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CHARTER REVIEW COMMISSION

BOOK _____ PAGE _____
DATE _____

**CHARTER REVIEW COMMISSION
PUBLIC HEARING
MINUTES OF MEETING
June 3, 2010**

A Public Hearing was held by the Charter Review Commission at the Charlotte Harbor Events Center, Punta Gorda, Florida.

Roll Call

The following members were present:

Bill Folchi, Paula Hess, John Hitzel, Julie Mathis, Suzanne Graham, Andy Dodd (arriving 4:20 p.m.), *Ken Doherty(Chairman), Kevin Russell (Vice Chairman), Joseph Goggin, Maureen Garrard, Frank Weikel, Michael Grant, Bill Dryburgh*

The following members were absent:

Tom Rice, Johnny Vernon

The following alternates were absent:

Bill Weller, Connie Kantor, Patricia Kelly

Also in attendance was Robert Berntsson, Esq., counsel for the CRC.

Call to Order

The meeting was called to order at 4:01 p.m. EDT by *Chairman Ken Doherty*

Agenda Items

1. Introduction and overview of Charter Review Commission and amendments under consideration. *Chairman Doherty* thanked the members of the public for attending, explaining that this was the first of three required Public Hearings. *Chairman Doherty* narrated a PowerPoint® presentation which gave an overview of the Charter Review Commission. (Note: A copy of this presentation is attached to these Minutes as Attachment "A"). *Chairman Doherty* then asked Robert Berntsson, Esq. to provide an update on House Bill 131 as well as outlining for those present the proposed Amendments under consideration.

Mr. Berntson explained that HB 131 had been recently signed into law, but had no effect on the ten Amendments being proposed. He elaborated that this legislation pre-empts to the State and Florida Statutes all election issues and as a result Charter counties cannot make any changes related to election requirements currently in the Statutes. Mr. Berntsson pointed out that this could possibly affect the existing

Charter, using residency requirements as an example. Mr. Berntsson added that he anticipates challenges and litigation will arise from some counties. *Maureen Garrard* inquired if the new law removes residency requirements entirely, and Mr. Berntsson responded that the law pre-empts to the State and there are no such requirements in State law. *Chairman Doherty* agreed with Mr. Berntsson that there may be challenges to this law, and *Paula Hess* added that she hoped there would be.

Mr. Berntsson then outlined for the citizens in attendance the ten Amendments proposed by this Charter Review Commission session (NOTE: For ease of reference, a copy of the proposed Amendments is attached to these Minutes as Attachment "B"). At the conclusion, *Chairman Doherty* reminded those present of the alternatives for public input, referring to the PowerPoint® slide which was being displayed with contact email information and addresses.

Chairman Doherty asked Mr. Berntsson about a text change to Amendment #1, asking if it would be appropriate to vote on approving that change at this time. Mr. Berntsson read the suggested text change, explaining that it tightens the language regarding "intent". (NOTE: A copy of this revised Amendment is attached to these Minutes as Attachment "B-1"). *Chairman Doherty* indicated that the vote would be taken during the Commission Comments portion of the meeting.

2. **Public Input.** *Chairman Doherty* invited any citizen wishing to address the meeting to come forward to the dais, asking them to sign –in before speaking and to limit their comments to three minutes as much as possible.

Louis Macri asked about proposed Amendment 6, inquiring if the members of a Financial Advisory Committee would be paid. *Chairman Doherty* replied that they would not. Mr. Macri said that Committee would add an extra layer of government. Mr. Macri also asked about proposed Amendment 8, inquiring if that proposal would include staff reporting directly to the BCC. *Chairman Doherty* replied that this would be organized similarly to the Office of the County Attorney, which does include staff. *Chairman Doherty* clarified for Mr. Macri that there are no budget changes involved.

Lindsay Harrington addressed proposed Amendment 1, indicating that he thought the language should include a time limit, suggesting one year to eighteen months. Regarding proposed Amendment 5, Mr. Harrington thought that the suggested six month residency requirement was too short and should be longer. Regarding proposed Amendment 9, Mr. Harrington indicated that he was opposed, adding that the current term of eleven months should be sufficient. Mr. Harrington was also opposed to proposed Amendment 10. Mr. Harrington said that attendance requirements should be imposed upon the CRC membership, to include alternates. He also said that an all new membership should be appointed every session.

