



**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AUTHORIZING THE PAYMENT OF COSTS OF EMPLOYMENT FOR THE MANAGEMENT SERVICES OF THE MONROE COUNTY LAND STEWARD FROM THE MONROE COUNTY ENVIRONMENTAL LAND MANGAGEMENT AND RESTORATION FUND**

**WHEREAS**, Board of County Commissioners Resolution 112- 2004 authorized the Special Revenue Fund called the Monroe County Environmental Land Management and Restoration Fund (Fund 160) hereinafter "Fund" ; and

**WHEREAS**, Resolution 112-2004 authorized the use of the funds for restoration and management activities for conservation lands and public resource protection; and

**WHEREAS**, the position of Land Steward is an integral part of management of the conservation lands and provision of public resource protection; and

**WHEREAS**, such position is necessary for the public health, safety and welfare; and

**WHEREAS**, there are sufficient monies in the Fund to pay the salary of the Land Steward out of Fund 160 Cost Center 52002; and

**WHEREAS**, budget constraints for fiscal year 2007-2008 projected to continue through fiscal year 2008-2009 necessitate the use of the Fund for the Land Steward position;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:**

Effective February 1, 2008, all costs associated with the position of Land Steward for Monroe County shall come out of Fund 160 (Cost Center 52002) through September 30, 2009.

PASSED AND ADOPTED by the Board of county Commissioners of Monroe County Florida, at a regular meeting on January 16, 2008.

Mayor Charles "Sonny" McCoy \_\_\_\_\_  
Mayor Pro Tem Mario DiGennaro \_\_\_\_\_  
Commissioner George Neugent \_\_\_\_\_  
Commissioner Dixie Spehar \_\_\_\_\_  
Commissioner Sylvia Murphy \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
MONROE COUNTY, FLORIDA

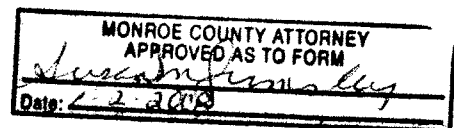
BY: \_\_\_\_\_

MAYOR

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

BY: \_\_\_\_\_



**RESOLUTION<sup>112</sup> -2004**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, RESCINDING RESOLUTION 345A-1999 AND REAUTHORIZING THE ENVIRONMENTAL RESTORATION FUND AS THE ENVIRONMENTAL LAND MANAGEMENT AND RESTORATION FUND, AN ACCOUNT WITHIN THE BUDGET OF THE MONROE COUNTY, MUNICIPAL SPECIAL TAXING DISTRICT**

**WHEREAS**, the Board of County Commissioners adopted Resolution 345A-1999, on July 22, 1999, establishing a special revenue fund, called the Monroe County Environmental Restoration Fund [Fund 160], hereinafter called the "Fund"; and,

**WHEREAS**, Resolution 345A-1999 authorizes revenues for the Fund to come from various sources, including fees collected for plant transplantation, filling of disturbed salt marsh and buttonwood wetlands, payment of fees in lieu of plant stock, and environmental fines; and,

**WHEREAS**, Resolution 345A-1999 limits these funds to environmental restoration and improvement purposes set forth in the Monroe County Comprehensive Plan and Land Development Regulations; and,

**WHEREAS**, the Board of Commissioners has designated large areas in unincorporated Monroe County for public acquisition of environmentally sensitive lands and resources; and,

**WHEREAS**, the restoration and management of these lands for conservation and natural resource protection purposes will require increased funding as the number of acres under County ownership will be significantly expanded to implement Goal 105 of the Comprehensive Plan; and,

**WHEREAS**, the content of Resolution 345A-1999 regarding funding sources is limiting and the language governing the use of the funds too vague for effective and efficient administration of this fund; **NOW THEREFORE**

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA that:**

**Section 1:** Resolution 345A-1999 is hereby rescinded.

**Section 2:** The Special Revenue Fund, called the Monroe County Environmental Restoration Fund, created by Resolution 345A-1999, is hereby re-authorized as the Monroe County Environmental Land Management and Restoration Fund.

**Section 3:** The following revenues shall be deposited in the Monroe County Environmental Land Management and Restoration Fund [Fund 160], hereinafter called the "Fund":

1. Mitigation fees paid by landowners for placing fill in wetlands and clearing of sites pursuant to Chapters 6 and 9.5, Monroe County Code;
2. Restoration or transplantation fees paid in lieu of plant stock by landowners pursuant to Chapter 9.5, Monroe County Code.
3. All monies collected by the Growth Management Division through civil law suits, consent agreements, or after-the-fact clearing or filling permits, except for penalties and administrative costs, required to mitigate the environmental damages to wetlands, tree or hammock resources.
4. Any fines levied for unlawful clearing and filling of environmentally sensitive lands found by the special master to be irreparable or irreversible in nature.
5. Any fine for an environmental crime when such fine is ordered by the sentencing court to be paid into the fund.

