

ORDINANCE 2004- 35

**ORDINANCE ESTABLISHING THE FRANKLIN COUNTY TOURIST DEVELOPMENT COUNCIL, PROVIDING FOR SEVERABILITY AND APPOINTING MEMBERS TO THE COUNCIL**

WHEREAS, Florida Statutes section 125.0104 provide for local option for the establishment of a Franklin County Tourist Development Council (referred to as the Council herein) and for the declaration of the intent of the Board of County Commissioners of Franklin County (the Board) to consider the levy and imposition of a tourist development tax under section 125.0104; and

WHEREAS, the Board of County Commissioners of Franklin County has determined that it is in the best interests of the residents and citizens of the County that the Council be established and the members thereto appointed, and that the Board consider the levy and imposition of a tourist development tax under section 125.0104, subject to all requirements of the statute (including a referendum as required thereby);

NOW, THEREFORE, BE IT ENACTED by the Board of County Commissioners of Franklin County, Florida, that:

1. **Creation of Council.** There is hereby created and established, pursuant to the authority granted in Fla. St. section 125.0104, an advisory council to be known as the Franklin County Tourist Development Council (the "Council" herein), which shall be established by ordinance pursuant to Fla. St. section 125.0104.

2. **Members.** The Council shall consist of nine members who shall be appointed from time to time by the Board of County Commissioners. The chairman of the Board of County Commissioners (or such other member of the Board as shall be appointed by the Chair) shall serve on the Council. In addition, two members of the Council shall be elected municipal officials (who each shall be an elected official of the City of Apalachicola and the City of Carrabelle). Six members of the Council shall be persons who are involved in the tourist industry and who have demonstrated an interest in tourist development, of which members, not less than three nor more than four shall be owners or operators of motels, hotels, recreational vehicle parks, or other tourist attractions in Franklin County that would be subject to any tourist development tax under section 125.0104. All members of the Council shall be registered electors of Franklin County. The Board of County Commissioners may, in its discretion, appoint the chairman of the Council, which chair shall be appointed or selected annually and which chair may be reelected or reappointed. The members of the Council shall serve for staggered terms of up to four years .

3. **Initial members and terms of office.** The initial members of the Council, and their initial terms of office, shall be as follows:

<b>Name</b>	<b>Initial term of office</b>
Chairman Cheryl Sanders	One year
Commissioner Raymond Williams	One year
Commissioner Van Johnson	Two years
Curt Blair	Three years
Helen Spohrer	Four Years
Alice Collins	One year
Linda Blair	Four years
Jerry Thompson	Three years
Skip Frink	Two years

4. **Meetings.** The Council shall meet at least once each quarter and, from time to time, shall make recommendations to the Board of County Commissioners for the effective operation of the special projects or for the uses of the tourist development tax revenue, and may perform such other duties as may be prescribed by county ordinance or resolution. The Council shall continuously review expenditures of revenues from any tourist development tax and shall receive, at least quarterly, expenditure reports from the Board of County Commissioners Finance Office. Expenditures which the Council believes to be unauthorized shall be reported to the Board of County Commissioners and to the Department of Revenue.

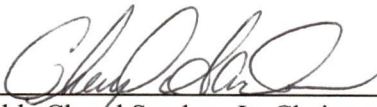
5. **Preparation of Tourist Development Plan.** Within 60 days after the adoption of the resolution appointing the Council members, the Council shall prepare and submit to the Board of County Commissioners, for the Board's approval, a tourist development plan, setting forth those matters referred to in section 125.0104(4)(c).

6. **Initial members and terms of office.** The initial members of the Council, and their initial terms of office, are stated hereinabove.

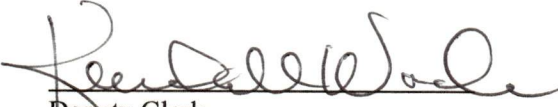
7. The Board hereby declares its intent to consider the enactment of an ordinance, pursuant to the procedures and requirements of Fla. St. section 125.0104, levying and imposing a tourist development tax under section 125.0104.

ENACTED this 20<sup>th</sup> day of July, 2004.

BOARD OF COUNTY COMMISSIONERS

BY:   
Honorable Cheryl Sanders, Its Chairman

ATTEST:

  
Deputy Clerk