

# **Board of County Commissioners**

## **Agenda Request**

Date of Meeting: March 3, 2009

Date Submitted: February 13, 2009

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator  
Ron Mowrey, County Attorney  
Jennifer Langston, Special Projects Coordinator

Subject: Requests Board Approval to Hold a Public Hearing to Adopt an Ordinance & Resolution Establishing the Wakulla County Administrative Code as directed in the County Charter Ordinance No. 2008-14 fully codifying an Administrative Code for Wakulla County.

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### **Statement of Issue:**

This agenda item requests Board Approval to Hold a Public Hearing to Adopt an Ordinance and Resolution Establishing the Wakulla County Administrative Code as directed in the County Charter Ordinance No. 2008-14.

### **Background:**

On November 4, 2008, a majority of Wakulla voters approved the proposed Wakulla County Charter which became effective on January 1, 2009 (Attachment #1). Article II, Section 2.9 of the Wakulla County Charter provides that the Board of County Commissioners shall adopt an administrative code to govern the operation of the county. Section 125.87, Florida Statutes, requires counties that have adopted a home rule charter, to adopt an administrative code (Attachment #2).

### **Analysis:**

The purpose of the Administrative Code is to organize County Government and to set forth the duties, responsibilities, and powers of the County Administrator. The administrative code shall also set forth the responsibilities of the departments and offices of county government. Most charter counties in Florida establish their Administrative Codes by Ordinance and by Resolution.

Staff, and the County Attorney have prepared an ordinance, and resolution that would fully codify an Administrative Code for Wakulla County Government (Attachments #3 & 4). In summary, the Ordinance does the following:

- Creates a new chapter of the Code of Laws “Wakulla County Administrative Code” & Repeals existing language related to the County Manager.
  
- Sets out powers and duties of the County Administrator such as: budgetary,

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administrative, and supervisory responsibilities.

- Prescribes only those powers and duties, which are administrative or ministerial in nature, not to delegate any governmental power imbued in the board as the governing body of the county pursuant to the Florida Constitution.
- Requires designation of departments, offices and divisions of the County to be adopted by resolution upon recommendation of the County Administrator. Allows for Appointment of Assistant County Administrators subject to consent of the Board. Delineates structure of departments, offices, and divisions.
- Clarifies that the Ordinance does not alter function duties or powers of the County Attorney as legal advisor to the Board, and specifies that the County Attorney shall continue to report to the Board.
- Provides Non-Interference for no County Commissioner to direct or otherwise interfere with the performance or duties of any employee or official of the County who is subject to the direction and supervision of the County Administrator.
- Confirms existing policies, ordinances, resolutions, motions, and other Board actions to continue in force and effect until amended, rescinded, repealed or suspended by appropriate actions of the Board.

The attached Resolution designates and sets forth the departments, offices, and divisions of County government as indicated below:

- The Department of Public Services- Library Services, Parks & Recreation and Facilities Management, Probation Services, Veterans Services, Cooperative Extension & Agriculture, County Airport.
- Office of Management & Budget- Budget Development, Grants Coordination, Purchasing, Human Resource Management and Risk Management
- The Department of Planning & Community Development- Housing Services, Building Inspections, Code Enforcement, Planning and Zoning
- Public Safety Department -Fire Services, Emergency Medical Services, County Health Department, Emergency Management Coordination, Environmental Health, Mosquito Control
- Department of Public Works-Solid Waste Management, Water and Sewer Management, Transportation, Operations and Engineering, Engineering Services,

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#### Right of Way Acquisition

This agenda item requests the Board hold a public hearing to adopt an Ordinance and Resolution to fully codify the Wakulla County Administrative Code.

#### **Options:**

1. Conduct the Public Hearing to Adopt an Ordinance and Resolution Establishing the Wakulla County Administrative Code.
2. Approve Resolution setting forth the departments, offices, and divisions of the County
3. Do Not Conduct the Public Hearing to Adopt an Ordinance and Do Not Approve a Resolution Establishing the Wakulla County Administrative Code.
4. Board Direction.

#### **Recommendation:**

Options 1 & 2.

#### **Attachment(s):**

1. Wakulla County Charter Ordinance
2. Section 125.87, Florida Statutes
3. Proposed Administrative Code Ordinance
4. Proposed Resolution designating & setting forth departments, offices & divisions of the County.