

**CHARTER REVIEW COMMISSION
BOARD OF COUNTY COMMISSIONERS SUB-COMMITTEE
Minutes of Meeting
January 28, 2010**

A meeting of 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: *Johnny Vernon (Chairman), William Dryburgh, Michael Grant, Frank Weikel.*

Absent member: *Tom Rice*

Call to Order

The meeting was called to order at 9:00 a.m by *Chairman Vernon*

Agenda Items

1. **Approval of Minutes:** *Chairman Vernon* confirmed that the members had previously reviewed the Minutes of the meeting held on December 17, 2010. There being no additions nor deletions to these Minutes a motion was made and seconded to approve these Minutes and they were approved by unanimous vote.

2. **Interviews of individual County Commissioners:** The purpose of this meeting was to interview all five (5) County Commissioners, per a list of questions that had been previously submitted to them for their review.

The first scheduled interview was Commissioner Richard Loftus, which began at 9:00 a.m. *Chairman Vernon* welcomed Mr. Loftus and thanked him for attending. Commissioner Loftus's responses to questioning are attached to these Minutes as Attachment "A". Mr. Loftus concluded his comments at 9:50 a.m EST at which time *Chairman Vernon* called for public comment. Citizen Stephen R. Deutsch was in attendance and said that based on his background he would be glad to answer any questions about government for the Committee. *Chairman Vernon* responded that out of respect to the Commissioners he would welcome comment but would like to limit questioning to only the County Commissioners. There being no further public input the meeting recessed briefly until the next scheduled interview.

The meeting reconvened at 9:56 a.m. EST with the arrival of Commissioner Bob Starr. *Chairman Vernon* welcomed Mr. Starr and thanked him for attending. Commissioner Starr's responses to questioning are attached to these Minutes as Attachment "B". Mr. Starr concluded his comments at 11:00 a.m EST. and there being no public input the interviews continued.

The third scheduled interview was Commissioner Adam Cummings. *Chairman Vernon* welcomed Commissioner Cummings and thanked him for attending. Commissioner Cummings prefaced his interview by pointing out that he had prepared a list of written responses to the submitted questions, and these responses are attached to these Minutes as Attachment "C-1". Mr. Cummings' oral response to questioning is attached to these Minutes as Attachment "C-2". Mr. Cummings concluded his comments at 12:00 p.m. EST. During public comment, Stephen Deutsch asked Commissioner Cummings his opinion on the appointment of the Sheriff. Commissioner Cummings felt that there was no reason to go to an appointed Sheriff. There being no further public input the meeting was recessed until 2:00 p.m. EST.

The meeting reconvened at 2:00 p.m. EST. and due to a delay in the scheduled interview of the next Commissioner the sub-Committee opted to hold the Commission Comments portion of the Agenda:

Chairman Vernon asked *Ken Doherty* the best way to present the report on today's interviews, and indicated that he would like to get back with the sub-Committee and get their thoughts. *Ken Doherty* said that he feels the CRC has a duty to look through the documents and everything that everyone has presented. Even if that results in no suggested amendments, the Charter Review Commission should show that it diligently pursued every issue. As an example he said that during the 2004 session the Constitutional Officers sub-Committee voted to have the Supervisor of Elections position be non-partisan, but the Charter Review Commission as a whole did not approve that by vote. *Frank Weikel* indicated that the results of the sub-Committee votes should be presented to the whole Commission for the record. *Michael Grant* asked if this sub-Committee decided to pursue the issue of another form of government as far as mayoral/elected Administrator, etc. would it be necessary to set up another sub-Committee to do that. *Ken Doherty* indicated that would be the area for the Administration Staff sub-Committee and that all areas of the Charter connect; the lead for this BCC sub-Committee is legislative, the Administration Staff sub-Committee is executive. All members are permitted to attend all sub-Committees. *Michael Grant* indicated that he would like this group to get together at least once more before presenting their report at the next full membership meeting and due to schedules it was decided that a meeting would be noticed for Thursday, February 4, 2010 at 9:00 a.m. EST. The sub-Committee members and *Ken Doherty* discussed the question posed by *Mr. Doherty* to the interviewees regarding the direction which the County may be ready to take as far as transitioning to a city form of government. *Mr. Doherty* said that it may be a good idea to suggest to the Administrative Staff sub-Committee to do some research as to municipalities

with populations similar to Charlotte. Additionally, it was the consensus of all present that there is a prevailing feeling in the business community that accountability is a problem. *William Dryburgh* observed that this also discourages new business from locating to the County. The members concluded that they may or may not be ahead of their time in pursuing these changes, that it may be an issue for the next Charter Review Commission. *Frank Weikel* mentioned that he thought a proposed change in existing government structure might not even pass on a County vote at this time. They feel, however, that it is the obligation of the CRC to examine it thoroughly, as it is becoming much more of an issue than in the past.

