

Board of County Commissioners

Okaloosa County, Florida

Title: Board Appointed Advisory and Decision Making Boards, Commissions, Councils and Committees

Date Adopted: February 20, 2018

Effective Date: February 20, 2018

Revised Date: February 5, 2019; September 5, 2023; October 17, 2023

SECTION I: PURPOSE

To establish a standardized policy and procedure to govern the appointment of volunteer citizens to County Board appointed advisory and decision making boards, commissions, councils and committees.

SECTION II: POLICY

It shall be the policy of the County:

1. To utilize a standardized application and appointment process for the evaluation and appointment of volunteer citizens who are willing to serve on Board appointed advisory and decision making boards, commissions, councils and committees;
2. To provide procedures for the education of volunteer citizens who serve on County advisory and decision making boards, commissions, councils and committees as to the requirements of Florida law to assure compliance with the provisions of all applicable Government-in-the-Sunshine, public records, Code of Ethics laws, and all other applicable codes of conduct; and
3. To ensure that all citizens, who volunteer their time to serve on boards, commissions, councils and committees are appointed following completion of an adequate background investigation which includes a criminal records search.

SECTION III: AUTHORITY

To the extent the policy delegates any authority, it is so delegated to the County Administrator. The County Attorney shall be responsible for providing any legal guidance necessary for the County Administrator to carry out his/her responsibilities under the policy.

SECTION IV: DEFINITIONS

For purposes of this policy, the following terms shall have the meanings set forth below:

Advisory Boards, Commissions, Councils and Committees: any Board, Commission, Council or Committee, or group previously or hereafter established by the Board, to provide input, advice, and/or recommendations regarding matters to be brought before the Board for approval, including but not limited to the Aviation Advisory Committee; Aviation Board; Commission on the Status of Women; Parks Advisory Committee; Tourist Development Council; Affordable Housing Board.

Applicant: a person who is interested in serving on an advisory or decision making board, commission, council or committee and who submits an application, completed in accordance with the policy.

Application: the form to be completed and submitted by those persons interested in serving on an advisory or decision making board, commission, council or committee, other than those persons whose public positions are specifically identified by statute, ordinance, resolution, policy, or other law as a required or allowable member of the board, commission, council or committee as identified in such law or regulation. For example: a County Commissioner, Building Official, Chief Correctional Officer.

Board: the Okaloosa County Board of County Commissioners.

Commissioner: a member of the Okaloosa County Board of County Commissioners.

County: Okaloosa County, Florida, a political subdivision of the State of Florida.

Decision Making Boards, Commissions, Councils and Committees: any board, commission, council or committee, or group previously or hereafter established by the Board, to advise or make decisions pursuant to statute, ordinance, resolution, Board approved by laws, or policy, or any rule adopted by federal, state or local law, as may be amended from time to time. These include but are not limited to the Board of Adjustment; Code Enforcement Board; Construction, Electrical, Mechanical and Plumbing Competency Boards; Planning Commission; Value Adjustment Board; Board of Trustees of the Law Library; Okaloosa Gas District Board¹.

Liaison Department: the county department who serves as coordinator and provides staff support for the board, commission, council or committee.

¹ Okaloosa Gas District is an Independent Special District formed by Legislative Act, as amended by Chapter 2000443 Laws of Florida, with one member appointed by the Board to represent the interests of unincorporated areas and the interests of non-member cities. While the Gas District is a decision making board, they are independent and not making decisions on behalf of the County. Accordingly, there would be no prohibition of a county employee serving on this board.

SECTION V: PROCEDURES

1. Responsible Departments: The County Administrator, or designee, shall be responsible for compliance with this policy, and shall be charged with the following responsibilities to be carried out in accordance with the policy:
 - a. Developing and implementing a process for the selection and appointment of members to advisory or decision making boards, commissions, councils and committees.
 - b. Developing and implementing a centralized custodial system for retention of minutes and bylaws of boards, commissions, councils and committees.
 - c. The County Administrator shall designate an administrative staff member who will be responsible for maintaining a database of the members of all County advisory or decision making boards, commissions, councils and committees, the points of contact for each, and the term expiration dates.
 - d. Where a liaison department is assigned to a board, commission, council or committee, the liaison department director and staff support will assist with compliance of the policy.