**Section 4:** In addition to the revenue described in Section 3 above, the Fund may also accept grants, donations, gifts, and revenue appropriated or transferred to the Fund by the County Commission from any lawfully available source.

**Section 5:** The revenue deposited in the Fund may only be used for restoration and management activities of public resource protection and conservation lands. These activities include, but are not limited to the following: clearance and removal of debris, waste, and fill; removal of structures or other improvements required for site restoration; removal of exotics and invasive specie; purchase of plant and landscaping materials for restoration of wetlands and upland habitat; installation of plant materials on site and site restoration; and, the purchase and installation of fences, signs, or other materials to ensure securing of environmental lands. These funds shall not be used for acquisition of real property or an interest in real property.

**Section 6:** Fund revenues for the purchases of goods, services, or improvements to real property shall only be expended according to general law and to the Board of County Commissioners' Purchasing Policy and applicable purchasing ordinances.

**PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on 17<sup>th</sup> day of March 2004.

Mayor Murray Nelson	<u>yes</u>
Mayor Pro Tem David Rice	<u>yes</u>
Commissioner Charles "Sonny" McCoy	<u>yes</u>
Commissioner George Neugent	<u>yes</u>
Commissioner Dixie Spehar	<u>yes</u>

FILED FOR RECORD  
 2004 MAR 25 PM 12:29  
 DANNY L. KOLHAGE  
 CLERK, CIR. CL.  
 MONROE COUNTY, FLA.

(SEAL)  
 Attest: DANNY L. KOLHAGE, Clerk  
 By: Jessie Hancock  
 Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
 OF MONROE COUNTY, FLORIDA  
 By: Murray Nelson  
 Mayor/Chairperson

FILED FOR RECORD

99 AUG 23 PM 1:01

DANNY L. KOLHAGE  
CLK. CIR. CT.  
MONROE COUNTY, FLA.

Environmental Resources Department

RESOLUTION NO. 345A -1999

A RESOLUTION CREATING THE MONROE COUNTY ENVIRONMENTAL RESTORATION FUND, AN ACCOUNT WITHIN THE BUDGET OF THE MONROE COUNTY PLANNING, ZONING AND BUILDING DISTRICT

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1.) (a) There is hereby created a Special Revenue Fund to be called the Monroe County Environmental Restoration Fund, hereafter the Fund.

(b) The following revenues must be deposited in the Fund:

(i) restoration fees paid by landowners developing in disturbed salt marsh and buttonwood wetlands;

(ii) when the comprehensive plan or land development regulations require the transplanting of plants, but the County biologist has determined that the survivability of such plants is low, the fee paid in lieu of such transplanting;

(iii) when the comprehensive plan or land development regulations require the furnishing of plant stock or a fee in lieu of the stock, the fee paid;

(iv) any fine for an environmental crime when such fine is ordered by the sentencing court to be paid into the fund.

(c) In addition to the revenue described in subparagraph 1(b), the Fund may also accept donations, gifts, and revenue appropriated or transferred to the Fund by the County Commission from any lawfully available source.

Section 2.) (a) The revenue deposited in the Fund may only be used for those environmental restoration and improvement purposes set forth in the Monroe County Comprehensive Plan, and Land Development Regulations.

(b) Fund revenues for the purchases of goods, services or improvements to real property may only be expended according to general law and to the Board of County Commissioners' Purchasing Policy and the applicable purchasing ordinances. Fund revenues used for the purchase of real property, or an interest in real property, may only be expended as provided by general law governing the County's purchase of real property or interests in real property.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 22nd day of July, \_\_\_\_\_, 1999.

Mayor Wilhelmina G. Harvey  
Mayor Pro Tem Shirley Freeman  
Commissioner George Neugent  
Commissioner Nora Williams  
Commissioner Mary Kay Reich

yes  
yes  
yes  
yes  
no



ATTEST: DANNY L. KOLHAGE, CLERK

By *Danny L. Kolhage*  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By *Wilhelmina Harvey*  
Mayor/Chairman

jresp/restore

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY *Robert N. Wolfe*  
ROBERT N. WOLFE  
DATE 6-30-99