

THESE MINUTES ARE NOT OFFICIAL
UNTIL ADOPTED BY THE
Administration Staff and BCC sub-Committees

BOOK _____ PAGE _____

**CHARTER REVIEW COMMISSION
ADMINISTRATION STAFF SUB-COMMITTEE/ BOARD OF COUNTY COMMISSIONERS SUB-
COMMITTEE
JOINT FOCUS MEETING
Minutes of Meeting
April 7, 2010**

A joint meeting of the Administration Staff Sub-Committee and the Board of County Commissioners sub-Committee of the Charter Review Commission was held at the Administration Complex, Room 106-B, Port Charlotte, Florida.

Roll Call:

The following members were present:

Kevin Russell, Paula Hess, Ken Doherty, Johnny Vernon, Michael Grant, Tom Rice, Frank Weikel
Absent members: *Bill Weller (Alternate), Julie Mathis, Bill Dryburgh*

Robert Berntsson, Esq., counsel for the Charter Review Committee, was also present.

Call to Order:

The meeting was called to order at 4:00 p.m. EDT by *Ken Doherty*

Agenda Items:

Ken Doherty opened the meeting by stating that the purpose of this combined sub-Committee meeting was to approach the topic of the Executive branch being headed by an elected official, the available structures having been discussed at previous general membership and sub-Committee meetings. *Mr. Doherty* continued that both the legislative and executive branches are affected and this issue integrates the purviews of both sub-Committees present if it is decided that the CRC will move forward.

Paula Hess began discussion by saying that each interviewee of the Administration Staff sub-Committee had been asked if he or she had experience working under an elected Administrator and each one indicated that they had not. *Ms. Hess* also said that they had to explain the elected County mayor/appointed Administrator concept to each interviewee and none were in favor, some voicing concerns this would create an individual with too much power. In response to this, *Michael Grant* observed that those with the most at stake are least likely to want change. He said that the prevailing opinion in the private sector is that the system is not working. *Mr. Grant* said that this discussion is not about the County officials and Staff but about finding the best form of Government for Charlotte County. *Paula Hess* made reference to the fact that making this concept known to the public will be difficult as even those who are steeped in government have not heard of it. *Kevin Russell* asked if it is actually the system not working or the elected officials not working well within the system. *Mr. Russell* indicated that there

THESE MINUTES ARE NOT OFFICIAL

UNTIL ADOPTED BY THE

BOOK _____ PAGE _____

Administration Staff and BCC sub-Committees

does not seem to be a lot of teamwork and he has thought about this issue and the apparent lack of cohesiveness. *Michael Grant* replied that the elected officials are a reflection of the diversity in the community and they are pulled in many different directions. *Mr. Russell* responded that it was his opinion that a strong Administrator could possibly create more animosity than currently exists. He mentioned the potential for a personality conflict between a Commissioner and the elected Mayor, which would effectively shut out the Commissioner as well as his constituency and interests in the County. *Mr. Russell* said that he can see the proposed system either working very well or very poorly, and added that if implemented he thought more legislators should be added to maintain the balance. *Mr. Grant* replied that he could not see that elected official having any more powers than have been previously discussed (appointing an Administrator, proposing the budget and voting only in the event of a tie). *Mr. Russell* said that he also has concerns about the Mayor appointing the Administrator, saying that consolidates even more power in the Mayor. *Ken Doherty* said he has considered all of these viewpoints and keeps returning to the fact that cities all over the country function with a Mayor. *Paula Hess* agreed, saying that they have models to research from Orange and Volusia counties. *Ms. Hess* asked *Mr. Grant* if he had any input from those counties about the concerns *Mr. Russell* had presented regarding in-fighting and the concentration of power. *Mr. Grant* responded that term limits would be imposed on the Mayor. He added that he envisions the elected Mayor hiring an Administrator that will implement his ideas and the platform from which he was elected.

Mr. Doherty said that he would first of all like to establish which structure will be considered, ie. an elected Administrator or the hybrid form of an elected Mayor/appointed County Chair. *Mr. Rice* and *Mr. Grant* thought that the first option had already been eliminated. *Frank Weikel* added that there is a third option, that of not making any change at all. *Mr. Weikel* referred to the fact that under the current system an ineffective Administrator could be fired without waiting for an election and swift change was possible. He added that a concentration of power in one individual could be a good or a bad thing, similarly a strong personality could bring a positive or negative change. *Mr. Weikel* expressed his concern of rushing too swiftly toward a change, agreeing with *Ms. Hess* that the public needs to be fully informed for any proposal to be successful. *Johnny Vernon* observed that we may not have determined the root of the problem, and *Mr. Doherty* replied that he thinks the problem is the transition from a rural County to one that is essentially a municipality. He observed that the current system has worked at times in the past but it was his opinion that the County Mayor/Administrator system would be more efficient. *Mr. Doherty* agreed that his concern was timing as well as implementation. In response to a question, *Mr. Berntsson* said that information can be obtained by looking at the history from other counties who have made this transition. He referred to Pinellas County and the fact that they had reconstituted their Charter Review board for a two year period to study the issue. *Mr. Berntsson* added that the reconstitution was a Charter Amendment, and cautioned that the voters could say no to that option. *Mr. Rice* asked *Mr. Weikel* if this is what he was thinking about for further study, and *Mr. Weikel* replied that he was not thinking of a Charter Amendment but an appointment by the BCC. *Ken Doherty* said that if the question was worded properly (suggested wording: "Do you approve to continue the Charter Commission for the purpose of studying a different form of government for Charlotte County?") the public response would give an indication of whether or not there was interest in the community to

