

ARTICLE II. - MSBU/TU ADVISORY BOARDS

Sec. 4-1-16. - Establishment.

Charlotte County Board of County Commissioners (the "board"), pursuant to the provisions of F.S. section 125.01 and the Charter, section 2.2(H) has the power to establish, merge or abolish municipal service benefit and taxing units ("units") and levy and collect assessments and taxes within such units including the authority to establish advisory board(s) for the unit.

(Ord. No. 2015-045, § 1, 10-27-15)

Sec. 4-1-17. - Membership.

For each unit, the board of advisors shall consist of five (5) members (hereinafter, collectively "members") appointed by the board. All members shall be residents and owners of real property within the unit. The criteria for selection of members shall include, among other things, technical knowledge or expertise in matters related to the work program of the unit or demonstrated interest in community service.

For newly created advisory boards to a new or existing unit, continuity of membership shall be established with the initial terms of office being drawn by lot as follows: One (1) member shall be appointed for one (1) year, two (2) members shall be appointed for two (2) years, and two (2) members shall be appointed for three (3) years. After the initial term, members shall serve a term of three (3) years and all members shall be eligible for reappointment to the board of advisors. All terms of office for newly created advisory boards shall commence on November 1 and terminate on October 31.

For existing advisory boards, continuity of membership shall be maintained as follows: The current term of office for all members serving on an advisory board on November 1, 2016 shall terminate and such members shall be immediately reappointed to a new term of office that commences on November 1, 2016. In order to stagger the terms of office thereafter, such reappointed members' term length shall be determined by lot at the first meeting of the advisory board held after November 1, 2016, with one (1) member being appointed for a one-year term, two (2) members being appointed for two-year terms and two (2) members being appointed for three-year terms. Members appointed to fill a vacancy with less than six (6) months to the end of term date shall be appointed for the remainder of the term and the following three-year term. Members appointed to fill a vacancy with a remaining term of more than six (6) months shall fill the remainder of the vacant term.

(Ord. No. 2015-045, § 1, 10-27-15; Ord. No. 2016-041, § 1, 11-8-16)

Sec. 4-1-18. - Duties/responsibilities.

The advisory board shall make recommendations to the board and county staff limited to the scope and purpose of the unit which includes, but not limited to, the following:

- (1) To make recommendations to the county for expenditure of the funds within the budget in accordance with the law and the board of county commissioners approved purchasing guidelines; and
- (2) To make recommendations to the board of county commissioners regarding the annual proposed budget for the unit.

(Ord. No. 2015-045, § 1, 10-27-15)

Sec. 4-1-19. - Officers.

At the advisory board organization meeting to be held in December, or as soon thereafter as possible, the members shall elect a chairperson and a vice-chairperson, who shall be voting members, from among its members. Said chairman and vice-chairman shall serve until the next organizational meeting, at which time the members shall elect again a chairperson and vice-chairperson unless an officer vacancy occurs then the election to fulfill that position shall be held at the next regularly scheduled meeting.

The chairperson and vice-chairperson shall serve for one (1) year and may be reelected for a maximum of three (3) consecutive years as either chairperson or vice-chairperson then roll-off either of these positions for a period of one (1) year.

The chairperson is responsible to:

- (1) Preside over the advisory board meetings.
- (2) Facilitate discussion among the board members providing each member the opportunity to express ideas and/or concerns related to the issue being considered by the advisory board.
- (3) Not take sides but allow all to be heard equally in debate.
- (4) May articulate a position for the entire unit, assuming that the unit has taken such a position as a body if appearing before the county commission.
- (5) Serve as primary contact with county staff.
- (6) Foster compliance with the Florida Sunshine (F.S. ch. 286), Records Law (F.S. ch. 119), and Robert's Rules of Order.
- (7) The chairperson is eligible to vote on all motions.

The vice-chairperson shall, in the absence of the chairperson, assume all duties of the chairperson.

The advisory board shall have a recording secretary who is a member of county staff. The secretary shall post notice of the advisory board meeting, cause minutes to be produced for approval at the next regularly scheduled advisory board meeting and ensure adopted minutes from each meeting are filed and properly retained within the county. The cost of providing such a secretary shall be charged to the individual MSBU or MSTU.

(Ord. No. 2015-045, § 1, 10-27-15)

Sec. 4-1-20. - Meetings/quorum.

Regular advisory board meetings shall be held every three (3) months on a regular basis (quarterly) unless there is no current activity within the unit. All advisory board meetings shall be open to the public and held in a Charlotte County public facility. Regular advisory board meetings shall be held during regular business hours. A quorum is met when a majority of the advisory board members are present; no less than three (3) members. To take action on an item or pass a motion, a majority of the members present and voting shall be required.

(Ord. No. 2015-045, § 1, 10-27-15)

Sec. 4-1-21. - Procedures.

Advisory boards may survey residents within the unit when requesting projects beyond core services provided by the county, such as landscape, entranceway signs, decorative lighting, etc., which results in an assessment rate increase to the unit with each property owner. The advisory board may request technical, administrative, and legal support through the county administrator and/or county attorney, who may furnish such assistance as deemed proper and the cost of providing such services shall be charged to the individual MSBU or MSTU.

(Ord. No. 2015-045, § 1, 10-27-15)

Sec. 4-1-22. - Removal from advisory board.

All advisory board members serve at the pleasure of the board who may remove any member by majority vote, with or without cause, at any time. Members who fail to attend two (2) meetings in a rolling twelve-month period shall automatically forfeit their appointment and the board shall promptly fill each vacancy from a list of qualified applicants in accordance with section 4-1-17.

(Ord. No. 2015-045, § 1, 10-27-15)

Sec. 4-1-23. - Sunshine laws, public records laws and parliamentary procedure.

All advisory board members and all advisory board meetings shall be governed by the Florida Sunshine Law outlined in F.S. ch. 286, Florida Public Records Law outlined in F.S. ch. 119 and Robert's Rules of Order. Mandatory training shall be provided each year during the organizational meeting in December, or soon thereafter.

(Ord. No. 2015-045, § 1, 10-27-15)