

Ordinance 2005-09

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA AMENDING CHAPTER 2, ARTICLE V, SECTION 2-101 REGARDING PURCHASING, CHAPTER 12, ARTICLE IV, SECTION 12-123 REGARDING THE BUDGET POLICY OF THE SPRING HILL FIRE RESCUE DISTRICT; AMENDING CHAPTER 12, ARTICLE IV, SECTION 12-124 REGARDING CAPITAL RESERVES; AMENDING CHAPTER 12, ARTICLE IV, SECTION 12-125 REGARDING THE PURCHASING POLICY OF THE SPRING HILL FIRE RESCUE DISTRICT; AMENDING CHAPTER 12, ARTICLE IV, REGARDING THE HUMAN RESOURCES POLICY OF THE SPRING HILL FIRE RESCUE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1.

Section 2-101 is amended to read as follows:

Sec. 2-101. Application and exclusions.

The provisions of this article shall apply to purchases and procurements of the board of county commissioners and its various agencies, authorities, boards, bureaus, commissions, committees, councils, departments, divisions, districts, employees, institutions, legislative bodies, municipal service benefit units (msbu), officers, the county administrator, the county attorney, the county aviation authority, and the county port authority, any other ordinance or special act to the contrary notwithstanding, which are under the control of, or derive their authority from the board of county commissioners, irrespective of their funding source, including state and federal assistance monies, except as otherwise specified by law. They shall not apply to:

(1) Purchase/procurement of goods, construction and/or services by:

a. ~~Spring Hill Fire District, to the extent such district has adopted its own purchasing~~

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1 and procurement regulations pursuant to applicable law.

2 b. Constitutional officers meaning the sheriff, clerk of the circuit court, property
3 appraiser, tax collector and supervisor of elections.

4 (2) Agreements between the board of county commissioners and nonprofit organizations or
5 governmental entities, including the procurement, transfer, sale or exchange of goods and/or
6 services.

7 (3) Procurement of dues and memberships in trade or professional organizations;
8 subscriptions for periodicals; books and publications; advertisements; postage; medical and
9 dental services; legal services; expert witnesses; abstracts of titles for real property; title
10 insurance for real property; court reporter services; temporary labor services; accounting
11 services; financial advisory services; insurance, including property, casualty, health and
12 automobile coverages; water, sewer, telephone and electrical utility services; copyrighted
13 materials (including proprietary computer software); patented materials; educational
14 reimbursements and fees and costs of job-related seminars and training.

15 (4) Real property.

16 (5) Goods and/or services given or accepted by the county via grant, gift or bequest.

17 (6) Goods purchased with petty cash in accordance with policies and procedures approved
18 by the board of county commissioners.

19
20 **SECTION 2.**

21
22 Chapter 12, Article IV, Division 4, Section 12-123 of the Hernando County Code of
23 Ordinances is amended to read as follows:

24
25 Sec. 12-123. Budget; ~~millage retroactive.~~

26
27 The district shall annually prepare a budget in accordance with Hernando County Board of County
28 Commissioners' Policy 29-01, Budget Policy, as well as the Office of Management and Budget's
29 Budget Manual and Budget Calendar as amended from time to time. The district's budget shall be
30 approved in the same manner as the budgets of other County departments.

31 ~~(a) Prior to June 30 of each year, the board of commissioners of the district created by this division~~
32 ~~shall adopt and submit to the board of county commissioners for their approval and the proposed~~
33 ~~district a budget for the ensuing fiscal year, verified upon information and belief by the district and~~
34 ~~showing the following information:~~

1 ~~(1) Cash balances to be carried over; current ad valorem taxes and proceeds received from~~
2 ~~the sale or exchange of property of the district or for special services or by gift.~~

3 ~~(2) An estimate of all ordinary and special and extraordinary expenditures which are~~
4 ~~contemplated and are deemed necessary to be made during the ensuing fiscal year.~~

5 ~~(3) Actual receipts and disbursements for the past fiscal year.~~

6 ~~(b) It shall be the duty of the board of county commissioners to consider such proposed budget and~~
7 ~~to certify to the district commissioners on or before the thirty-first day of July of each year the district~~
8 ~~budget of estimated receipts and expenditures as fixed and determined by the board of county~~
9 ~~commissioners. Upon request of the district commission, the county commissioners may at any time~~
10 ~~during the year authorize budget transfer from one item to another item, and cash transfers from one~~
11 ~~fund to another fund. Upon the approval of the budget, the county commissioners shall cause to be~~
12 ~~levied a sufficient tax not to exceed two and three-quarters (2 3/4) mills on all real property within~~
13 ~~the district to raise such budget, and such taxes shall be included in the taxes assessed on the regular~~
14 ~~county tax roll. They shall be assessed and collected by the proper county officers who shall be~~
15 ~~entitled to collect from such district funds the usual fees allowable by law for the assessment and~~
16 ~~collection of other special district taxes. Such funds shall be deposited in a county depository in a~~
17 ~~fund designated as "Board of County Commissioners-Spring Hill Fire and Rescue District Fund;"~~
18 ~~provided that, funds budgeted for purchase of supplies and equipment may be placed in a fund~~
19 ~~designated as "Board of County Commissioners-Spring Hill Fire and Rescue District Commissioners~~
20 ~~Fund."~~