pursue this issue. *Paula Hess* stated that she thought that was the only option at this point, saying that in her opinion there is not sufficient time to educate the public between now and November. *Michael Grant* said that he thought the question could be put on the ballot at this time. *Johnny Vernon* expressed concern over the hurry to perhaps make another mistake. *Michael Grant* said that by doing nothing there will be at least six more years before it can be considered again. *Mr. Grant* added that he thought inaction by the Board was costing people jobs, observing that there may be a connection between the current form of government and the ability to create jobs. *Johnny Vernon* and others discussed the possibility of putting the proposal on the ballot for 2012. *Tom Rice* said that he thought the CRC would need to be reconstituted as the Board would most likely not appoint this same group knowing the proposal that is being considered. He also emphasized the importance of evaluating implementation. There was also discussion about putting this issue on the ballot in a non-Presidential election year. *Paula Hess* said that she thought educating the public in a concentrated period of time was preferable to extending it over a period of years. *Frank Weikel* observed that the two year period was for study by the Committee and the presentation would be made to the public starting a few months before the election. *Michael Grant* later observed that the 2012 election would reflect a different voting environment. Some of the members again expressed concern that everything could be lost if this issue went on the ballot too soon.

Tom Rice said that aside from the time frame he would be interested in a consensus as to model, indicating that his preference is the structure in Orange County. *Ken Doherty* said that he would like to support a structure that keeps costs from going up within the organization. Brief discussion ensued about salaries, etc. *Robert Berntsson, Esq.* cautioned that all ballot proposals need to be on a single subject or they will be voided. He indicated that is the difficulty in considering the various linked issues for implementation. It was requested that *Mr. Berntsson* obtain as much information as possible about the process in Orange and Volusia counties, as well as determining what happened in Pinellas County to cause them to drop the issue.

In response to a question from *Ms. Hess*, *Ken Doherty* stressed that what is being proposed will cost the County both money and time, and there needs to be consensus that the issue is worthy of further consideration. A poll of those present indicated the following:

Frank Weikel indicated that he thinks the elected Mayor/appointed Administrator option is good and should go on the ballot for a two year study. *Mr. Weikel* said he would then be comfortable presenting it to the people.

Tom Rice agreed with *Mr. Weikel*, adding his concern that steps be taken to have the same members or their selected alternates appointed to the reconstituted CRC.

Michael Grant said that he supports the option and thinks it should be put on the ballot this year, indicating his concern of what would happen if the CRC is reconstituted.

Johnny Vernon supported the option and agreed with *Mr. Weikel* that it should be studied for two years.

Kevin Russell indicated that he was not entirely sure that the option is a good idea but found it worthy of further study.

Ken Doherty said that he was in favor of the option and was leaning towards the two year period of study. He added that he would like to see it done sooner but did not want to take a chance of losing it completely. *Mr. Doherty* said he would like to hear what *Mr. Berntsson* finds out in his research.

Paula Hess said that she was of the same opinion as *Mr. Doherty* and would like to hear *Mr. Berntsson's* report. She acknowledged *Mr. Grant's* point that the issue not be placed on the ballot in a Presidential election year.

There was additional discussion about possible problems with replacements if the CRC is reconstituted as well as discussion about the timing of placing the issue on the ballot. *Johnny Vernon* asked *Mr. Berntsson* if he could have his report in a few weeks and *Mr. Berntsson* said a lot of what he would be doing would involve contacting individuals in the subject counties so his completion would depend on that. *Mr. Doherty* indicated that he would report today's discussion to the full membership during the meeting on April 15, 2010, and said he would like these two sub-Committees to meet one more time. For purpose of clarification, *Mr. Weikel* said that his notes indicate that four members are in favor of a two year study, two are in favor of possibly a faster time and one member is in favor of immediately placing the proposal on the ballot. *Tom Rice* said that he thought it would be appropriate at this time to see how the rest of the Charter Review Commission is leaning. *Mr. Doherty* reiterated that would be brought up at the next meeting, adding that the specific proposals would be voted on at the meeting on May 20, 2010. *Mr. Berntsson* said that he would be putting a lot of time in the research and suggested that it be determined at the meeting on April 15th if there is a consensus on moving forward. *Kevin Russell* asked if it would be specified that the reconstituted CRC be for the single purpose of studying and proposing this change. *Mr. Berntsson* referred to a document from Pinellas County that indicated their reconstitution was not limited. *Frank Weikel* said that there are lot of other important issues under consideration this session that should not be overlooked and *Mr. Russell* agreed. In response to a question from *Ms. Hess*, *Ken Doherty* said that there were already seven proposed housekeeping amendments for discussion.

2. Public Input: None

3. Commission Comments: There were several sets of Minutes not previously approved, copies of which had been distributed to the applicable members. *Mr. Doherty* confirmed that these had been received and there being no deletions nor additions the following Minutes were approved upon motions duly made and seconded:

February 24, 2010 - Volunteer Speakers meeting

March 3, 2010 - BCC Sub-Committee meeting

March 9, 2010 - Administration Staff sub-Committee meeting

March 19, 2010 - Administration Staff sub-Committee meeting

THESE MINUTES ARE NOT OFFICIAL

UNTIL ADOPTED BY THE

BOOK _____ PAGE _____

Administration Staff and BCC sub-Committees

In further Commission Comments, *Michael Grant* said that he had spoken to the Grove City Association the previous evening and it had gone very well. Administrative support was instructed to coordinate the follow meeting of these two sub-Committees.

4. Adjournment: The meeting was adjourned at 5:00 p.m. EDT.



Kenneth W. Doherty/Chairman