

RESOLUTION 2016 - 61

**A RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA  
CREATING AND ADOPTING BYLAWS FOR THE  
HEALTH AND HUMAN SERVICES ADVISORY COUNCIL.**

**WHEREAS**, County government has historically been a provider of health and human services in Florida and has demonstrated the administrative and fiscal commitment needed to address a multitude of human and social service needs; and

**WHEREAS**, social problems associated with health, mental health, and substance abuse are a reality in St. Johns County; and

**WHEREAS**, the Health and Human Services Advisory Council was established to address such problems and to seek solutions and remedies to such problems in a coordinated and efficient manner; 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 Health and Human Services Advisory Council exists and operates; and

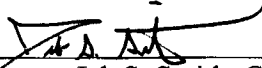
**WHEREAS**, the Board of County Commissioners at this time wishes to adopt the attached bylaws in order to further the efficient and organized governance of the Health and Human Services Advisory Council.

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

1. The above recitals are incorporated into this resolution and are adopted as findings of fact.
2. The Board of County Commissioners adopts the attached bylaws of the Health & Human Services Advisory Council.
3. The attached bylaws supersede any previous bylaws adopted by the Board of County Commissioners for the Health and Human Services Advisory Council.
4. To the extent that there are typographical, scrivener, or administrative errors that do not change the tone, tenor, or concept of this resolution, this resolution may be revised without subsequent approval by the Board of County Commissioners.
5. This resolution shall be effective upon its adoption by the Board of County Commissioners.

PASSED AND ADOPTED this 1<sup>st</sup> day of March, 2016.

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

BY:   
Jeb S. Smith, Chair

ATTEST: Hunter S. Conrad

  
Deputy Clerk

RENDITION DATE 3/3/16



# Bylaws of the Health and Human Services Advisory Council

Created: March 1, 2016

Revised:

## ARTICLE I

### PURPOSE

The health and wellbeing of a community is a function of its quality of life, including the delivery of health and human services supported by public policy and funding those in need of such services. The purpose of the Health and Human Services Advisory Council is to be responsive to those needs and to recommend funding programs worthy of public support for citizens of St. Johns County. The Health and Human Services Advisory Council primary responsibility is to evaluate human services programs in the community, assists in determining the effectiveness of programs, reduces duplication of services and assures the health and human services needs of the residents of St. Johns County are met. The Advisory Council reviews applications requesting county funding for programs that provide health, mental health, substance abuse and social services and submit recommendations to the Board of County Commissioners.

**ARTICLE II**  
**MEMBERSHIP**

**Establishment.** The Health and Human Services Advisory Council shall consist of seven (7) regular members. Members shall be appointed by the Board of County Commissioners. 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. Five (5) members shall have demonstrated an interest, education or professional background from the disciplines in the Health and Human Services.
- c. Two (2) at-large members, including but not limited to such compatible areas as business, banking and finance, education, law enforcement, community religious leaders, consumers and any other interested parties comprising the general public.

No employee, board member, officer or consultant to a contracted agency receiving County funds for health, mental health, substance abuse, or social services program shall be a member of the Health and Human Services Advisory Council.

**Initial Term.**

In order to ensure continuity on the initial 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. Two (2) regular member shall be appointed to two (2) year terms.
- c. Two (2) regular member shall be appointed to three (3) year terms.
- 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 Health and Human Services Advisory Council 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 for 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 Health and Human Services Advisory Council.

**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 Health and Human Services Advisory Council 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 Health and Human Services Advisory Council 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 Health and Human Services Advisory Council.

**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 Health and Human Services Advisory Council 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 Health and Human Services Advisory Council shall hold regular monthly meetings and may meet more frequently if needed. The Health and Human Services Advisory Council shall meet at least annually.

**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 four (4) 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.** Board members shall comply with Rule 2.202.A of the Board of County Commissioners Rules and Policies with respect to attendance. If any Board member fails to comply with Rule 2.202.A, the Board shall declare the member's office vacant and the vacancy shall be filled.

**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 Health and Human Services Advisory Council 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 Boards Rules and Policies, the by-laws shall prevail unless approved by a super majority vote of the Board of County Commissioners.