

BYLAWS OF THE FLAGLER COUNTY CONTRACTOR REVIEW BOARD

PART I: PURPOSE & INTENT

The Flagler County Board of County Commissioners has established the Contractor Review Board under Ordinance 2007-10 and amended under Ordinances 2015-06 and 2022-04, to assist with administration of the ordinance. In addition, the Board shall have the power and authority to discipline authorized or certified contractors as set forth in Section 8-15 of this ordinance.

PART II: MEMBERSHIP

Section 1. MEMBERSHIP: The Board shall consist of seven (7) members. The members of the board shall include as many of the following categories of members as is practicable.

- a) A licensed general, building or residential contractor;;
- b) A licensed roofing contractor;
- c) A licensed electrical contractor;
- d) A licensed plumbing contractor;
- e) A licensed mechanical or air conditioning contractor;
- f) A license swimming pool contractor;
- g) A consumer member;
- h) A license engineer or architect.

Consumer members are not, and never have been, members or practitioners of a profession regulated by the board or members of any closely related profession. The members shall not be elected officials or employees of Flagler County or its municipalities. No person who has been disciplined by the board may serve on the board until two years after the completion of all terms of the disciplinary order against him/her. All appointees shall be residents and registered voters of Flagler County and shall serve at the discretion of the Board of County Commissioners.

Section 2. TERMS: The Board members shall serve staggered terms and the term of office shall be for 4 years. If a vacancy occurs prior to the expiration of any member's full term, the Board of County Commissioners shall advertise the position and replace with another candidate accordingly.

Section 3. COMPENSATION: All members of the Board shall serve without compensation; none are entitled to pension or retirement benefits for service on the Board.

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PART III: OFFICERS

Section 4. OFFICERS: Except where otherwise required by statute or ordinance, the Board shall elect its Chair and Vice-Chair from among its members. The term of the Chair and Vice-Chair shall be one (1) year with eligibility for reelection.

Section 5. DUTIES OF OFFICERS: The duties and power of the officers of the Board shall be as follows:

A. Chair

- (1) To preside at all meetings of the Board;
- (2) To call special meetings of the Board in accordance with these Bylaws;
- (3) To sign documents within the purview and authority of the Board; and
- (4) To see that all actions of the Board are properly taken.

B. Vice-Chair

During the absence, disability or disqualification of the Chair, the Vice-Chair shall exercise or perform all the duties and be subject to all responsibilities of the Chair.

PART IV: MEETINGS

Section 6. ANNUAL MEETING: The annual meeting of the Contractor Review Board shall be the first regular meeting in the month of ~~September~~ ^{JANUARY} each year. Such meeting shall be devoted to the election of officers for the ensuing year and such other business as shall be scheduled by the Board.

Section 7. REGULAR MEETINGS: Regular meetings of the Board shall be held as needed on the 3rd Wednesday of the month at 5 p.m. in the First Floor Conference Room of the Government Services Building located at 1769 East Moody Boulevard, Bunnell, Florida. Time and place changes of meetings may be called by the Chair, provided that reasonable advance notice is given to each member and the public in accord with Florida's Sunshine Law.

Section 8. QUORUM. A majority of the appointed Board members shall constitute a quorum for transaction of business. The only business that can be transacted in the absence of a quorum is (1) to adjourn; (2) to recess for a period of time within the same day; and (3) to continue any agenda item to a date and time certain.

Section 9. NOTICE OF INABILITY TO ATTEND MEETING: Each member of the Board that will not be able to attend a scheduled meeting shall, at the earliest

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possible opportunity, advise the County staff liaison. The County staff liaison shall notify the Chairman in the event that projected absences will produce a lack of a quorum. If any appointed member of the Board fails to attend three (3) unexcused consecutive, regularly scheduled meetings or five (5) of twelve (12) regular or special meetings or workshops of the Board, the County staff liaison shall notify the County Administrator, who shall take those steps necessary to fill the vacancy.

Section 10. VOTING: At all meetings of the Board, each member attending shall be required to cast a vote on all matters requiring action by the Board. Any member who has a conflict of interest on any issue being voted shall recuse themselves from voting on matters relating to the issue. The member must have a special gain or loss as defined by the Florida Commission on Ethics in order to have a conflict of interest. The member should consult with the County Administrator's office on whether a conflict exists. In the event of conflict, the required form must be completed and made a part of the minutes. The conflict and recusal shall be stated in the minutes of the Board. Otherwise, the member is required to cast a vote.

Section 11. PROCEEDING:

- A. The order of business, unless otherwise adopted by the members present, at all regular meetings shall be as follows:
 - (1) Roll call and Pledge of Allegiance
 - (2) Approval of minutes of previous meetings
 - (3) Agenda items
 - (4) Adjournment
- B. Minutes will be taken and maintained by County staff. Copies of all minutes will be sent to each Flagler County Commissioner and the County Administrator.

Section 12. RULES OF PROCEDURE: All meetings of the Board shall be conducted with *Robert's Rules of Order Revised* as a guideline. The Board shall be governed by the Florida Sunshine Law, Public Records Law, Ordinance 2007-10 and these Bylaws.

Section 13. DEADLINE FOR AGENDA: The deadline for placement of an item on the agenda of the Board shall be seven (7) calendar days prior to any scheduled meeting.

Section 14. AMENDMENTS: These Bylaws may be amended at any meeting of the Board, only to the extent consistent with County resolution and provided that said notice of said proposed amendment is given to each member in writing at least five (5)

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business days prior to said meeting and the action is ratified by the Board of County Commissioners

Section 15. RELATION TO COUNTY COMMISSION RESOLUTIONS AND STATE LAWS: Any section or provision of any section of the Bylaws as adopted by the Contractor Review Board which conflicts with County resolution or State laws shall have no force and effect.

Section 16. MATTERS REFERRED BY THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS: Matters referred to the Board by the Board of County Commissioners shall be placed on the calendar for consideration and action at the first meeting of the Board after such referral.

Section 17. THESE BYLAWS SHALL BECOME EFFECTIVE IMMEDIATELY UPON RATIFICATION BY THE BOARD OF COUNTY COMMISSIONERS.

These Bylaws adopted this 20th day of September 2023.


Luis Medeiros, Chair
For


ATTEST:


Ed Rodriguez, Staff Liaison

APPROVED AS TO FORM:

Sean S. Moylan Digitally signed by Sean S. Moylan
Date: 2023.06.26 14:20:27 -0400
Sean S. Moylan, Deputy County Attorney

Ratified by the Board of County Commissioners
10th day of July 2023.


Gregory L. Hansen, Chair