boards, commissions, agencies, councils or other similar bodies appointed by the BCC shall annually file a financial disclosure statement as required by **Florida Statute 112.3145**.

Failure of any member to file said statement by July 31 of each year of their term of office shall subject said delinquent member to removal from office by the BCC.

Removal from office as described in the preceding paragraph may only be excused by the BCC upon a showing of good cause, which shall be determined by a majority vote of the BCC.

Substantive boards

For purposes of this policy, the following boards shall be considered substantive boards:

- Board of Adjustment
- Code Enforcement Board
- License Review Board
- Land Development Regulation Commission
- Historical Commission
- Hospital District Board of Trustees
- Housing Finance Authority
- Industrial Development Authority
- Parks and Recreation Advisory Council
- Tourist Development Council

No person may serve as an appointed member of more than one substantive board, commission, agency, council or other entity whether created by the BCC or created by any general or special act of the state legislature.

If an appointment is made which violates this policy, the appointee shall submit a resignation from the conflicting board, commission, agency, council, or other entity within 10 days of appointment, otherwise, the new appointment shall be null and void.

A person may serve as a member of a MSTU or MSBU advisory board and a member of a substantive board provided no conflict exists as determined by the BCC.

A person may only serve as a member of one MSTU or MSBU advisory board at the same time.

Advisory board member training program

Within six months of appointment, advisory board members must complete prerecorded videos, which are accessible on the county's website at: marionfl.org/advisoryboards.

Training is mandatory once every term for advisory board members. The advisory board member is required to complete an acknowledgment form, which is also located on the above referenced county website.

MSTU and MSBU advisory boards

In addition to the other responsibilities outlined in this policy, the roles and responsibilities within section F apply to all members of any of the following MSTU or MSBU advisory boards and to any such advisory board created after adoption of this policy:

- Golden Hills Turf & Country Club-Road Improvements
- Hills of Ocala Recreation Advisory Council
- Marion Oaks-General Services
- Marion Oaks-Recreation Advisory Council
- Pine Run Advisory Council
- Rainbow Lakes Estates Advisory Council
- Silver Springs Shores Special Tax District

An MSTU or MSBU may be established by the BCC as provided under state law or by special act to provide a means of financing specified services in a geographic area of the county.

Under state law and all current special acts, the BCC is the governing body for all MSTUs and MSBUs.

All finances and assets, including real property and personnel, are under the control of the BCC. The BCC, at its option, may create an advisory board to advise it on issues and policies relating to the MSTU/MSBU including service levels, budgeting, and programs. The following describes the role of these advisory boards as currently provided under state law, special acts, county ordinances, and BCC. Any statute, special act, BCC policy, administrative policy, or bylaw which is in conflict with this policy shall prevail:

Employees

Employees assigned to an MSTU/MSBU provide services for which funds have been budgeted within the MSTU/MSBU and are Marion County employees; as such, they are under the direction and supervision of the county administrator and are subject to all applicable county policies.

The county administrator shall assign a staff liaison to an MSTU advisory board. Neither an advisory board nor advisory board members have authority over county employees; it is not appropriate for an advisory board or advisory board members to give directions to county employees or to play a role in personnel practices.

Purchases and expenditures

Advisory boards provide advice and recommendations to the BCC on services, facilities, policies, the budget and other financial needs of the MSTU. The advisory board, in consultation with the staff liaison, will prepare the annual budget request for the MSTU for review by the county administrator and approval by the advisory board, county administrator and by the BCC.

The staff liaison to the advisory board will have responsibility for the administration of the adopted budget and for authorizing expenditures. Expenditures are to comply with pertinent statutes, county ordinances, BCC and administrative policies. Requests for Proposals (RFPs) for services as well as specifications, plans, or designs for capital items, equipment and fixed assets are to be developed by the staff liaison with input from the purchasing director and other county employees as may be appropriate.

The advisory board shall have an opportunity to review all such items for consistency with the intent of the adopted budget. Acquisition of goods and services shall be in accordance with all applicable statutes, ordinances, and BCC and administrative policies.

Policies and operations

The staff liaison will attend advisory board meetings. The staff liaison shall notify county administration of the dates and times of all scheduled advisory board meetings for purposes of public notice according to county policy. Minutes shall be taken of all advisory board meetings and be submitted to the clerk of the court's commission records department for inclusion in an upcoming BCC meeting agenda as a notation for record item.

Advisory board members do not individually have a role in MSTU operations, however, the staff liaison is expected to consider the recommendations of the advisory board on services and other issues.

This policy repeals and replaces the commission policy 18-01.

Date of adoption: March 15, 2022