Dave Hackett objected to proposed Amendment 6, saying that creating a Financial Advisory Committee would only add another layer of government. Mr. Hackett also objected to the BCC appointing those members. Mr. Hackett objected to proposed Amendment 9, saying that historically nothing substantial comes from the Charter Review Commission and the voters are often deprived of voting on reasonable proposals. Mr. Hackett also opposed proposed Amendment 10.

Harold Bowen said that he was opposed to proposed Amendments 9 and 10. Mr. Bowen added that the time of the CRC session should be reduced to six months.

Ron Wozniak said that he agreed with proposed Amendments 1, 4 and 5, indicating that residency requirements are good and reasonable. Mr. Wozniak was opposed to proposed Amendments 2 and 3, saying in reference to proposed Amendment 2 the language was ambiguous and he would prefer that the Commissioners perform continual reviews. Mr. Wozniak specifically mentioned, with regard to proposed Amendment 3, that there was no reason to pull the debt and reserve policies separately from a review of the entire budget. Mr. Wozniak was opposed to proposed Amendments 9 and 10, indicating that additional time should not be required as the Charter is a small document and the purpose is to review, not rewrite. He said that he was troubled by the idea of the reconstituted CRC. Mr. Wozniak did not support proposed Amendment 7, saying it was not necessary and did not support proposed Amendment 6.

George Kearns indicated that he opposed proposed Amendments 9 and 10. Mr. Kearns also referred to the language in proposed Amendment 1, asking what constitutes "intent". Mr. Kearns said that a specific time limit should be stated. Mr. Kearns proposed an additional Amendment be created which would impose a two term limit for serving on the Charter Review Commission.

Mike Brown said that he supported proposed Amendment 1, adding that a specific time limit should be stated. Mr. Brown opposed proposed Amendments 2 and 3, saying that they were not needed. Mr. Brown supported proposed Amendment 4. Regarding proposed Amendment 5, Mr. Brown said he was in favor of a residency requirement but agreed with previous speakers that it should be longer than six months. Mr. Brown opposed proposed Amendment 6. Mr. Brown was not opposed to proposed Amendment 7. Mr. Brown also supported proposed Amendment 8, indicating that he thought that would be a wise move. Mr. Brown was opposed to proposed Amendments 9 and 10, saying that the existing time for the CRC sessions is sufficient and that he was opposed to reconstitution. Mr. Brown said that he would also like to see an additional Amendment that would impose a term limit on CRC service.

Susan Bowers spoke in opposition to proposed Amendments 9 and 10. Ms. Bowers said that eleven months should be enough time for the Charter Review Commission to get

their work done and if a consensus could not be reached on an issue it should be shelved or passed on to the next CRC session to handle.

David Kessel referred to proposed Amendment 7, indicating that it was not necessary. Mr. Kessel was also opposed to proposed Amendment 9 and 10. He inquired about the Pinellas County CRC, saying that he thought they only served for six months.

Mr. Berntsson referred to internet data and informed Mr. Kessel that the Pinellas Commission serves for just under eleven months. Mr. Kessel expressed his opposition to reconstitution.

Paula Schaff said that the general feeling among people is that they are tired of too much government and that she too would be opposed to anything that adds layers or extends terms. With reference to proposed Amendment 1, Ms. Shaft said that a specific time should be stated. Regarding proposed Amendment 2 and 3, Ms. Shaft indicated that they were not necessary and the BCC should not have to be told to perform these reviews. Ms. Shaft supported proposed Amendment 4. Ms. Shaft said that proposed Amendment 5 should require a longer residency requirement. With reference to proposed Amendment 6, she said that it was not a good idea to have the BCC appoint the members of a Financial Advisory Committee. Ms. Shaft had no opposition to proposed Amendment 7. Ms. Shaft was not familiar with the EDO referred to in proposed Amendment 8 but did not know if there was a need for reorganization. Ms. Shaft was opposed to proposed Amendments 9 and 10, adding that if there was insufficient time to handle an important issue it should be turned over to the BCC for completion.