The fourth scheduled interview was Commissioner Tricia Duffy. *Chairman Vernon* welcomed Commissioner Duffy and thanked her for attending. Commissioner Duffy's responses to questioning are attached to these Minutes as Attachment "D". Commissioner Duffy concluded her comments at 3:20 p.m. EST and there being no public comment the interviews continued with Commissioner Skidmore.

The fifth and final scheduled interview was Commissioner Robert Skidmore at 3:24 p.m. EST. *Chairman Vernon* welcomed Commissioner Skidmore and thanked him for attending. Commissioner Skidmore's responses to questioning are attached to these Minutes as Attachment "E". Mr. Skidmore concluded his comments at 4:05 P.M. EST and there being no public comment the interview portion of the Agenda was concluded.

Chairman Vernon briefly recapped for the sub-Committee members the details of the next meeting on February 4, 2010 at 9:00 a.m. EST.

4. Public Input: None

5. Adjournment: The meeting was adjourned at 4:05 p.m. EST

Johnny Vernon, Chairman

Attachment "A"
Responses of Commissioner Loftus

SHOULD THE BCC BE STRUCTURED ANY DIFFERENTLY?

Commissioner Loftus thanked the CRC for due diligence in working on the Charter and for inviting the input of Commissioners. Commissioner Loftus said he has been involved for 32 years and feels strongly that as now structured it is working very well. Equally important is how they function as a Board as far as congeniality, etc.

WHAT ARE YOUR THOUGHTS CONCERNING SINGLE MEMBER DISTRICTS, PLUS TWO AT LARGE (NOT TO EXCEED FIVE TOTAL)?

(Note: *Chairman Vernon* expanded on this question to include as many as seven districts, this being an issue raised during public input on January 21st).

Commissioner Loftus had looked at other statistics with other Counties and communities, and said it seems to be very effective with five (5). He feels strongly about being involved in the community and has served on many boards, and would not like to see a Commissioner being focused on just one district but feels they have to focus on the County as a whole. He feels that would hamper rather than help to have them elected by district rather than county-wide.

Michael Grant asked about the possibility of having five people elected county-wide without them having to live in the district, which he feels would allow more than one qualified candidate to run from a particular district. Commissioner Loftus responded that was a unique approach, feeling that the most important thing is to get qualified Commissioners. *Commissioner Weikel* asked about a tight budget year, using the example of a move to dredge Stump Pass and how that might affect the vote of a Commissioner from Deep Creek whose district would have less interest in that issue. Commissioner Loftus responded that would not affect his vote because he votes for what is in the best interest of the community as a whole. *Commissioner Weikel* then asked specifically about adding two at-large Commissioners and asked Commissioner Loftus what he thought would be the cost in addition to estimated salaries and benefits. Commissioner Loftus responded that additional staff would also be necessary, a substantial increase in the County budget. In response to further questioning, Commissioner Loftus said that he had thought often about single member districts and if they would be beneficial, but he feels that the BCC needs to look at the County as a whole. Would single member districts prevent the residents of one area of the County from feeling like they are overlooked? He responded "no", no one area is being overlooked, that is a mis-perception. Neither does he feel that districts would need to be split up, if there is a problem in representation then that is the quality of the Commissioner which is the cause.

SHOULD THE BCC ELECTIONS BE NON-PARTISAN?

Chairman Vernon said that he thought that question had been answered by Commissioner Loftus' previous comments and proceeded to the next question. Subsequently in the meeting *Michael Grant* asked Commissioner Loftus if he preferred partisan and Commissioner Loftus answered affirmatively.

SHOULD THE BCC BE SUBJECT TO TERM LIMITS?

Commissioner Loftus answered that he had looked at term limits from the State level and he is not quite happy with that, for the simple reason that good people serving may have to term out. He does not like to see it go too long in the County though. If one was to look at terms he would think it should be a least three (3) terms.

WHAT ARE YOUR THOUGHTS CONCERNING BCC ELECTION BALLOT ROTATION OF NAMES?

Commissioner Loftus responded that he was satisfied with the rotation the way it exists, referring to sitting on a certain Committee or chairmanships. *Frank Weikel* brought up that he interpreted that question in a different way - he meant as far as names appearing alphabetically on the ballot, which sometimes are shown to get the most votes as people will vote for the first one listed. Commissioner Loftus saw some validity to that, but thought it would be expensive to implement. *Chairman Vernon* asked if the fact that this County is primarily Republican would affect this in any way. Commissioner Loftus said that it would in the primary but not in the general election. He did not know if State statute would even allow it. The sub-Committee members discussed the issue briefly and *Michael Grant* said that names out of a hat for the primary might work but that the Supervisor of Elections would most likely say that it would drive the cost of elections sky high.

IS THERE A NEED TO REGULATE BCC ELECTION FINANCING IN THE CHARTER?