2. Vacancies to Boards, Commissions, Councils and Committees:
 - a. The designated administrative staff will notify the Commissioners, County and Deputy Administrators, the Public Information Officer and department liaison ninety days in advance of a term ending.
 - b. The Public Information Officer will issue a press release and provide an announcement of the vacancy on the County web site at least sixty days prior to a term ending.
 - c. For appointments made by individual Commissioners and not the full Board, the press release and announcement will be at the discretion of the Commissioner.

3. Application Process for Boards, Commissions, Councils and Committees - The County Administrator shall develop and maintain an application in a form to include:
 - a. An inquiry sufficient to establish the applicant's experience, qualifications, and background for the purpose of determining qualifications and suitability for that applicant's service on boards, commissions, councils and committees of the County, including a search of the applicant's criminal record.
 - (1) The finding that an applicant has a prior criminal record shall not automatically disqualify the individual from service on the boards, commissions, councils and committees of the County but shall be considered as part of the overall suitability for service on the respective board, commission, council and committee of the County.
 - (2) Citizens who are currently serving in good standing on boards, commissions, councils and committees upon the effective date of this policy may continue to serve and their membership may be renewed without the conducting of a background investigation.
 - (3) To the extent that the applicant has undergone a background search including a search of the applicant's criminal record conducted by another agency within the three (3) years of the submittal of the application and the results of that search are available to the County, then an additional search of the criminal record shall not be required,

- b. An inquiry sufficient to confirm whether the applicant is a resident of Okaloosa County;
 - c. A notice to the applicant which will inform the applicant of his/her obligation, if appointed to a board, commission, council or committee, to follow the applicable Sunshine Laws, Code of Ethics, Public Records Laws, and applicable code of conduct.
 - d. Applications will be maintained, on file, for a period of two years from date of completion or two years following applicant's term on the board, commission, council or committee, whichever is longer.
4. Preliminary Application Review - The County Administrator, or designee, shall review all applications for completeness, notifying the applicant of any deficiency in the application.
5. Appointment of Members to Boards, Commissions, Councils and Committees -
- a. The County Administrator, or designee, shall work with the liaison department to collectively review the applications.
 - b. Where members are appointed by individual Commissioners, the County Administrator, or designee, together with the liaison department, shall provide the list of eligible applications to the Commissioner(s). Upon selection, a criminal background investigation will be conducted to determine suitability.
 - c. Where members are appointed by the full Board, the County Administrator, or designee, shall, following completion of successful criminal background investigations, provide the eligible candidates to the Commissioners as part of their regular meeting agenda for review and appointment at a Board meeting.
 - d. County employees may not serve on decision making boards, commissions, councils or committees, except where their public positions are specifically identified by statute, ordinance, resolution, policy, or other law as a required or allowable member of the board, commission, council or committee as identified in such law or regulation.
6. Oath of Office – Each appointed member, before entering upon his or her official duties, shall take and subscribe to an oath before some officer authorized by law to administer oaths that the appointed member will honestly, faithfully, and impartially perform the duties devolving upon him or her in office as a member of the appointed Board, Commission, Council or Committee.
7. Orientation - All newly appointed members shall participate in an orientation process, which shall include, but is not limited to, an overview of Sunshine Law, public records laws, ethics (financial disclosure, gifts law, conflicts of interest) and relevant statutes, ordinances and policies. From time-to-time, a refresher briefing will be held on the topics included in the orientation. The County Attorney or designee shall be responsible for developing and implementing an orientation program.
8. Removal – Removal of any full Board appointed member shall require a majority vote of the Board. Removal of any individual commissioner appointed member shall require approval of the individual commissioner.

ADDITIONAL REFERENCES

Florida Statute Chap. 112, Part III, Code of Ethics for Public Officers and Employees
Florida Statute Chap 119, Public Records
Florida Statute 286.011, Government-in-the-Sunshine Law
Okaloosa County Human Resources Policy Manual, Chap XIII, Code of Conduct