

# Board of County Commissioners

## Agenda Request

**Date of Meeting:** November 21, 2023

**Date Submitted:** November 7, 2023

**To:** Honorable Chairman and Members of the Board

**From:** Edward J. Dixon, County Administrator  
Clayton Knowles, County Attorney

**Subject:** **Public Hearing:** Approval of Ordinance No.: 2023-07 Amending Chapter 2 of the Code of Laws of Gadsden County, Florida, by Amending Sections 2-141 and 2-142 Relating to Expenditures for Miscellaneous Purposes

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### **Statement of Issue:**

This agenda item seeks Board approval of Proposed Ordinance No.: 2023-07 Amending Chapter 2 of the Code of Laws of Gadsden County, Florida, by Amending Section 2-141 and 2-142 Relating to Expenditures for Miscellaneous Purposes.

### **Background:**

In 2006, the Board approved Ordinance 2006-18 stating County funds may be expended for special awards, mementos, food and refreshments for retreats, visitors, County social and public events, and other miscellaneous expenditures deemed to be in the public interest or needed for public purpose. All such expenditures are hereby declared to be for a valid public interest or needed for public purposes.

### **Analysis:**

The original amount approved for spending in 2006 under Ordinance 06-18 was \$500.00. The Ordinance is seventeen years old and outdated. The overall cost of goods and services has been on the rise; therefore, the request is to update the threshold to \$5,000.00.

Updating the threshold will help streamline vendor payments that are processed under this Ordinance.

### **Fiscal Impact:**

None at this time.

**Options:**

1. Approve Ordinance No.: 2023-07 Amending Chapter 2 of the Code of Laws of Gadsden County, Florida, by Amending Sections 2-141 and 2-142 Relating to Expenditures for Miscellaneous Purposes and authorize the Chairman to sign.
2. Do not approve.
3. Board direction.

**County Administrator's Recommendation:**

Option 1.

**Attachment(s):**

1. Ordinance 2006-018
2. Ordinance 2023-07
3. NOI

**ORDINANCE NO.: 06-018**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF LAWS OF GADSDEN COUNTY, FLORIDA, BY ENACTING SECTIONS 2-141 AND 2-142 RELATING TO EXPENDITURES FOR MISCELLANEOUS PURPOSES BY AUTHORIZED PERSONS; PROVIDING DEFINITIONS; PROCEDURES FOR APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA AS FOLLOWS:

**Section 1: ENACTMENT OF ORDINANCES.**

New sections, Section 2-141 and 2-142, are hereby enacted as part of Article IV, "Finance," of Chapter 2 of the Code of Ordinances of Gadsden County, Florida, pursuant to section 125.01, Florida Statutes, which sections shall read as follows:

**Sec. 2-141. Expenditures of funds for miscellaneous purposes.**

(a) County funds may be expended for special awards, mementos, food and refreshments for retreats, visitors, County social and public events, and other miscellaneous expenditures deemed to be in the public interest or needed for public purpose. County funds for other items may be expended upon specific authorization by the Board of County Commissioners. All such expenditures are hereby declared to be for a valid public interest or needed for public purpose.

(b) All authorized and approved expenditures incurred by authorized persons in the performance of the public interest or public purpose shall be reimbursed by Gadsden County. Other expenditures deemed to be in the public interest or for a public purpose by the Board of County Commissioners shall also be reimbursed.

(c) Authorization and approval of expenditures up to \$500 dollars shall be authorized by the County Manager or his designee, without further prior approval by the Board of County Commission. Authorization and approval of expenditures above \$500 dollars shall be approved and authorized by the Gadsden Board of County Commissioners.

Receipts for all expenditures shall be provided to the Board of County Commissioners pursuant to board policy.

**Sec. 2-142. Definitions**

The following terms shall have the following definitions:

(1) “Miscellaneous purposes” means any purpose for which miscellaneous items such as food, refreshments, mementos, awards, and other supplies may be needed.

(2) “Expenditures” means an amount of money spent, as a whole or on a particular thing; the total amount of money that a government or person spends.

**Section 2: SEVERABILITY**

In accordance with Section 1-9 of the Gadsden County Code of Ordinances, the sections, subsections, paragraphs, sentences, clauses and phrases of this Ordinance and all provisions are severable so that if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid by a valid judgment of a court of competent jurisdiction, such judgment shall not affect the validity of any other section, subsection, paragraph, sentence, clause and phrase of this Ordinance, for the board of county commissioners declares that it is its intent that it would have enacted this Ordinance without such invalid or unconstitutional provision(s).

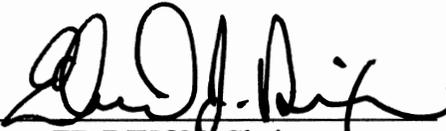
**Section 3: EFFECTIVE DATE; FILING WITH DEPARTMENT OF STATE**

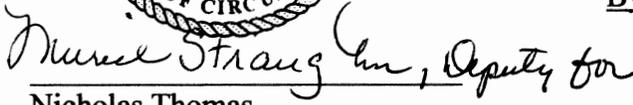
This Ordinance shall take effect upon filing with the Department of State.

DULY PASSED AND ADOPTED BY a vote of 5 to 0 by the Board of County Commissioners of Gadsden County, Florida, this the 6 day of June, 2006.