Commissioner Loftus said he did not think so. The sub-Committee members and Mr. Loftus briefly discussed the dollar limits in Charlotte and Sarasota counties.

WOULD YOU LIKE THE CRC TO RECOMMEND ANY CHARTER AMENDMENTS RELATIVE TO THE BOARD OF COUNTY COMMISSIONERS?

Commissioner Loftus felt that the system is working, he said that it is difficult but that it is working. *Chairman Vernon* asked him if he liked the status quo and he agreed that he did.

WHAT ARE YOUR THOUGHTS CONCERNING THE COUNTY ADMINISTRATOR'S POSITION BECOMING ELECTED?

Commissioner Loftus responded that he has been approached on that subject some time ago and has given it a lot of thought. His concern is that an elected Administrator, in order to qualify, would have to live in the County and that limits the selection of qualified people. He further stated concern about the removal of an elected Administrator if they were not

performing to standard. Under the present system that can be done with a vote by enough members of the BCC. *Chairman Vernon* said that if an Administrator was elected the BCC would not have a lot to say about what he does, and Commissioner Loftus said that was right. *Chairman Vernon* also pointed out that an elected official would remove a lot of work from the Commissioners and Commissioner Loftus said that was part of the problem with it. He felt that would put too much responsibility on one person where currently five Commissioners share responsibility. *Michael Grant* mentioned a perception in the business world about a lack of accountability and the argument could be made that local government may be more efficient if there was one focus rather than five people trying to make cohesive policy. An elected Administrator could be removed in the next election. *Mr. Grant* explained that he brought this up only as a counter-argument. Commissioner Loftus repeated his concern that the wrong person would have to serve out his term as a recall is difficult, and also said that it would be difficult to assess the candidates' qualifications. *Frank Weikel* mentioned that there could be a two-year term for a County Administrator. He also brought up the issue of the Administrator's appointed staff. Commissioner Loftus said that at present it is the Administrator that controls his staff and a new Administrator could bring in his own people.

Frank Weikel then asked to go back to Question 7. He stated that the BCC only has authority now over two people, the County Administrator and the County Attorney. He asked Commissioner Loftus if he would want to make a change allowing them to hire their own staff of Directors and Deputy Directors. Commissioner Loftus responded that he thought it works well although there are some difficulties. He felt, though, that if that authority is given to the Board it would be harmful rather than helpful. *Chairman Vernon* expressed a concern about the positions under an elected Administrator becoming very political, and Commissioner Loftus agreed with that concern. *William Dryburgh* asked for confirmation of the requirement for the County Administrator to live in the County. Commissioner Loftus affirmed that it is a requirement and if they do not live in the County they are required to move to it after being hired. It was brought up that Directors do not, but Commissioner Loftus stated that the current Administrator asks that all Directors live in the County.

WOULD YOU LIKE THE CRC TO RECOMMEND ANY CHARTER AMENDMENTS RELATIVE TO ANY OTHER PORTIONS OF THE CHARLOTTE COUNTY GOVERNMENT?

Commissioner Loftus said that in many counties one will hear the issue of whether or not to appoint the Sheriff, but stated that he felt that overall the government in Charlotte County is working well. *Chairman Vernon* asked him how he felt about the pay for Commissioners and Chairman Loftus agreed that in discussion it was sometimes mentioned that a better salary could attract more qualified Commissioners and he thought that in some counties they had formulated their own pay scales. He pointed out that the Commissioners' salaries are dictated by the State. *Chairman Vernon* asked for clarification on that, i.e., is it dictated how high or how low the salary can be. Commissioner Loftus said that it is based on population. *Frank Weikel* asked him he could visualize any revisions that would give the BCC any more authority over budgets of other Constitutional Officers. He said that since the Constitutional

THESE MINUTES ARE NOT OFFICIAL
UNTIL ADOPTED BY THE
Board of County Commissioners Sub-Committee

BOOK _____ PAGE _____
DATE: _____

Officers are elected, by State statute the BCC does not have that jurisdiction. If they were appointed that would change. He expressed a concern over the Sheriff's budget and stated that as much as he values the safety of the people he feels that the dollars being spent in the County are going too high. In response to a statement by *Mr. Dryburgh*, he agreed that he would favor something in the Charter giving the BCC more control over budgets, but that in order to do so it would be necessary to have appointed officials. *Michael Grant* pointed out that many budget items are dictated by the State.