21
22 **SECTION 3.**

23
24 Chapter 12, Article IV, Division 4, Section 12-124 of the Hernando County Code of
25 Ordinances is amended to read as follows:

26
27 ~~Sec. 12-124. Capital reserves.~~

28 ~~The commissioners of the district created by this article are empowered to set up reservations in their~~
29 ~~budget in excess of their estimated expenditures for the ensuing fiscal year, for the purpose of~~
30 ~~creating reasonable reserves for the purchase of equipment and making other necessary capital~~
31 ~~expenditures.~~

32
33 **SECTION 4.**

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35 Chapter 12, Article IV, Division 4, Section 12-125 of the Hernando County Code of
36 Ordinances is amended to read as follows:

1
2 Sec. 12-125. Purchasing Fiscal regulations.

3 The issuance of requisitions and purchase orders, the payment of bills and all other matters
4 concerning purchasing and contracts shall be governed in all respects by the Hernando County
5 Procurement Ordinance and the Hernando County Purchasing and Contracts Policies and Procedures
6 Manual as amended from time to time. The board of county commissioners may by proper resolution
7 establish rules and regulations regarding the issuance of requisitions and purchase orders and the
8 payment of bills, but the following regulations shall be included:

9 (1) The board of commissioners may designate the fire chief or another employee as its agent in
10 issuing requisitions or purchase orders ~~and/or the commissioner's board.~~

11 (2) The Hernando County Purchasing Department shall perform the same functions for the district
12 as it does for other County departments. Such functions shall be provided to the district in the same
13 manner as they are provided to other County departments. Before bills are paid, they shall have been
14 approved on behalf of the commission by the one who signed the requisition or purchase order and
15 by the chairman or vice chairman, or, if designated, the commissioners' board through its designated
16 agent.

17 (3) ~~Warrants shall be issued and signed as regular county warrants.~~

18
19 **SECTION 5.**

20
21 Chapter 12, Article IV, Division 4, of the Hernando County Code of Ordinances is amended
22 to read as follows:

23 **Human Resources.**

24
25 (1) All human resource functions of the district shall be performed by the Hernando County
26 Human Resources Department. Such functions shall include, but not be limited to advertising open
27 positions, candidate screening, coordination of hiring, benefits coordination, maintenance of
28 personnel records, and any and all other functions that the County Human Resources Department
29 performs for other County Departments.

30 (2) All district employees shall be subject to the policies and procedures contained in the
31 Hernando County Policies and Procedures Manual as amended from time to time subject to any
32 collective bargaining agreements in effect on the effective date of this ordinance.

33
34 **SECTION 6. Severability.**

35
36 It is declared to be the intent of the Board of County Commissioners that if any section,

1 subsection, clause, sentence, phrase, or provision of this ordinance is for any reason held
2 unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining
3 portions of this ordinance.
4

5 **SECTION 7. Inclusion in the Code.**
6

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

13 **SECTION 8. Effective date.**
14

15 This ordinance shall take effect immediately upon receipt of official acknowledgment from
16 the office of the Secretary of State of Florida that this ordinance has been filed with said office.
17

18 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
19 **HERNANDO COUNTY** in Regular Session this 26th day of July 2005.
20

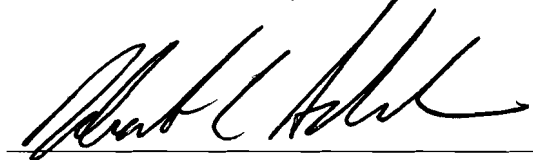
21 **BOARD OF COUNTY COMMISSIONERS**
22 **HERNANDO COUNTY, FLORIDA**

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26 Attest:

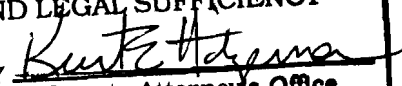


27 **KAREN NICOLAI**
28 **Clerk**

By:



ROBERT C. SCHENCK
Chairman

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY 
County Attorney's Office

7-28-05