Frank Sturges said that he did not have any opposition to many of the proposed Amendments but that he did not like proposed Amendment 5 as written, indicating that a longer residency requirement should be stated. He preferred that be five years. Mr. Sturges also opposed proposed Amendments 9 and 10.

Park Pellikian said that he supported proposed Amendment 1. He also supported proposed Amendments 2 and 3, saying that oversight was important. Mr. Pellikian expressed his disappointment that the issue of single member Districts was not going to be on the ballot. Mr. Pellikian supported proposed Amendment 6. Regarding proposed Amendment 10, Mr. Pellikian inquired if the reason for this was to allow additional time for research. *Chairman Doherty* replied that the membership had been looking at a particular form of County government and wanted to examine it further and do a thorough job before presenting a ballot proposal. Mr. Pellekian said that he would support proposed Amendment 10.

Barry Jollett said that with regard to proposed Amendment 1, he thought a specific time limit of twelve to eighteen months should be stated. Mr. Jollett asked for clarification as to why a similar requirement was not imposed under proposed

Amendment 4. Robert Berntsson responded that the distinction was that Commissioners must reside in specific districts but the Constitutional Officers are county wide. Mr. Jollett said that proposed Amendment 5 should have a residency requirement of at least two years. Mr. Jollett said that Amendment 7 was not necessary, adding that did not rise to the level of a Charter issue. Mr. Jollett was opposed to proposed Amendments 9 and 10.

Robert Reichert said that he was opposed to proposed Amendment 2, indicating that could be handled in the budget process. Regarding proposed Amendment 5, Mr. Reichert indicated that a minimum residence requirement of two to five years should be specified. Mr. Reichert opposed the creation of a Citizens Financial Advisory Committee (Amendment 6), saying that was an added layer of government. Mr. Reichert supported proposed Amendment 8. Mr. Reichert said that he was opposed to Amendments 9 and 10.

Eunice Colosimo said that in proposed Amendment 1 a specific time limit should be indicated. Ms. Colosimo was not in favor of proposed Amendment 2, adding that the language was vague. Ms. Colosimo said that proposed Amendment 4 should also address intent as far as the residency requirement. Regarding proposed Amendment 5, Ms. Colosimo said that a longer residency requirement should be imposed. Ms. Colosimo opposed proposed Amendments 9 and 10, adding that a new group would do better than reconstituting the present Charter Review Commission.

Rufus Lazzell said that he was glad the CRC had eliminated the issue of single member districts and term limits from the proposed Amendments. Mr. Lazzell said that he was opposed to proposed Amendment 9 and 10. Regarding proposed Amendment 8, Mr. Lazzell expressed his concern about the EDO Director being responsible to the Board, adding that it was not relevant to compare that position to the office of the County Attorney. Mr. Lazzell said that other than legal matters he believed that the County Administrator should be in charge of everything that goes before the Board.

There being no other citizens coming forward, the Public Input section of the Agenda was closed at 5:00 p.m. EDT.

3. Commission Comments. With regard to the previously mentioned text change to proposed Amendment 1, *Maureen Garrard* observed that Mr. Berntsson's changes improved the language, asking if "demonstrated" intent should also be specified in the last sentence of that proposal. Mr. Berntsson responded that since it is specified earlier in the text he had concluded that would not be necessary but he could make the change if directed to do so. *John Hitzel* suggested that a specific time limit be added, as indicated by some of the public input. *Chairman Doherty* mentioned the possibility of carrying the existing language to the upcoming Public Hearings and making any text changes during the final vote. Mr. Berntsson said that could be done, but observed that no significant changes could be made to the proposed Amendments after Public Hearing because they

would then not comply with the requirement that they be presented at Public Hearing. *Maureen Garrard* asked if that meant that language could not be added for a specific time limit in Amendment 1. Mr. Berntsson replied that he was not referring to that but to adding different or new proposed Amendments. *Joseph Goggin* said that from personal experience he did not feel that eighteen months was a viable option. Mr. Berntsson also explained to the public in attendance that the CRC had discussed implementing a specific time frame but decided there were too many outside influences and variables, as occurred after Hurricane Charley. Noting that there was a motion and second on the floor, *Chairman Doherty* asked for a vote, and the suggested text change to Amendment 1 was unanimously accepted. (NOTE: Attachment "C" reflects this vote).