Chairman Vernon asked if there was any further comment and *Ken Doherty* asked Commissioner Loftus if he thought it was time for Charlotte County to be structured more like a City to provide better services. *Mr. Doherty* said this question is posed because he would like to determine what direction the Charter Review Commission should or should not pursue. He further posed the question of Constitutional Officers, and would it be an option to have them be elected Charter officers. Commissioner Loftus agreed that he brought up an interesting question that could be studied. *Chairman Vernon* asked if there was a sub-Committee that would be talking to the Sheriff and *Mr. Doherty* replied that the Constitutional Officers would be doing that. *Ken Doherty* also brought up the issue of a debt policy and reserve policy, an Amendment that was approved by the voters after the last Charter Review Session in 2004. He observed that this was not implemented until September 2009. *Michael Grant* concurred that this was alarming. Commissioner Loftus responded and agreed this should have been addressed as it is a part of the Charter. *Frank Weikel* referred to some printed statistics that had previously been furnished the CRC and asked if only Duval County had an elected Administrator. *Ken Doherty* replied that Volusia has the County mayor concept and Orange County has an elected Administrator.

Johnny Vernon asked Commissioner Loftus if he had further comments and the Commissioner replied that he did not. He once again thanked the Committee for inviting his input.

THESE MINUTES ARE NOT OFFICIAL
UNTIL ADOPTED BY THE
Board of County Commissioners Sub-Committee

BOOK _____ PAGE _____
DATE: _____

Attachment "B"
Responses of Commissioner Starr

SHOULD THE BCC BE STRUCTURED ANY DIFFERENTLY?

Prefaced his response by pointing out that the Charter is like the Constitution and changes should not be made lightly. At this time the BCC structure is optimal, the key is finding good Commissioners. He would not recommend or support any changes at this time.

WHAT ARE YOUR THOUGHTS CONCERNING SINGLE MEMBER DISTRICTS PLUS TWO AT LARGE (NOT TO EXCEED FIVE TOTAL)?

Commissioner Starr opined that Charter revision must be in concert with State law and the State requires five (5) Commissioners to be from district. To go to single districts and have two at large it would require seven (7) Commissioners which would be expensive. He cited salary and support staff. Commissioner Starr did not see a benefit to adding to the Board. Per an issue brought up at the public meeting, *Chairman Vernon* asked his opinion on splitting districts and going to seven Commissioners. Commissioner Starr did not see a need for that, he repeated his statement that the key is getting good Commissioners. *Chairman Vernon* also mentioned that it was also brought up that some people feel they are not getting good representation, and Commissioner Starr responded that this too spoke to the quality of the Commissioner. He also said that perception might stem from a single issue or a lack of communication. The solution to that is for the people to contact their Commissioner rather than changing the structure. *Michael Grant* asked Commissioner Starr his thoughts on having the five Commissioners not having to all be from a different district and Commissioner Starr responded that there should still be that mix even though that limits the field as far as sometimes eliminating qualified candidates. He also thought that might create a situation where one district does get more attention. *William Dryburgh* mentioned a concern brought up at the public meeting that mid-County does not get the attention of south and west County. Commissioner Starr said that may have happened in the past. He repeated that the right Commissioners with the right motivation is key, they need to represent the whole County. He also said it might appear that south and west County are being prioritized but that is because there may be more projects needed in those areas.

THESE MINUTES ARE NOT OFFICIAL
UNTIL ADOPTED BY THE
Board of County Commissioners Sub-Committee

BOOK _____ PAGE _____
DATE: _____

SHOULD THE BOARD OF COUNTY COMMISSIONERS ELECTIONS BE NON-PARTISAN?

Commissioner Starr likes to know party affiliation because there are philosophies that each party has and that gives indication of the candidates' core beliefs. He feels people should have the choice of running without party affiliation if they wish, but it should not be specified in the Charter that they must. Commissioner Starr thinks that the party system has served our country well.

SHOULD THE BCC BE SUBJECT TO TERM LIMITS?

Commissioner Starr says that he is not a fan of term limits on the national level nor County, saying that the voters provide the term limit. He thinks Charlotte County has been very good in enforcing term limits at the polls, mentioning several times when there were no incumbents on the ticket. Commissioner Starr also pointed out that term limits can limit the time a good incumbent can serve.

WHAT ARE YOUR THOUGHTS CONCERNING BCC ELECTION ROTATION OF NAMES?

Commissioner Starr confirmed that this question referred to alphabetical order on the ballot. He said that it has been shown that sometimes people do vote for the first name they see, but that the system need not be changed, the advantage is slight. *Frank Weikel* asked this question of rotation as it would apply to BCC chairmanship. Commissioner Starr said the decision should be left to the Board as to who should lead them.

IS THERE A NEED TO REGULATE BCC ELECTION FINANCING IN THE CHARTER?

Commissioner Starr feels there would be some problems in trying to regulate and there would be challenges. A lot of the ability to raise money depends on the candidate and it should not be regulated in the Charter.

WOULD YOU LIKE THE CRC TO RECOMMEND ANY CHARTER AMENDMENTS RELATIVE TO THE BOARD OF COUNTY COMMISSIONERS?

Commissioner Starr replied that at this time there is no significant issue that needs to be handled. He mentioned that in the past the CRC has made changes that were necessary (he gave an example of the residency requirement) but at this time he does not see any.

