

RESOLUTION 2018 - 286

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
CREATING AND ADOPTING BYLAWS FOR THE
CULTURAL RESOURCE REVIEW BOARD.**

WHEREAS, the Cultural Resource Review Board is an advisory board to the Board of County Commissioners of St. Johns County created to identify, evaluate, document, designate and protect cultural, architectural, archaeological and historical resources; and

WHEREAS, the Board of County Commissioners, at its discretion and as it deems appropriate or desirable, is authorized to adopt, amend, abolish, or otherwise change the rules and directives under which the Cultural Resource Review Board operates; and

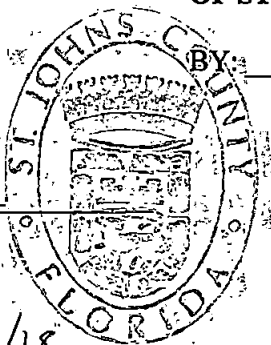
WHEREAS, at this time, the Board of County Commissioners wishes to adopt the attached bylaws in order to further the efficient and organized governance of the Cultural Resource Review Board.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County:

1. The above recitals are hereby adopted as legislative findings of fact.
2. The Board of County Commissioners approves the Cultural Resource Review Board bylaws, which are attached hereto, and incorporated herein as an Exhibit to this Resolution.
3. The attached bylaws supersede any previous bylaws adopted by the Board of County Commissioners for the Cultural Resource Review Board.
4. To the extent that there are typographical and/or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval of the Board of County Commissioners.
5. This resolution shall be effective upon its adoption by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 6th day of November, 2018.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**



BY: Henry Dean
Henry Dean, Chair

ATTEST: Hunter S. Conrad

By: Sam Halterman
Deputy Clerk

RENDITION DATE 11/8/18

Bylaws of the Cultural Resource Review Board

Created: November 6, 2018

Revised:

ARTICLE I

PURPOSE

The purpose of the Cultural Resource Review Board is to advise the Board of County Commissioners regarding cultural, architectural, archaeological, and historical resources of St. Johns County; and to identify, evaluate, document, and designate these resources. The primary responsibility of the Cultural Resource Review Board is to protect these resources that are important community assets which enrich the lives of citizens and visitors.

ARTICLE II
MEMBERSHIP

Establishment. The Cultural Resource Review Board shall consist of five (5) regular members appointed by the Board of County Commissioners to include representation from each County Commission District, when possible. Additionally, two (2) at-large alternates may be appointed. Members shall serve at the pleasure of the Board of County Commissioners and may be removed at any time without cause.

Membership Requirements.

- a. All members must be St. Johns County residents.
- b. All members shall be qualified through the demonstration of special interest, experience, or education in the preservation of Cultural Resources.
- c. All members shall, when possible, have practical and professional experience in one or more of the following fields: archaeology, architecture or architectural history, curation or conservation, planning, professional engineering, real estate, history, historic preservation, or related disciplines.

Initial Term.

In order to ensure continuity on the Board, the terms of the initial appointee Members shall be staggered as follows:

- a. One (1) regular member shall be appointed to a one (1) year term.
- b. One (1) regular member shall be appointed to a two (2) year term.
- c. One (1) regular member shall be appointed to a three (3) year term.
- d. Two (2) regular members shall be appointed to four (4) year terms.
- e. Initial appointee members serving an initial term of less than four (4) years may serve for another two (2) consecutive four (4) year terms.
- f. Initial appointee members serving for four (4) years may only serve for one (1) additional term.

The Board of County Commissioners may appoint specific members to specific terms or the initial appointee Members may draw lots at the first meeting of the Cultural Resource Review Board to determine which members shall serve which terms.

Regular Term and Appointments

Except for the initial term, Members shall be appointed by the Board of County Commissioners to a four (4) year term, with an additional term of four (4) years as may be approved by the Board of County Commissioners. No Member shall serve more than two (2) consecutive terms unless otherwise approved by the Board of County Commissioners.

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), four (4) year terms. A Member whose term has expired may be allowed to continue to serve until said Member's successor has been appointed and has commenced service on the Cultural Resource Review Board. The Board of County Commissioners shall fill vacancies, including expired terms, within sixty (60) calendar days, if possible.

Regular Members

Regular members shall be those appointed to such position by the Board of County Commissioners and shall meet the attendance requirements as below. Regular members shall have full voting rights and privileges provided all fully executed appointment documents have been filed.

Subject to ethics, Government in the Sunshine, and Public Records Laws

The Cultural Resource Review Board is an appointed board subject to the State of Florida ethics laws, Chapter 112; the Government in the Sunshine Laws, Chapter 286, and the Public Records Laws, Chapter 119. Members shall be provided with a copy or summary of Chapters 112, 119, and 286, Florida Statutes. Training may be provided by the County Attorney's Office.

ARTICLE III
ORGANIZATION

Officers. The Cultural Resource Review Board 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/Committee. Staff support will notify County Commission Office annually of the names of members who serve as officers. The Chair and Vice-Chair serve at the pleasure of the majority of the Board and may be removed and replaced at the pleasure of a majority of the full membership of the Board.

Method of Election. The Chair and Vice Chair shall be elected one at a time beginning with the Chair. The vote will be viva voce 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 of the votes.

Duties and Authority of the Chair. The Chair shall be the presiding officer of the Board and shall 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. The Chair shall sign all orders and written determinations approved by the Board. The chair shall be responsible for the proper execution of these bylaws, and the orderly proceeding of the meeting.