Paula Hess addressed an issue brought up in Public Input, explaining the time line of the Charter Review Commission and the numerous sub-Committee meetings, debates and research that had taken place. *Ms. Hess* emphasized that the first two general meetings had been organizational, indicating that the volume of work had essentially been completed by the general membership and sub-committees in seven months. *Ms. Hess* said that was not sufficient time, adding that since proposed Amendments 9 and 10 had generated the most opposition she wanted to make those in attendance aware of the process and the complexity of some issues before this Commission.

John Hitzel thanked the members of the public for their comments and the assistance that provides to the CRC in formulating their thoughts. *Mr. Hitzel* also reinforced the comments of *Ms. Hess* that the Commission was operating within a small time frame.

Vice Chairman Kevin Russell provided additional information on HB-131. *Mr. Russell* said that he represents the office of the Supervisor of Elections in Charlotte County and the provisions in HB-131 dealing with election law were brought about as a result of the Jennings-Buchanan race in Sarasota County. *Mr. Russell* referred to the excessive costs that were incurred by the Supervisor of Elections office in Sarasota as a result and the Charter amendments that were subsequently been put in place. *Vice Chairman Russell* pointed out that the restrictions this legislation places on the Charter Counties has been an un-intended consequence.

Bill Dryburgh spoke to the advisability of proposed Amendment 9, and showed the public the binder containing the volume of information that the membership was given at the beginning of the session.

Maureen Garrard thanked the members of the public for attending and assured them that their opinions had been heard.

Frank Weikel referred to proposed Amendments 1 through 7, saying that he thought they represented micro-management and the issues could be better handled by rules. *Mr.*

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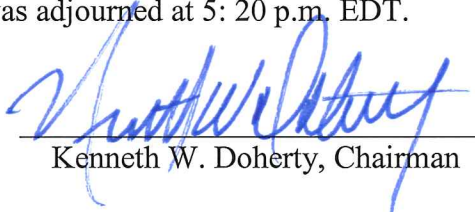
BOOK _____ PAGE _____
DATE _____

Weikel also said that he was leaning towards supporting all of the comments heard today in Public Input.

Michael Grant thanked the public for attending, adding that it was gratifying to see this much involvement. *Mr. Grant* referred to proposed Amendments 9 and 10, observing that a reconstitution would not be necessary if the original session had been longer. *Mr. Grant* further explained that the Charter Review Commission is reviewing whether or not the current structure is the best form of government for going forward, and that the Commission wants to make sure that the level of services provided in Charlotte County is being delivered to the citizens in the most effective manner. *Mr. Grant* said that proposed Amendment 10 would allow them to see in depth what is being done in other counties and if that would benefit Charlotte County.

Chairman Doherty said that he had the opportunity to participate in the Charter Review process for many years, and commented on the current group and the large amount of work that had been handled. *Mr. Doherty* urged the public in attendance to visit the website and review all of the Minutes to get a sense of everything that is involved.

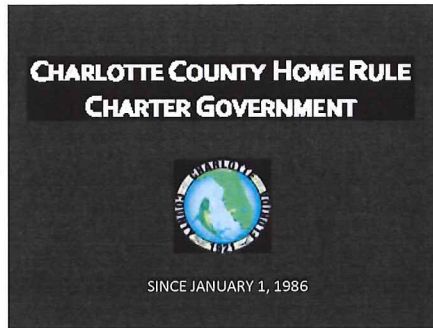
3. **Adjournment:** The meeting was adjourned at 5: 20 p.m. EDT.



Kenneth W. Doherty, Chairman

ATTACHMENT 'A'

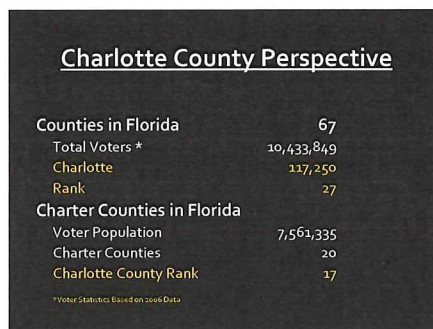
Slide 1



Slide 2



Slide 3



Slide 4

Overview of Charlotte's Home Rule Charter

- Article I – Creation, Powers, and Ordinances of Home Rule Charter Government
- Article II – Organization of County Government
- Article III – Elected County Constitutional Officers
- Article IV – Home Rule Charter Transition, Amendments, Review, Effective Date

Slide 5

Section 4.2 – Home Rule Charter Amendments

a. Amendments proposed by the board of county commissioners.

