

Charter Review Commission Meeting

June 10, 2015

The Charter Review Commission Meeting was held at Charlotte County Administration Building at 18500 Murdock Circle, Room B106, Port Charlotte, FL

The meeting was called to order at 3:30 p.m.

Roll Call

The following Commission Members were present:

William C. Abbatermatteo	John Hitzel	Frank C. Weikel
Katherine D. Ariens	Donald McCormick, Vice Chair	<u>Alternates Present</u>
James M. Brown	Thomas J. Rice	W. Kevin Russell
Thomas P. Conroy III	Scott D. Schermerhorn	Raymond A Corcoran
William Dryburgh, Chair	Thomas J. Thornberry	
Paula Hess	Stephen J. Vieira	

Members Julie Mathis, Gerald O'Halloran and Alternate John Davidson were not present.

I. Approval of Minutes of May 13, 2015 Meeting:

Chairman William Dryburgh stated the he had emailed the minutes to everyone and asked if there were any additions or corrections. Ms. Hess made a motion to move for approval and it was seconded and approved. Ms. Shoemaker stated that there was one addition/correction made adding seconds on nominations. Ms. Shoemaker also stated that there are copies of the new minutes on the table if anyone needs a copy. Ms. Hess stated that seconds are really not required in Robert's Rules of Order for nominations but, moved as corrected. Chairman Dryburgh asked if there was a second, it was seconded, he asked if there was any discussion and the Minutes were accepted.

II. Citizen Input on Agenda Items – None

III. Old Business

a. Selection of administrative support

Chairman Dryburgh stated that Ann is not available and the County placed an ad in the paper and we only had one person respond and they didn't even meet the minimum qualifications. Chairman Dryburgh requested that the Commission members get the word out on the available position. Ms. Ariens asked if they were allowed to know what the salary is. Ms. Shoemaker stated that we would email the job description and salary. Ms. Hess asked if there were any temp agencies in Charlotte County. Ms. Shoemaker answered yes that we deal with Snelling. We received no applications, and then we posted the ad in the newspaper.

b. Selection process of legal counsel

Chairman Dryburgh stated that we received 3 letters of interest for the legal counsel position. In the order that he received them: Robert Berntsson, Michael McKinley, and Derek Rooney. Chairman Dryburgh asked if anybody wanted to discuss. Ms. Hess asked what was the process he was going to use as the selection process - motion from the floor

or just input and then a motion from the floor or do you want to do the 3 applicants names on a ballot. There was discussion on interviewing. It was stated that Robert Berntsson was the only one here, someone asked if the other 2 were invited and Chairman Dryburgh stated they were not. He stated that there were 2 ways to handle this; 1) we could bring them in again; we are discussing that today or 2) we could make the selection today by a ballot. Commission members shared their views and observations and Ms. Hess made a motion to select Robert Berntsson. This motion was seconded. The motion was amended to table this to the next meeting and move to interview the candidates. This motion was seconded and approved (10 yeas, 3 nays).

Mr. Berntsson stated that he has a conflict. He didn't know the Commission was going to meet on June 24th, if there was any possibility he could be interviewed while he was here. Mr. Berntsson was asked to stand up and introduce himself.

Mr. Berntsson introduced himself. His highlights included: former Chief Assistant County Attorney, and Acting County Attorney as well as City Attorney for the city of Punta Gorda as outlined in his resume. Board certified since 2000 in city, county and local government law and also the attorney for the Gasparilla Island Bridge Authority for the bridge over to Boca Grande and the attorney for the Englewood Water District, both independent special districts for the state of Florida. A very active practice in local government here in Charlotte county appearing before all the elected and appointed boards; the board of Zoning Appeals, the Planning and Zoning board, the Board of County Commissioners as well as an extensive practice with staff on behalf of private clients. Served as the attorney for the Charter Review Commission; the last commission that was established. Office is located directly across the street, available to you on a moment's notice. Would charge the same hourly rate that he charged the commission in the last term at \$200 an hour which is below the rate that he charges other local government clients. The knowledge that he gained in the first term or last term is invaluable in going through.

Mr. Schermerhorn asked what do you foresee as some of the greatest challenges of the position?

Mr. Berntsson replied that the greatest challenge is #1 the Sunshine Law, keeping you all reminded that the Sunshine Law applies. He stated working the issues, have no idea what direction you will go but just researching the issues in the direction that this commission goes in would create the issues. Very confident in doing that. Has contacts because of term, dealing in local government law when I started in 1989 with Charlotte County, attended seminars and have been involved in local government section of Florida bar. Have a lot of contacts that have also served in these types of positions that can bounce ideas off of.

Mr. Rice states one of the questions that was asked last time for was for the applicants to explain the value of being board certified. Asked if he could comment on that.

Mr. Berntsson, answered that the Florida Bar takes Board certification very seriously. You have to have a minimum of qualifications to apply to become board certified. You have to maintain a practice that is in the area that you are board certified. It holds you out as someone that has special expertise in that area.

Mr. Weikel asked if alternates vote?

Mr. Berntsson stated from his recollection from previous was they are alternates until actual board members are removed from the board and then they take the place of that person.

Mr. Schermerhorn asked do you foresee or could there be any conflicts since you obviously have many established ties and you are representing many other boards before the county, you work with the county attorney very closely, would any of that pose a problem? Mr. Berntsson answered he wouldn't anticipate any conflict. The conflicts between government agencies are rare, you are a separate board you are a separate body, you're not the county so you would be my client in this particular representation.

Chairman Dryburgh thanked Mr. Berntsson. Mr. Berntsson thanked them for accommodating him today.

c. Meeting schedule

Chair Dryburgh asked if it was alright with everybody if they met on June 24 to interview the attorneys. Chairman Dryburgh also asked if would be acceptable to not meet in July.

A motion was made to not meet in July. Seconded. No discussion. Approved.

Chairman Dryburgh asked if it was acceptable to meet on the June 24 and interview the attorneys. It was stated that it was a Wednesday at the same time. Mr. McCormick stated that he would not be in attendance on June 24. Chairman Dryburgh stated the next meeting is June 24 and the meeting after that will be August 12.

IV. New Business

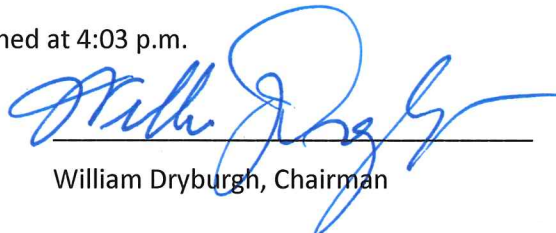
a. Sub-committees

Chairman Dryburgh stated that the next order of business is to breakup into sub-committees. Chairman Dryburgh listed the committees; The Administration and Staff Committee, Board of County Commissioners Committee, Constitutional Officers Committee, and Other Boards and Agencies Committee. In your notebook you have the 2010 Charter Review Commission report, you'll see the reports on those different committees and what their conclusions were.

Ms. Hess suggested that the chair appoint the committees. Chairman Dryburgh asked if that was alright with everybody. He will make the committee appointments and get that out to the members prior to the June 24 meeting. Chairman Dryburgh stated that the committees will appoint the chairs.

V. Discussion – no items

VI. Adjournment – the meeting was adjourned at 4:03 p.m.



William Dryburgh, Chairman