
From: Kerce, Whitley L. <Whitley.Kerce@dos.myflorida.com>
Sent: Thursday, September 27, 2018 10:23 AM
To: Ordinances
Cc: County Ordinances
Subject: Hernando20180927_Ordinance2018_17_Ack.pdf
Attachments: Hernando20180927_Ordinance2018_17_Ack.pdf

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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

September 27, 2018

Honorable Don Barbee Jr.
Hernando County Clerk's Office
20 North Main Street, Rm. 362
Brooksville, Florida 34601

Attention: Darlene Christensen

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2018-17, which was filed in this office on September 27, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE NO.: 2018 - 17

AN ORDINANCE AMENDING CHAPTER 3, ARTICLE 3, OF THE HERNANDO COUNTY CODE; AMENDING PROVISIONS GOVERNING THE BROOKSVILLE-TAMPA BAY REGIONAL AIRPORT ADVISORY COMMITTEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SUNSET DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY:

Section 1. Amendment of Provisions Governing the Brooksville-Tampa Bay Regional Airport Authority. Hernando County Code Chapter 3, Article 3, Brooksville-Tampa Bay Regional Airport Authority, is amended to read as follows:

Sec. 3-46. - ~~Created.~~

The Brooksville-Tampa Bay Regional Airport Advisory Committee (hereinafter "AAC") has created a standing committee and an advisory board to assist and make recommendations to the Board of County Commissioners on matters pertaining to the Brooksville-Tampa Bay Regional Airport.

1 Sec. 3-47. - Membership.

2 (a) The AAC shall consist of ~~five (5)~~ seven (7) members. Five (5)
3 members shall be appointed and serve at the discretion of the Board of County
4 Commissioners and two (2) members shall be appointed and serve at the discretion
5 of the County Administrator. All appointees shall be residents and registered voters
6 of Hernando County, Florida; ~~and shall serve at the discretion of the Board of~~
7 ~~County Commissioners. The Board of County Commissioners shall also appoint two~~
8 ~~(2) alternative members, each with a four- year term, to serve on the AAC. Alternate~~
9 ~~members shall attend all meetings of the AAC but may vote only when there are~~
10 ~~fewer than three (3) voting regular members present.~~

11 (b) The AAC members shall serve staggered terms and the term of office
12 shall be for four (4) years. If a vacancy occurs prior to the expiration of any
13 member's full term, the Board of County Commissioners shall advertise the position
14 and ~~replace~~ fill the vacancy with another candidate accordingly to subsection (a)
15 above per appointment status.

16 (c) All members of the AAC shall serve without compensation; none are
17 entitled to pension or retirement benefits for service on the AAC.

18 (d) The AAC shall ~~meet~~ hold public hearings six (6) times a year in the
19 chambers of the Board of County Commissioners. The AAC's agenda will be
20 prepared and published in the same manner as that of the Board of County

1 Commissioners. The County Administrator shall cancel any scheduled hearing at
2 which the AAC has no business to conduct.

3 (e) The AAC shall have a chair and a vice-chair to conduct each meeting.

4 (f) For the purpose of transacting business at any meeting, a majority of
5 AAC members shall constitute a quorum.

6 (g) A member who is seeking re-appointment shall continue to be a
7 voting member for two (2) months beyond the existing term, if necessary, to allow
8 for the finalization of the reappointment by the Board of County Commissioners or
9 County Administrator, as appropriate.

10 (h) The AAC's meetings are open to the public and its members are
11 subject to the Florida Sunshine Law and the Public Records Act.

12 (i) At all meetings of the AAC, each member attending shall be required
13 to cast a vote on all matters requiring action by the ~~board~~ AAC. Any member who
14 has a conflict of interest on any issue being voted upon shall recuse themselves from
15 voting on matters relating to the issue. The member must have a special gain or loss
16 as defined by the Florida Commission on Ethics in order to have a conflict of
17 interest. The member should consult with the County Administrator's office as to
18 whether a conflict exists. In the event of a conflict, the required form must be
19 completed and made a part of the minutes. The nature of the conflict and recusal
20 shall be stated prior to the applicable vote.

1 Sec. 3-48. - Duties.

2 The AAC shall provide advice and make recommendations to the Board of County
3 Commissioners on all aviation issues that are referred to the AAC for consideration
4 by the County Administrator or his or her designee, including but not limited to:

5 (1) ~~Make recommendations regarding planning for the physical~~
6 ~~development and betterment of the airport.~~

7 (2) ~~Make recommendations regarding the sale or lease of county-owned~~
8 ~~property located within the airport.~~

9 (3) ~~Make recommendations regarding the requested use or proposed grant~~
10 ~~of concessions within the airport.~~

11 (4) ~~Make recommendations regarding policies, such as airport rules and~~
12 ~~regulations and airport minimum standards.~~

13 holding a public hearing on any proposed, substantive amendment to the airport
14 master plan, airport layout plan, and for holding a public hearing on any proposed
15 amendment to the text of Hernando County Chapter 3 that is substantive in nature.

16 The committee may provide comments on these matters to the Board of County
17 Commissioners as the AAC deems appropriate, provided that any such comments
18 shall have no official standing with respect to final action by the Board of County
19 Commissioners. The County Administrator, or his or her designee, may, but is not
20 required to, bring any proposed amendment to the airport master plan, airport layout

1 plan, or the text of Hernando County Chapter 3 that is solely technical,
2 process-orientated, or legal-related in nature before the AAC to review and conduct
3 a public hearing thereon.

4 **Section 2. Severability.** It is declared to be the intent of the Board of County
5 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
6 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect
7 the validity of the remaining portions of this ordinance.

8 **Section 3. Inclusion in the Code.** It is the intention of the Board of County Commissioners
9 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall
10 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end,
11 the section of this Ordinance may be renumbered or relettered to accomplish such intention, and that
12 the word "ordinance" may be changed to "section," "article," or other appropriate designation.

13 **Section 4. Conflicting Provisions Repealed.** All ordinances or parts of ordinances in
14 conflict with the provisions of this ordinance are hereby repealed.

15 **Section 5. Sunset Provision.** The AAC shall sunset on September 30, 2024, and the
16 ordinances governing the AAC, Hernando County Code §§ 3-46 - 3-48 inclusive, shall be repealed
17 effective on September 30, 2024.

18 **Section 6. Effective Date.** This ordinance shall take effect immediately upon receipt of
19 official acknowledgment from the office of the Secretary of State of Florida that this ordinance has
20 been filed with said office.

1 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF

2 HERNANDO COUNTY in Regular Session this 25th day of September 2018.



3
4 BOARD OF COUNTY COMMISSIONERS
5 HERNANDO COUNTY, FLORIDA

6
7
8 Attest: Darlene M. Christensen, Jr.
9 DONALD C. BARBEE, JR.
10 Clerk

By: [Signature]
11 STEVE CHAMPION
12 Chairman

13 Approved for Form and Legal Sufficiency

14 [Signature]
15 Deputy County Attorney
16