Amendments to this home rule charter may be proposed *by ordinance* adopted by the board of county commissioners by an affirmative vote of a majority of the total membership of the board of county commissioners.....

Slide 6

Section 4.2 – Home Rule Charter Amendments

b. Amendments proposed by initiative.

(1) The home rule charter may also be amended by initiative *upon petition by a number of electors equal to at least ten (10) percent of the number of electors qualified to vote in the county as a whole in the last preceding general election*, provided that any such amendment shall embrace but one (1) subject and matter directly connected therewith. A charter amendment proposed by initiative shall be placed on the ballot by resolution of the board of county commissioners for the general election occurring in excess of ninety (90) days from the certification by the supervisor of elections that the requisite number of signatures have been verified.

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UNTIL ADOPTED BY THE
CHARTER REVIEW COMMISSION

BOOK _____ PAGE _____
DATE _____

Slide 7

Section 4.2 – Home Rule Charter Amendments


c. *Amendments and revisions by charter review commission.*

(1) A charter review commission consisting of fifteen (15) members and three (3) alternates shall be appointed by the board of county commissioners at least eleven (11) months before the general election occurring in 1998 and at least eleven (11) months before the general election occurring every six (6) years thereafter, to review the home rule charter and propose any amendments or revisions which may be advisable for placement on the general election ballot. No elected officer shall be a member of the charter review commission. The three (3) alternates shall be non-voting participants on the charter review commission and shall, in the order of their original selection by the county commission, fill vacancies on the charter revision commission. Additional vacancies on the charter review commission shall be filled within thirty (30) days in the same manner as the original appointments.

Slide 8

2010 CHARTER REVIEW COMMISSION

Dodd, Andy	Russell, Kevin (Vice-Chairman)
Doherty, Ken (Chairman)	Vernon, Johnny - County Commissioners
Dryburgh, William	Weikel, Frank
Folchi, Bill - Other Board/Agencies	
Garrard, Maureen - Constitutional Offices	
Graham, Suzanne	
Grant, Michael	Weller, Bill (Alt.)
Googin, Joseph	Kantor, Connie (Alt.)
Hess, Paula	Kelly, Patricia (Alt.)
Hitzel, John	
Mathis, Julie - Administration Staff	



Slide 9

Proposed Charter Amendments
(As of May 20, 2010)

- **Amendment No. 1** - Removal of residency from Commission District by County Commissioner.
- **Amendment No. 2** - Annual review of operations by County Commission.
- **Amendment No. 3** - Debt and Reserve policies reviewed annually by April first.
- **Amendment No. 4** - Maintaining residency requirements during term of office of Constitutional Offices.
- **Amendment No. 5** - Six month residency and registered voter requirement for Charter Review Commission.
- **Amendment No. 6** - Creation of Citizens Financial Advisory Committee.
- **Amendment No. 7** - Commission agenda availability.

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UNTIL ADOPTED BY THE
CHARTER REVIEW COMMISSION

BOOK _____ PAGE _____
DATE _____

Slide 10

Proposed Charter Amendments
(continued)

- Amendment No. 8 - Economic Development Office Director reports to Board of County Commissioners.
- Amendment No. 9 - Time to appoint Charter Review Commission.
- Amendment No. 10 - Reconstitution of Charter Review Commission.