WHAT ARE YOUR THOUGHTS CONCERNING THE COUNTY ADMINISTRATOR'S POSITION BECOMING ELECTED?

Commissioner Starr said that would be a dangerous and ineffective amendment. He says that previous Charter commissions have made some adjustments, citing the fact that the Charter was amended so that the Administrator deals with personnel, not the Commissioners.

Commissioner Starr pointed out that an elected Administrator would result in a person serving for four years with total power plus that person would be the only conduit of input. At present the citizens have five people they can go to in addition to the Administrator who reports to the Commissioners. He feels it provides a better system of checks and balances. Commissioner Starr said the BCC in Charlotte has more responsibilities than many counties because there is only one city in the county. In addition, Commissioner Starr pointed out that it would be impossible to elect someone who did not have any allegiances and/or business and financial interests. If an elected Commissioner has specific interests there are four other Commissioners to counter that, but not so with an elected Administrator. In response to a question by *Chairman Vernon* he agreed that the positions under the Administrator might be more political. *Chairman Vernon* asked if he thought there would be better qualified candidates through election or appointment, and Commissioner Starr replied that he thought there would be better candidates through appointment because of the extensive interview and vetting process. *Frank Weikel* asked him if he would be more comfortable if this went on the ballot as a two (2) year elected official, but Commissioner Starr said that he still has the same feelings he previously expressed. Commissioner Starr further said that an appointed Administrator has to report to the Commission and that gives him/her an incentive to do a better job. *Michael Grant* brought up the fact that he had frequently been approached by people and even Commissioners who feel that staff is not being accountable. *Mr. Grant* stated that he fully appreciates Commissioner Starr's feelings on the danger of an elected Administrator but in reviewing other Charters he does not see that official as having as much power as the Commissioner outlined. He pointed out that the BCC would still establish County policy, but with one elected Administrator there would be more accountability. Commissioner Starr replied that the current County Administrator is very responsive and *Michael Grant* agreed that a lot of these comments he received were in the past. Commissioner Starr once again mentioned that the Commissioners need to receive input if a citizen has a concern, and rather than change the Charter look at the process and involve more Commissioners if a response is needed; if the Administrator is doing a bad job then remove him. Commissioner Starr mentioned past issues in the County such as Murdock Village and GDU, indicating that these were bad decisions and the Administrator was culpable in those as well as the Commissioners. He mentioned the budget process as the effective way that Commissions should run. He said the current Administrator is very cost conscious and the efficiencies are not resulting in decreased service. Commissioner Starr repeated that with an appointed Administrator you get the best quality person as evidenced as by the road the County is on now. *Frank Weikel* asked to return to question seven (7) and asked Commissioner Starr if he could recommend any amendments that would prevent another Murdock Village. Commissioner Starr replied frankly that intelligence cannot be legislated. He again pointed out public satisfaction currently in the County, citing that the last budget was finalized in forty five (45) minutes.

WOULD YOU LIKE THE CHARTER REVIEW COMMISSION TO RECOMMEND ANY CHARTER AMENDMENTS RELATIVE TO ANY OTHER PORTION OF CHARLOTTE COUNTY GOVERNMENT?

Commissioner Starr said that as he has stated previously he is not an advocate of changing the Charter unless there is a need. He then brought up debates he has had with the Sheriff and his budget. Commissioner Starr explained that the Sheriff is a Constitutional officer who has no oversights, the only involvement that BCC has is to approve his budget and if they do not he can appeal to the Governor. The Commissioner stated that the Sheriff's budget right now is fifty eight (\$58,000,000) million dollars, of which forty eight (48,000,000) million is salaries, and the money for the jail. Commissioner Starr explained that the jail belongs to the County and the Sheriff is the franchisee. In later remarks, he said he favored that jail reverting to the County Commission. The budget for the Charlotte County Sheriff's Office is over half of the total budget for the County. Commissioner Starr said that at this time he feels that the Charter Review Commission should obtain input from the people, and that he personally feels there should be an appointed Sheriff. He pointed out budget cuts that have been successfully made from Fire and EMS, in concert with the Fire Chief, which have had no bad results in the County. Commissioner Starr feels that it is time for the people to be given more control over the office of the Sheriff and that would be through appointment. He recommends a board of people who have had law enforcement experience looking at candidates and vetting them and making their recommendation to the BCC. *Chairman Vernon* suggested a Director of Corrections to run the jail and asked if Commissioner Starr would be in favor of something like that. The Commissioner said he is in favor of providing service and accountability at the least possible cost. *William Dryburgh* asked if he thought the issue of appointment should be applied to the other Constitutional Officers in the County. Commissioner Starr did not see a need, the other officials' budgets are mostly statutory. *Chairman Vernon* again mentioned counties where a great deal of money was saved by going to a Director of Corrections to run the jail. Commissioner Starr wants to again sit down with the Sheriff to discuss his budget. *Michael Grant* mentioned the possibility of changing the review process and not letting the Sheriff appeal to the Governor, which may actually be a Constitutional change. Commissioner Starr acknowledged that may be one way, but that there are also other areas in which the County needs more control over the Sheriff's department. *Michael Grant* suggested that the vetting Board should be comprised of more than just law enforcement professionals and Commissioner Starr agreed.

