

BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

ORDINANCE NUMBER 348

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, PROVIDING FOR THE CREATION OF A COUNTYWIDE INDEPENDENT SPECIAL DISTRICT TO PROVIDE JUVENILE WELFARE SERVICES THROUGHOUT MARTIN COUNTY; PROVIDING FOR A GOVERNING BOARD TO BE KNOWN AS THE CHILDREN'S SERVICES COUNCIL OF MARTIN COUNTY; PROVIDING FOR THE MEMBERSHIP AND DUTIES OF THE COUNCIL; PROVIDING FOR AUTHORIZATION OF THE LEVY OF AD VALOREM TAXES NOT TO EXCEED ONE-HALF MILL SUBJECT TO A REFERENDUM; AND PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, AN EFFECTIVE DATE AND CODIFICATION.

WHEREAS, Section 125.901, Florida Statutes (1987) authorizes each County of the State to create an independent special district to provide juvenile welfare services throughout the County in accordance with said act; and

WHEREAS, the Board of County Commissioners has determined that it would serve the public interest to establish said independent special district.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA that:

Section 1 — Title

This ordinance may be cited as the "Children's Services Ordinance."

Section 2 - Creation of an Independent Special District

There is hereby created, effective September 1, 1988, an Independent Special District to provide juvenile welfare services throughout Martin County. The governing body of the District shall be a board of juvenile welfare to be known as the Children's Services Council of Martin County.

Section 3 - Membership

The Children's Services Council of Martin County shall consist of nine (9) members, including the Superintendent of Schools a local School Board member (as selected by the School Board), the District Administrator from District IX from the Florida Department of Health and Rehabilitative Services, and a member of the Board of County Commissioners (as selected by the Board of County Commissioners). The other five members of the Board shall be appointed by the Governor and shall serve for terms of four years each. If any of the members of the Council required to be appointed by the Governor under the provisions of this Ordinance shall resign, die, or be removed from office the vacancy thereby created shall as soon as practicable, be filled by appointment by the Governor, and such appointment to fill a vacancy shall be for the unexpired term of the person who resigns, dies, or is removed from office.

Section 4 - Powers and Duties

(1) The children's Services Council of Martin County shall have the following powers and duties:

- (a) To provide and maintain in the County such child guidance, psychological, or psychiatric clinics for juveniles as the Council determines are needed for the general welfare of the County.
- (b) To provide for the care of dependent juveniles and to provide such other services for all juveniles as the Council determines are needed for the general welfare of the County.
- (c) To allocate and provide funds for other agencies in the County, which are operated for the benefit of juveniles, provided they are not under the exclusive jurisdiction of the public school system.
- (d) To collect information and statistical data which will be helpful to the Council in deciding the needs of juveniles in the County.
- (e) To consult with other agencies dedicated to the welfare of juveniles to the end that the overlapping of services will be prevented.
- (f) To lease or buy such real estate, equipment, and personal property and to construct such buildings as are needed to execute the foregoing powers and duties, provided that no such purchases shall be made or building done except for cash with funds on hand.
- (g) To employ and pay, on a part-time or full-time basis, personnel needed to execute the foregoing powers and duties.

(2) Books of account shall be kept by the Council or its clerical assistants, and the fiscal affairs of the board shall be exclusively audited by state auditors as are assigned from time to time to audit the affairs of the county officials.

Section 5 — Fiscal Year

(1) The fiscal year of the district shall be the same as that of the County.

(2) On or before July 1 of each year, the Children's Services Council of Martin County shall prepare and adopt an annual written budget of its expected income and expenditures, including a contingency fund. The written budget shall be certified and delivered to the Board of County Commissioners on or before July 1 of each year. Included in each certified budget shall be an estimate of the millage rate necessary to be applied to raise the funds budgeted for expenditures, which millage rate shall not exceed a

maximum of 50 cents for each \$1,000 of assessed valuation of all properties within the County which are subject to County taxes.

(3) The budget of the Children's Services Council so certified and delivered to the Board of County Commissioners shall not be subject to change or modification by the Board of County Commissioners or any other authority.

Section 6 - Levying of Ad Valorem Taxes

In order to provide funds for the Children's Services Council of Martin County, the Council may levy ad valorem taxes annually on all taxable property in the County in an amount not to exceed one-half mill, provided that the authority to levy such taxes has been approved by a majority vote of the electors of the District voting in the Countywide Election to be held in accordance with the requirements of the Constitution and the laws of Florida and as set forth in this ordinance. The tax shall be assessed, levied, and collected in the same manner and at the same time as is provided by law for the levy, collection, and enforcement of collection of County taxes. All tax money collected under this ordinance, as soon after the collection thereof as is reasonably practicable, shall be paid directly to the Children's Services Council by the Tax Collector of the County, or the Clerk of the Circuit Court, if he collects delinquent taxes. The moneys so received by the Children's Services Council, shall be deposited in a special bank account, shall be withdrawn only by checks signed by the chair of the Council and countersigned by one other member of the Council, who shall be so authorized by the Council. The Chair and other member of the Council who signs its checks shall each give a surety bond in the amount of one thousand dollars (\$1,000.00) which bond shall be conditioned that each shall faithfully discharge the duties of their office. No other member of the Council shall be required to give bond or other security. No funds of the Council shall be expended except by check as aforesaid, except expenditures of petty cash account which shall not at any time exceed twenty-five dollars (\$25.00). All expenditures from petty cash shall be recorded on the books and records of the Children's Services Council. No funds of the Council, except the expenditure of petty cash, shall be expended without prior approval of the Council, in addition to the budgeting thereof.

Section 7 - Financial Report

Within ten (10) days after the expiration of each quarter annual period, the Children's Services Council shall cause to be prepared and filed with the Board of County Commissioners a financial report which shall include the following:

- (a) The total expenditures of the Council for the quarter annual period.
- (b) The total receipts of the Council for the quarter annual period.
- (c) A statement of the funds the Council has on hand or in banks at the end of the quarter annual period.

Section 8 - Referendum

There is hereby authorized for the November 8, 1998, General Election, the calling of a referendum of the qualified electors residing in the County to carry out the purposes and intent of this ordinance, and of Section 125.901, Florida Statutes (1987) and to do all things necessary to implement and fund the Children's Services Council and the independent district created hereby in accordance with the terms. of this ordinance and the laws pertaining to elections. The Board of County Commissioners shall, by Resolution, establish the language of the ballot question.

Section 9 - Filing with Department of State.

The Clerk be and hereby is directed forthwith to send a certified copy of this ordinance to the Bureau of Laws, Department of State, The Capitol, Tallahassee, Florida 32304.

Section 10 - Effective Date

This ordinance shall become law on September 1, 1988.

Section 11 - Codification.

Provisions of this ordinance shall be incorporated in the County Code and the word "ordinance" may be changed to "section," "article" or other word, and the sections of this ordinance may be renumbered or re-lettered to accomplish such intention provided, however, that parts 9 to 11 shall not be codified.

DULY PASSED AND ADOPTED by the Board of County Commissioners of Martin County, Florida,
on the 28th day of June, 1988.

ATTEST:

Marsha Stiller
MARSHA STILLER, CLERK
By Elise Sutton, D.C.

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

BY: John W. Holt, Jr.
JOHN W. HOLT, JR., CHAIRMAN

APPROVED AS TO FORM
AND CORRECTNESS

Noreen S. Dreyer
NOREEN S. DREYER
COUNTY ATTORNEY