Slide 11

PUBLIC INPUT
(ALTERNATIVES)


Public Hearings:
#1 - South County @Event Center: June 3, 2010
#2 - Mid County @ Rm. 119/Murdock: June 17, 2010
#3 - West County @ Trippoli Centers: July 1, 2010
NOTE: All Public Hearings @ 4:00 pm

E-Mail: ann.pinder@charlottefl.com

Regular Mail: 18500 Murdock Circle, Room 140
Port Charlotte, FL 33948

Slide 12

PUBLIC INPUT



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UNTIL ADOPTED BY THE
CHARTER REVIEW COMMISSION

BOOK _____ PAGE _____
DATE _____

ATTACHMENT 'B'The following items will be presented for approval in this proposed ballot language, prepared in accordance with the vote of the Charter Review Commission membership at the meetings held April 15, 2010 and May 20, 2010:
Charter Amendment No. 1

Removal of Residency from Commission District by County Commissioner.

Shall Article II, Section 2.2.A. of the Charlotte County Charter be amended to allow for a county commissioner's temporary removal from their elected commission district by reason of calamity or natural disaster and except for such temporary removal or redistricting, disqualification and vacancy of office when otherwise removing their residency out of said district?

YES for Approval

No for Rejection

Section 2.2.A. is amended by amending the last sentence to read: "Each candidate for the office of commissioner shall reside within the district from which such candidate seeks election for at least six (6) months immediately prior to the time of qualifying to run for that office, and during the term of office for each commissioner shall reside in the district from which such commissioner ran for office, provided that any commissioner who is removed from the district by redistricting may continue to serve during the balance of the term of office, and providing further that any such commissioner who shall be temporarily removed from the district from which such commissioner ran for office by reason of calamity or natural disaster shall be deemed to be residing in such district, provided such commissioner intends to return to said district. However, any commissioner who shall remove his or her residency from the district for which he or she is elected other than by reason of redistricting, or temporarily by reason of calamity or natural disaster without the intent to return, shall thereupon become disqualified to represent said district and the office of any such commissioner shall be deemed vacant."

Amendment No. 2

Annual review of operations by county commission.

Shall Article II, Sec. 2.2.D. of the Charlotte County Charter be amended to require the County Commissioners to conduct an annual review of all operations of the County, with input from the public, by April first of each year, and thereafter take action upon said review for improvement of the county and the welfare of its residents?

YES for Approval

NO for Rejection

Section 2.2.D. is amended by amending the last sentence to read: "In addition to its other powers and duties, the board of county commissioners shall conduct an annual review of all operations of the county, including all programs and services provided, with input from the public, prior to April first of each year, and take action as a result of this review for improvement of the county and the welfare of its residents."

Charter Amendment No. 3

Debt and Reserve policies reviewed annually by April first.

Shall Article II, Sec. 2.2.J. and 2.2.K. of the Charlotte County Charter be amended to require the annual review of the debt policy and reserve policy to be done prior to April first of each year?

YES for Approval

NO for Rejection

Section 2.2.J. is amended by amending the first sentence to read: "*Debt Policy.* The county commission shall adopt and review annually, prior to April first of each year, a debt policy to guide the issuance and management of debt."

Section 2.2.K. shall be amended by amending the first sentence to read: "*Reserve Policy.* The county commission shall adopt and review annually, prior to April first of each year, a reserve (stabilization funds) policy to maintain a reasonable level of financial resources to protect against reducing service levels or raising taxes and fees because of temporary revenue

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UNTIL ADOPTED BY THE
CHARTER REVIEW COMMISSION

BOOK _____ PAGE _____
DATE _____

shortfalls or unpredicted one (1) time expenditures and cost shifts.”

Charter Amendment No. 4

Maintaining residency requirements during term of office of Constitutional offices.

Shall Article III, Sec. 3.2. of the Charlotte County Charter be amended to require the sheriff, property appraiser, tax collector, clerk of the circuit court and supervisor of elections to maintain residency in Charlotte County during their terms of office?

YES for Approval

NO for Rejection

Section 3.2. is amended by adding a sentence to the end of the existing section to read: “Any person holding the office of sheriff, property appraiser, tax collector, clerk of the circuit court, or supervisor of elections who shall remove his or her residency from Charlotte County shall thereupon become disqualified to hold said office and the office of any such person shall be deemed vacant.”

Charter Amendment No. 5

Six month residency and registered voter requirement for Charter Review Commission

Shall Article IV, Sec. 4.2.C.(1) of the Charlotte County Charter be amended to require Charter review commission members and alternates to be registered voters of Charlotte County and reside for at least six months in the County prior to and during their term of appointment?