Chairman Vernon asked if there was any further comment and *Ken Doherty* asked Commissioner Starr if he thought the County was transitioning and should it be structured more like a City for delivery of services. He enumerated the three options, ie., appointed Administrator, elected executive or County chair/appointed Administrator (mayor type form). Commissioner Starr said that he did not feel that people were dis-satisfied enough to warrant a change. *Ken Doherty* then brought up the issue of the debt policy and reserve policy passed in 2004 but not implemented until September 2009, again expressing his concern over this. He mentioned that they should have put a time limitation in the

THESE MINUTES ARE NOT OFFICIAL
UNTIL ADOPTED BY THE
Board of County Commissioners Sub-Committee

BOOK _____ PAGE _____
DATE: _____

Amendment, and Commissioner Starr and *Michael Grant* agreed. In final comment, Commissioner Starr mentioned that the School Board also has a huge budget and very little accountability and thought that this might also be examined by the CRC. He said he thought that the appointment of the School Superintendent should be made from outside of his organization.

Chairman Vernon thanked Commissioner Starr for his time and comments.

Attachment "C-1" - Written responses of Commissioner Cummings

1) Should the Board of County Commissioners be structured any differently?

No

2) What are your thoughts concerning single member districts, plus two at large (not to exceed five total)?

Most counties have retained the standard 5 Commissioners elected at-large for good reason. Single member districts rewards candidates who "bring home the bacon" for their district rather than looking out for the good of the County as a whole. This approach creates an overall upward pressure on taxes most of us are trying to avoid.

My observation has been that larger commissions tend to be more fractious with coalitions taking up sides against one another. 5 members seems to be the best balance between spreading power amongst diverse points of view and the tendency for smaller groups to be more deliberative over specific issues rather than a herd mentality found in many large legislative bodies.

The primary reason to consider more members or single member districts is when the population gets to a level where the representatives cannot know the entire area they serve in sufficient detail to effectively represent them. Charlotte County is nowhere near this population level. There are only three counties of less than half a million population that use single member districts at all and of those only Leon County (Tallahassee) with a population of 272,896 has more than 5 members. In fact, it is not until population exceeds 900,000 people that variation from 5 at large commissioners becomes the norm.

3) Should the Board of County Commissioners' elections be non-partisan?

I have never viewed the Commission as being involved in particularly partisan issues. Whether to widen a road, add a park or change a zoning requirement is driven primarily by a combination of the citizen's vision for their community and physical conditions on the ground such as traffic. Going to non-partisan elections would reduce some election costs. Having said that, I don't view this as having a large impact on the community and I think it would probably be a controversial subject. I question whether it is worth diverting the public's attention away from more important matters such as the County ad valorem budget at this time.

4) Should the Board of County Commissioners be subject to term limits?

Charlotte County has a history of frequent turnover in Commission seats with relatively few re-elections. In this manner, the voters have over time provided a reasonable balance of experienced commissioners with new commissioners. Term limits will produce the result of staff being the only people with institutional memory and experience thereby reducing the effectiveness and influence the voters will have on the organization.

5) What are your thoughts concerning BCC election ballot rotation of names?

State law says that the candidate of the prevailing party will be first on the list in a general election. My recollection is that state law sets the order as being alphabetical for primary elections. Any change to that in our charter would need to be cleared first with the state.

Assuming the ballot rotation is intended as a single event where the order is scrambled once then all ballots are reprinted identically, then we are simply transferring the benefit of being first on the list from one relatively random process to another. The small advantage would still occur for one of the candidates.

If on the other hand the intent is to have each ballot printed with a unique random order, then the modest unfair advantage would be eliminated. However, the current demand for paper ballots would cause this process to be substantially more expensive and probably not be worth the additional cost.

6) Is there a need to regulate BCC election financing in the Charter?

Not unless we are willing to fund enforcement. The County has one election law requirement that Commissioners live in their district for six months prior to filing to run. During a recent election, when that question arose about a candidate we discovered that the State will not enforce it because it is not state law and there was no local tool for enforcement. The County or some entity would need to take the candidate to court to seek injunctive relief to enforce the code.

7) Would you like the Charter Review Commission to recommend any Charter amendments relative to the Board of County Commissioners?

No.

8) What are your thoughts concerning the County Administrator's position becoming elected?

If the desire is to create a political boss for Charlotte County, this would be the best way of doing it. The proposal to go to an elected Administrator, more commonly known as a strong mayoral form of government, has the greatest potential for harm to our community of any of the issues regularly reviewed by Charter Review Commissions. It seems to crop up each time and so far each Commission has had the wisdom to not pursue it. The most likely outcome of such a proposal for a community our size is the type of political patronage the vast majority of Americans wish to avoid.

