

RESOLUTION NO. 2001- 108

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A MOTION TO SUSPEND RULE 4.101 OF THE RULES/POLICIES OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS, READOPTED BY RESOLUTION NO. 98-176, AS AMENDED FROM TIME TO TIME, FOR THE PURPOSE OF ALLOWING THE BOARD TO TAKE ACTION AT A SPECIAL MEETING HELD OUTSIDE OF THE COUNTY SEAT; TO WIT: A PUBLIC HEARING HELD ON JUNE 6, 2001 AT RAWLINGS ELEMENTARY SCHOOL IN PONTE VEDRA BEACH IN ST. JOHNS COUNTY.

RECITALS

WHEREAS, pursuant to Section 125.001, Florida Statutes, the Board of County Commissioners of St. Johns County, Florida (hereinafter, "Board") may hold regular and special meetings of the Board at any appropriate public place in the County. Further, the Office of the Attorney General of the State of Florida has interpreted "any appropriate public place" to include any public location within the county irrespective of the location of the county seat. See Op. Att'y Gen. Fla. 99-39 (1999); and

WHEREAS, Section 125.01 of the Florida Statutes provides that the Board may adopt its own rules of procedure and set the time and place of its official meetings; and

WHEREAS, the Board has adopted its own rules of procedure which also govern meeting times and location. Under Rule 4.101 of the Rules/Policies of the St. Johns County Board of County Commissioners, "No action may be taken by the Board at a meeting located outside the County Seat."; and

WHEREAS, Rule 4.803 of the Rules/Policies of the St. Johns County Board of County Commissioners provides, "A motion to suspend the standing rules may be made by a Commissioner or the Chair. A suspension is a non-debatable motion. The standing rules may be suspended by a majority plus one (1) of the Commissioners present. Once suspended, the rules remain suspended only for the time indicated in the motion."

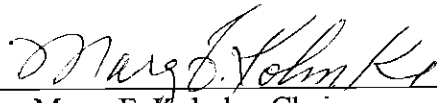
NOW THEREFORE, BE IT MOVED, RESOLVED AND PROCLAIMED by the Board of County Commissioners of St. Johns County, Florida, as follows:

1. The above Recitals are hereby incorporated herein by reference and adopted as findings of fact in support of this motion and resolution.
2. Rule 4.101 of the Board's Rules/Policies shall be suspended from noon on June 6, 2001, and shall remain suspended until it resumes in full force and effect at seven o'clock a.m. on June 12, 2001.

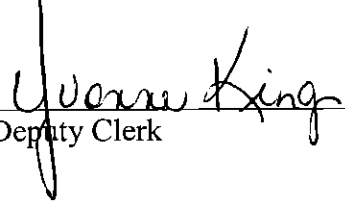
3. The purpose of suspending Rule 4.101 is to facilitate a Board meeting in the Ponte Vedra area of St. Johns County on June 6, 2001 beginning at 6 o'clock p.m. in which the Board shall be empowered to take action including voting on issues. Said meeting shall be held at Rawlings Elementary School, a public place within St. Johns County, Florida. The topic(s) of discussion and/or action will be the St. Johns County Utility Department, the purchase of Intercoastal Utilities, Inc., and all matters related thereto.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 21st day of May, 2001.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Mary. F. Kohnke, Chair

ATTEST: Cheryl Strickland, Clerk

By: 
Deputy Clerk

* A complete copy of the County Commissioners Rules & Policies is available in the County Commissioner's office.

CHAPTER 4. PROCEDURES

PART 1. MEETINGS; QUORUM

RULE 4.101 MEETINGS, GENERALLY

All regularly scheduled Board meetings shall be held in the Board Auditorium at the County Complex on Lewis Speedway, and shall be open to the public. In case of emergency the Board, by motion or resolution adopted by a majority vote of all Commissioners, may designate an appropriate meeting place in other facilities for a meeting open to the public. No action may be taken by the Board at a meeting located outside the County Seat.

RULE 4.102 REGULAR AND WORKSHOP MEETINGS

The Board shall hold regular meetings on the second and fourth Tuesdays and mornings of the third Tuesday of each month commencing at 9:00 A.M. and shall hold workshop meetings on the first and the afternoon of the third Tuesdays of each month commencing at 9:00 A.M. and 1:30 P.M. respectively. However, when a regular meeting day shall fall on a legal holiday observed by the County, the regular meeting of the Board shall be held on the following day at the same time and place or on such date approved by the Board and advertised accordingly.

RULE 4.103 SPECIAL MEETINGS

The Chair or a majority of the Commissioners may call a special meeting of the Board upon not less than twenty-four hours notice to each Commissioner. Notice of the call of such special meeting shall be in writing, signed by the party or parties making the call and shall be served on each Commissioner. The notice shall state the business to be transacted at such meeting, including "all other business that may come before the Board". The Clerk of the Board shall publish the notice as a legal advertisement at least 2 days prior to the day of the meeting. The Chair may, upon not less than twenty-four hours notice to every Commissioner, cancel any special meetings of the Board which he had previously called pursuant to this Rule.

RULE 4.104 EMERGENCY MEETINGS

The Chair or Vice-Chair may call an emergency meeting of the Board to consider and take action upon a public emergency. No action shall be taken by the Board unless the Board first declares by motion or resolution that an emergency exists and the action taken directly pertains to the emergency. Prior notice of the emergency meeting shall be given by the most appropriate and effective method(s) available under the circumstances.