YES for Approval

NO for Rejection

Section 4.2.C.(1) is amended by adding a sentence to the end of the section to read: “Members and alternates of the charter review commission shall be a registered voter of Charlotte County and reside within the county for at least six (6) months immediately prior to the time of appointment and during the term of the appointment. Any member or alternate who shall remove his or her residency from Charlotte County shall be deemed to have resigned from the charter review commission.”

Charter Amendment No. 6

Creation of Citizens Financial Advisory Committee.

Shall Article II, Section 2.2. of the Charlotte County Charter be amended to provide for a Citizens Financial Advisory Committee, consisting of five (5) members to be appointed by the board of county commissioners to advise the commission on matters relating to the budget, economic impact estimates for ordinances, the debt policy, the reserve policy and other fiscal matters affecting the county?

YES for Approval

No for Rejection

Section 2.2.L. is created to read: “L. Citizens Financial Advisory Committee. The board of county commissioners shall establish by ordinance an appointed board of advisors to consist of 5 qualified resident electors to advise the commission of matters relating to the budget, economic impact estimates for ordinances, the debt policy, the reserve policy and other fiscal matters affecting the county. The ordinance shall provide that each commissioner appoint one (1) member of the committee, whose term shall run concurrent with the appointing commissioner’s term of office.

THESE MINUTES ARE NOT OFFICIAL
UNTIL ADOPTED BY THE
CHARTER REVIEW COMMISSION

BOOK _____ PAGE _____
DATE _____

Charter Amendment No. 7

Commission agenda availability.

Shall Article I of the Charlotte County Charter be amended to require county commission agendas and supporting materials be available to the public at least seven (7) days in advance of commission meetings?

YES for Approval

No for Rejection

Article I of the Charlotte County Charter is amended by adding a new subsection 1.5 to read as follows:

"1.5 Commission agenda.

The official agenda, and supporting documentation in the possession of the county, for every non-emergency meeting of the commission shall be made available to the public at least seven days before the commission meeting. Items may be added to the agenda by four-fifths vote of the commission or when deemed necessary by the majority in emergency situations."

Amendment No. 8

Economic Development Office Director reports to Board of County Commissioners.

Shall the Charlotte County Charter be amended to provide for a director of the office of Economic Development selected by the board of county commissioners who shall serve at the pleasure of the board and that this director shall not be under the direction and control of the county administrator but shall, instead, be responsible directly to the board of county commissioners?

YES for Approval

No for Rejection

Section 2.3. is amended by adding a new subsection F. to read as follows:

"F. Director of Economic Development. There shall be a director of the Economic Development Office selected by the board of county commissioners who shall serve at the pleasure of the board. The director of the Economic Development Office shall not be under the direction and control of the county administrator but shall, instead, be responsible directly to the board of county commissioners."

As part of this amendment, section 2.3.B. (1) and (2) shall be amended to clarify the County attorney and director of Economic Development are not under the direction of the County administrator, as follows:

(1) The county department heads, with the exception of the county attorney and the director of Economic Development, shall be appointed by the county administrator, with the advice and consent of the board of county commissioners, and shall be responsible to the county administrator.

(2) The county administrator shall have the authority to suspend or discharge any department head, other than the county attorney and the director of Economic Development, with or without cause. Procedures for the suspension or discharge of department heads shall be as provided by ordinance.

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CHARTER REVIEW COMMISSION

BOOK _____ PAGE _____
DATE _____

Charter Amendment No. 9

Time to appoint Charter Review Commission.

Shall Section 4.2.C.(1) of the Charlotte County Charter be amended to require the Charter Review Commission be appointed eighteen (18) months rather than eleven (11) months prior to the General Election every six years?

YES for Approval

No for Rejection

Section 4.2.C.(1) is amended by amending the first sentence of the section to read: "A charter review commission consisting of fifteen (15) members and three (3) alternates shall be appointed by the board of county commissioners at least **eighteen (18)** months before the general election occurring in **2016** and at least **eighteen (18)** months before the general election occurring every (6) years thereafter, to review the home rule charter and propose any amendments or revisions which may be advisable for placement on the general election ballot."