THESE MINUTES ARE NOT OFFICIAL
UNTIL ADOPTED BY THE
Board of County Commissioners Sub-Committee

BOOK _____ PAGE _____
DATE: _____

An elected Administrator concentrates the political power currently distributed amongst 5 Commissioners into the hands of one individual. Review of county charters across the state shows the combined government for Jacksonville/Duval County with a population of 897,597 being the only one in the state to go to this form of government. Quite frankly it is questionable whether even a population of this size is sufficient to drive a need for a separate executive branch as this system implies.

9) Would you like the Charter Review Commission to recommend any Charter Amendments relative to any other portions of the Charlotte County Government?

No.

Attachment "C-2"
Oral Responses of Commissioner Cummings

SHOULD THE BCC BE STRUCTURED ANY DIFFERENTLY?

Commissioner Cummings responded "no".

WHAT ARE YOUR THOUGHTS CONCERNING SINGLE MEMBER DISTRICTS, PLUS TWO AT-LARGE (NOT TO EXCEED FIVE TOTAL)?

Commissioner Cummings responded that most counties have retained the standard five Commissioners elected at-large for good reason. Single member districts tend to reward a "bring home the bacon" type attitude. He said that it is in that area that he has received the most pressure over the years as a Commissioner; the pressure that he should be doing more for Punta Gorda than the rest of the County. He feels this generates a general upward pressure because everyone else is competing to do the best for their district and it creates an upward pressure on taxes. He feels that the larger Commissions he has seen across the state tend to be more fractious, that the group dynamic drives a smaller group towards being more deliberative as in better discussion over individual issues. He feels that time has shown over most of the state that five is the best number. He said that the primary reason for going to more members is when an individual representative cannot know his or her entire area, and he feels that Charlotte County is nowhere close to that size in population. He mentioned statistics he had obtained from the Fla. Association of Counties (NOTE: a copy of which is attached to these Minutes immediately following these responses of Commissioner Cummings). There are only three counties of less than half a million population that use single member districts. *Chairman Vernon* asked Commissioner Cummings his feelings on perhaps splitting some of the existing districts. Commissioner Cummings replied that a representative has to live in his district, the primary reason for that is to prevent having one very politically active district. He said that under the current system a good Commissioner should know the whole County, not just his district, and does not feel that any area is remotely close to being difficult to know. *Michael Grant* asked his opinion on having mid-County, south County and west-County and two at-large candidates to be able to get the best candidates to the Commission. Commissioner Cummings responded that was a legitimate approach, however he repeated his feeling that the single member districts created would again foster the "bring home the bacon" attitude. *Frank Weikel* asked if Commissioner Cummings, in formulating his opinion, had taken into consideration the cost of additional commissioners. Commissioner Cummings agreed and replied that the figures if anything are low, especially with regard to support staff. He feels it is optimal for each Commissioner to have their own aide and currently the County Administrator and Assistant County Administrator are doing the job that a Commissioner's assistant should be doing (following

up on citizen's complaints). He pointed out that it is not an efficient use of resources. In discussion with *Michael Grant* he explained that technically all Commissioner's aides work for the Administrator and Commissioners are not even supposed to give them instructions, but in practical application it has never been a problem. *Mr. Grant* asked about the possibility of addressing this in the Charter, but Commissioner Cummings did not feel it was necessary. The member present and Commissioner Cummings agreed, however, that it is important for each representative to have their own aide who is loyal to them. Commissioner Cummings observed that he had never had a problem until the Board cut the staff, he feels that as far as effectiveness that budget decision was penny wise but pound foolish. *Michael Grant* agreed, pointing out a statement in an earlier interview about the County Administrator having to answer citizens' emails at night, something that should be done by BCC staff.

SHOULD THE BOARD OF COUNTY COMMISSIONERS' ELECTIONS BE NON-PARTISAN?

Commissioner Cummings replied that he has never viewed the BCC issues as being partisan. Most are driven by a combination of public comment or the physical facts on the ground. They are not a philosophical issue. He said that he was told that some money could be saved by going to non-partisan elections, but he did not feel it was important enough to divert the public's attention from more important issues.

SHOULD THE BOARD OF COUNTY COMMISSIONERS BE SUBJECT TO TERM LIMITS?

Commissioner Cummings replied that term limits could result in the staff being the only people who know what is going on. He feels that the voters in Charlotte County have over time effectively produced a balance of new and experienced Commissioners. It is important to have representatives with historical knowledge. Commissioner Cummings said that his first term was really spent as a learning experience, it was not until he began serving his second term that he started building the necessary relationships with organizations, and by his third term he was able to see some of his work come to fruition.

WHAT ARE YOUR THOUGHTS CONCERNING THE BCC ELECTION BALLOT ROTATION OF NAMES?