BOARD OF COUNTY COMMISSIONERS OF  
GADSDEN COUNTY, FLORIDA

By:   
ED DIXON, Chairman

  
Nicholas Thomas  
Clerk of the Circuit Court

**ORDINANCE NO.: 2023-07**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF LAWS OF GADSDEN COUNTY, FLORIDA, BY AMENDING SECTIONS 2-141 RELATING TO EXPENDITURES FOR MISCELLANEOUS PURPOSES BY AUTHORIZED PERSONS; PROVIDING DEFINITIONS; PROCEDURES FOR APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS AND PROVIDING AN EFFECTIVE DATE.**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA AS FOLLOWS:

**Section 1: AMENDMENT OF ORDINANCES & CODE.**

Ordinance #2006-018 which has been codified as Section 2-141, as a part of Article IV, "Finance," of Chapter 2 of the Code of Ordinances of Gadsden County, Florida, is hereby amended, pursuant to section 125.01, Florida Statutes, to read as follows:

**Sec. 2-141. Expenditures of funds for miscellaneous purposes.**

(a) County funds may be expended for special awards, mementos, food and refreshments for retreats, visitors, County social and public events, and other miscellaneous expenditures deemed to be in the public interest or needed for public purpose. County funds for other items may be without specific authorization by the Board of County Commissioners provided such expenditures do not exceed thresholds set hereinbelow. All such expenditures are hereby declared to be for a valid public interest or needed for public purpose.

(b) All authorized and approved expenditures incurred by authorized persons in the performance of the public interest or public purpose shall be reimbursed by Gadsden County. ~~Other expenditures deemed to be in the public interest or for a public purpose by the Board of County Commissioners shall also be reimbursed.~~

(c) Authorization and approval of expenditures up to \$5000 dollars shall be authorized by the County Manager or his designee, without further prior approval by the Board of County Commission. Authorization and approval of expenditures above \$5000 dollars shall be approved and authorized by the Gadsden Board of County Commissioners.

Receipts for all expenditures shall be provided to the Board of County Commissioners pursuant to board policy.

**Section 2: SEVERABILITY**

In accordance with Section 1-9 of the Gadsden County Code of Ordinances, the sections, subsections, paragraphs, sentences, clauses and phrases of this Ordinance and all provisions are severable so that if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid by a valid judgment of a court of competent jurisdiction, such judgment shall not affect the validity of any other section, subsection, paragraph, sentence, clause and phrase of this Ordinance, for the board of county commissioners declares that it is its intent that it would have enacted this Ordinance without such invalid or unconstitutional provision(s).

**Section 3: EFFECTIVE DATE; FILING WITH DEPARTMENT OF STATE**

This Ordinance shall take effect upon filing with the Department of State.

**Section 4: CORRECTION OF SCRIVENER'S ERRORS**

Scrivener's errors may be corrected by the County Attorney as needed without further action of the Board of County Commissioners.

**[THE REMAINDER OF THIS PAGE WAS INTENTIONALLY LEFT BLANK]**

DULY READ, PASSED AND ADOPTED after appropriate public advertisement at a duly convened regular public meeting of the Board of County Commissioners of Gadsden County, Florida, on the \_\_\_\_ day of \_\_\_\_\_, 2023.

**ATTEST:  
OF**

**BOARD OF COUNTY COMMISSIONERS  
GADSDEN COUNTY, FLORIDA**

\_\_\_\_\_  
NICHOLAS THOMAS  
CLERK OF CIRCUIT COURT

\_\_\_\_\_  
CHAIRPERSON

**NOTICE OF INTENT: PUBLIC HEARING**

NOTICE IS HEREBY GIVEN to all concerned that the Board of County Commissioners of Gadsden County, Florida, intends, at a Regular Meeting, at the Gadsden County Governmental Complex, 9-B East Jefferson Street, Quincy, Florida, at 6:00 p.m. on the 21<sup>st</sup> day of November 2023, to consider adoption of an ordinance entitled:

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF LAWS OF GADSDEN COUNTY, FLORIDA, BY AMENDING SECTIONS 2-141 RELATING TO EXPENDITURES FOR MISCELLANEOUS PURPOSES BY AUTHORIZED PERSONS; PROVIDING DEFINITIONS; PROCEDURES FOR APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CORRECTION OF SCRIVENER’S ERRORS AND PROVIDING AN EFFECTIVE DATE.**

INTERESTED PARTIES MAY APPEAR AT THE MEETING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD OF COUNTY COMMISSIONERS WITH RESPECT TO THIS MATTER, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, HE MAY NEED TO ASSURE THAT A VERBATIM RECORDING OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

The proposed ordinance is available for public inspection in the Gadsden County Administrator’s Office, located at 1B E. Jefferson Street, Quincy, Florida and on the County website at [gadsdencountyfl.gov](http://gadsdencountyfl.gov).

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Persons needing assistance in obtaining any information from the County or attending the public hearing must contact the Gadsden County Administrator’s Office, 1B E. Jefferson Street, Quincy, Florida, (850) 875-8650, at least 48 hours prior to the hearing; if you are hearing or voice impaired, call 711.**

BOARD OF COUNTY COMMISSIONERS OF  
GADSDEN COUNTY, FLORIDA

By: \_\_\_\_\_  
Nicholas Thomas, Clerk

Published one time  
November 10, 2023  
Tallahassee Democrat