Charter Amendment No. 10

Reconstitution of Charter Review Commission

Shall Article IV of the Charlotte County Charter be amended by reconstituting the 2009 - 2010 Charter Review Commission to allow further in - depth study of the Charlotte County Charter, including the current form of government?

YES for Approval

No for Rejection

Section 4.2. is amended by adding a new section 4.2.D. to read as follows:

"D. Reconstitution of 2009-2010 Charter review commission.

- (1) The members of the charter review commission appointed to serve in 2009-2010 shall be deemed members of a reconstituted 2010-2012 charter review commission, which shall serve from November 3, 2010 through December 1, 2012. Vacancies shall be filled by the remaining members of the Charter Review commission, in the same manner as the original appointments.
- (2) Except as otherwise provided in this Section 4.2.D., the provisions of Section 4.2.C. of the Charter shall apply to the operation of the reconstituted 2010-2012 charter review commission.
- (3) This section 4.2.D. shall be repealed effective January 1, 2013."

THESE MINUTES ARE NOT OFFICIAL
UNTIL ADOPTED BY THE
CHARTER REVIEW COMMISSION

BOOK _____ PAGE _____
DATE _____

ATTACHMENT "B-1"

Charter Amendment No. 1

Removal of Residency from Commission District by County Commissioner.

Shall Article II, Section 2.2.A of the Charlotte County Charter be amended to allow for a county commissioner's temporary removal from their elected commission district by reason of calamity or natural disaster and except for such temporary removal or redistricting, disqualification and vacancy of office when otherwise removing their residency out of said district?

YES for Approval

No for Rejection

Section 2.2.A. is amended by amending the last sentence to read: "Each candidate for the office of commissioner shall reside within the district from which such candidate seeks election for at least six (6) months immediately prior to the time of qualifying to run for that office, and during the term of office for each commissioner shall reside in the district from which such commissioner ran for office, provided that any commissioner who is removed from the district by redistricting may continue to serve during the balance of the term of office, and providing further that any such commissioner who shall be temporarily removed from the district from which such commissioner ran for office by reason of calamity or natural disaster shall be deemed to be residing in such district, provided such commissioner demonstrates their intention to return to said district. However, any commissioner who shall remove his or her residency from the district for which he or she is elected other than by reason of redistricting, or temporarily by reason of calamity or natural disaster without the intent to return, shall thereupon become disqualified to represent said district and the office of any such commissioner shall be deemed vacant."

ATTACHMENT "C"

Do you approve the following change to Charter Amendment No. 1, to read:

Removal of Residency from Commission District by County Commissioner.

Shall Article II, Section 2.2.A of the Charlotte County Charter be amended to allow for a county commissioner's temporary removal from their elected commission district by reason of calamity or natural disaster and except for such temporary removal or redistricting, disqualification and vacancy of office when otherwise removing their residency out of said district?

YES for Approval

No for Rejection

Section 2.2.A. is amended by amending the last sentence to read: "Each candidate for the office of commissioner shall reside within the district from which such candidate seeks election for at least six (6) months immediately prior to the time of qualifying to run for that office, and during the term of office for each commissioner shall reside in the district from which such commissioner ran for office, provided that any commissioner who is removed from the district by redistricting may continue to serve during the balance of the term of office, and providing further that any such commissioner who shall be temporarily removed from the district from which such commissioner ran for office by reason of calamity or natural disaster shall be deemed to be residing in such district, provided such commissioner **demonstrates their intention** to return to said district. However, any commissioner who shall remove his or her residency from the district for which he or she is elected other than by reason of redistricting, or temporarily by reason of calamity or natural disaster without the intent to return, shall thereupon become disqualified to represent said district and the office of any such commissioner shall be deemed vacant. "

Bill Folchi	yes
John Hitzel	yes
Paula Hess	yes
Julie Mathis	yes
Suzanne Graham	yes
Ken Doherty	yes
Kevin Russell	yes
Joseph Goggin	yes
Bill Dryburgh	yes
Andy Dodd	yes
Michael Grant	yes
Frank Weikel	yes
Maureen Garrard	yes
Johnny Vernon	absent
Tom Rice	absent