Duties and Authority of the Vice-Chair. The Vice-Chair shall, in the absence, disability, or conflict of the Chair be the presiding officer of the Board and exercise such administrative powers vested in the Chair.

Minutes. Minutes will be taken and maintained by a County staff member, be it the Staff Support person or staff designated as recording secretary for the purpose of the meeting. Copies of minutes will be made available as requested.

Term limitations. Regular appointments will be made for four (4) year terms. No member may serve more than two (2) consecutive terms.

Staff and Administrative Support. A County employee shall be appointed by the County Administrator to serve as Staff Support for each Board appointed by the Board of County Commissioners. The Staff Support will be assigned to monitor activities, serve as liaison, and promote communication. The Staff Support may prepare Agendas and present items and applications for determination by the Board. The Staff Support may receive authorization to sign an order or written determination previously authorized by the Cultural Resource Review Board.

Legal Assistance. Legal advice will be provided by the County Attorney's Office as reasonably requested, and approved by the Board of County Commissioners. At the request of the Board, the County Attorney's Office may provide information and training on ethics, the Government in the Sunshine law, the Public Records law, and procedural duties.

Annual Reports. The Cultural Resource Review Board must submit an Annual Report to the Board of County Commissioners by April 1st indicating its activities and accomplishments for the previous calendar year. The report should include the mission statement of the Board/Committee, projections for the current calendar year, and any other relevant information, such as the proposed budget.

ARTICLE IV

MEETINGS

Meeting Schedule. The Cultural Resource Review Board shall hold regular meetings on the first Monday of every other month, and may meet more frequently if needed or may meet on an alternate day as provided in its rules. The Cultural Resource Review Board shall meet no less than four (4) meetings during the calendar year.

Agenda. The Staff Support is to prepare an agenda for all Board meetings and workshops in accordance with Board instructions. Items on the Agenda shall be reasonably noticed.

Quorum. A majority of the membership of the Board shall constitute a quorum for the purpose of meetings and transacting business. The physical presence of three (3) members shall constitute a quorum.

If the Board is unable to obtain a quorum at a regularly scheduled meeting, it shall continue all items and hold another meeting not more than ten (10) days after the regularly scheduled meeting to hear all items continued. If the Board is unable to obtain a quorum at the continued hearing, all items may be administratively approved.

Attendance. If any appointed member of a Board fails to attend three (3) consecutive regularly scheduled meetings or four (4) total meetings during the calendar year, the Board shall declare the member's office vacant and the vacancy shall be filled.

Staff shall maintain a record of absences and enforce the attendance policy.

Hearings. All hearings shall be public hearings meeting the requirements of Chapter 286, Florida Statutes, including the requirement that a verbatim record is required to appeal. Reasonable notice of the meetings shall be provided. Each notice shall state that one or more County Commissioners may attend and participate. All meetings shall be open to the public.

Rules of Decorum and Civility. It shall be the responsibility of the Chair, or in the Chair's absence, the Vice-Chair, to promote and preserve order and decorum. Members shall neither by conversation nor otherwise delay or interrupt the proceedings or peace of the Board nor disturb any member while speaking or refuse to obey the orders of the Board or its Chair.

Public Comment. Members of the public shall be given a reasonable opportunity to be heard on a proposition before the Board, prior to any official action. Additionally members of the public shall be given an opportunity to be heard on items not appearing in the agenda and which reasonably may need the attention of the Board. No person shall address the Board unless permitted by the Chair. Each person addressing the Board shall limit comments to three (3) minutes, unless extended by the Chair for good cause. Public Comment shall not require an immediate response by any member of the Board.

Ex-Parte Communications. Pursuant to Section 286.0115, Florida Statutes, and St. Johns County Resolution 95-126, ex-parte communications may be received by local quasi-judicial officials if such communications are properly disclosed. Site visits, written communications, and communications outside the public hearing process shall be disclosed prior to any official action on the matter so that persons who have opinions contrary to those expressed in the ex-parte communication are given reasonable opportunity to refute or respond to the communication.

Board Member to Vote. Florida Statutes, Section 112.311 through 112.326 sets forth a code of ethics for public officers and employees. A Board member may not abstain from voting unless there is, or appears to be, a possible conflict of interest under Florida Statutes sections 112.311, 112.313 or 112.3143. A Board member may not participate in any matter which would inure to the member's special private gain or loss, knows would inure to the special private gain or loss of any principal, or inures to the special

private gain or loss of a relative or business associate, without first disclosing the nature of the interest. In a quasi-judicial proceeding, a member may abstain from voting on such matter if the abstention is to assure a fair proceeding free from potential bias or prejudice.

Voting. Action by the Board shall be by motion nominated and seconded. Approval of the motion shall be by majority vote of those members present. Failure to receive a majority vote shall act as a denial of the proposed motion.

ARTICLE V

AMENDMENTS, SUSPENSION, INTERPRETATION

Proposal. Any member of the Cultural Resource Review Board or the Board of County Commissioners may propose amendments to these bylaws. Bylaws may be amended by resolution accepted and approved by Board of County Commissioners.

Suspension. A motion to suspend any provision of these rules may be made by any County Commissioner. A suspension is a non-debatable motion. These bylaws may only be suspended by a majority plus one of the Commissioners present. Once suspended, the rules remain suspended only for the time indicated in the motion.

No invalidation. These bylaws are for the efficient operation of the Board. Non-compliance of any particular Rule shall not independently be grounds for the invalidation of any Board action.

Conflict: In the event of a conflict between the by-laws and Section 2 of the Board's Rules and Policies, the by-laws shall prevail unless approved by a super majority vote of the Board of County Commissioners.