Commissioner Cummings asked if that referred to rotating the names once and printing all identical ballots, or each ballot being unique with a random number generator that scrambles it each time. *Chairman Vernon* said he would like his opinion on both. Commissioner Cummings said that State law says that the candidate of the prevailing party will be first on the list in a general election, and it is alphabetical for the primary. Assuming that the ballot rotation is intended as a single event where the order is scrambled once and all ballots printed identically, then the benefit of being first transfers from one random process to another. If each ballot is printed with a unique random order then the slight advantage would be eliminated. In electronic voting this would be a simple scramble, but in a demand for paper ballots the cost would be through the roof.

IS THERE A NEED TO REGULATE BCC ELECTION FINANCING IN THE CHARTER?

Commissioner Cummings said he does not think so, unless there is a willingness to fund enforcement. He pointed out that the County currently has only one local election law requirement which is that Commissioners live in their district for six months prior to filing to run. He mentioned an incident where that question arose, explaining that the State law says you have to live in your district upon qualifying, not six months prior. But when the issue arose what became apparent is that there is not enforcement tool, the State is only going to enforce State election law. Commissioner Cummings said that he felt that the current Five Hundred (\$500) Dollar cap is reasonable. Commissioner Cummings felt that from personal experience he knows election law very well, and said that regulating financing would just make election law more complex and there is no methodology to enforce it.

WOULD YOU LIKE THE CRC TO RECOMMEND ANY CHARTER AMENDMENTS RELATIVE TO THE BOARD OF COUNTY COMMISSIONERS?

Commissioner Cummings responded “no”.

WHAT ARE YOUR THOUGHTS CONCERNING THE COUNTY ADMINISTRATOR’S POSITION BECOMING ELECTED?

Commissioner Cummings replied that this would be the best way of creating a political boss in Charlotte County, effectively putting the power of what is now in the hands of five Commissioners into one person. He did not feel that the County is a large enough entity to have to separate the political power between the legislative and executive branches. Commissioner Cummings indicated that the County has to live within the framework of the State. He further elaborated that the elected Administrator form of government is more commonly known as the strong mayoral form of government. Commissioner Cummings acknowledged that this issue is brought up with every Charter Review Commission, and it was his opinion that thus far the CRC had shown the judgment not to pursue it. He feels the biggest likely outcome one would see besides the concentration of power is an increase in political patronage in BCC organizations. Commissioner Cummings sees this as the most potentially damaging proposals that comes up. He has reviewed other county charters and determined that the only county utilizing this form of government is Duval. In response to a question by *Chairman Vernon* he affirmed that the entire County of Duval is now a city. Commissioner Cummings said that Charlotte County is not remotely close to having the population that would require this change.

WOULD YOU LIKE THE CHARTER REVIEW COMMISSION TO RECOMMEND ANY CHARTER AMENDMENTS RELATIVE TO ANY OTHER PORTIONS OF THE CHARLOTTE COUNTY GOVERNMENT?

Commissioner Cummings responded “no”.

Chairman Vernon asked if there was any further comment and *Ken Doherty* asked Commissioner Cummings if he thought it was time for Charlotte County to be structured more like a City to provide better services. *Mr. Doherty* enumerated the available options as he had done with previous interviewees. He mentioned a recent newspaper article about incorporating Port Charlotte and Englewood, the reasoning being that if counties do not deliver then people incorporate, and asked Commissioner Cummings if he thought the County really wanted to take that route or restructure to function like a City. Commissioner Cummings replied that he had not actually researched who used the strong mayoral form of government. He feels the likely reason for a using a strong mayoral is because there is more of a tradition of that in City governments, but he has not seen evidence that it is any more efficient or effective and his inclination would be to say that it is not. He also did not think that changing the County structure would alter the outcome of ending up with more municipalities in the County. He mentioned MSBU (Municipal Service Benefit Units), which shows that we are doing the job of a County in at least two municipalities (Englewood and Port Charlotte). Commissioner Cummings does not have strong feelings if people would choose to incorporate or if they would stay with the MSBU’s. He feels that so far the public appears to feel that having one actual government is more efficient than having two separate bureaucracies. He mentioned the issue of how to fund, stating that currently IT technology has progressed to the point that it is not much more difficult to have MSBU’s. His observation is that even in things that are not MSBU related, there is such a high level of accountability required by the public that the record keeping is almost to the level of an MSBU. Commissioner Cummings said that the MSBU system right now is needed to provide municipal type services at different levels in the County; it is entirely different to be in a City where people can choose to live outside of it, you should not have PGI levels of control throughout the County. He feels that having community plans and separate funding mechanisms is critical to the quality of life in this community. Commissioner Cummings felt that where a failing lies is that the County has an over-reliance on them and no baseline level of service with an across the board funding. He stated that the County needs something like MSBU’s but it is the more regressive form of taxation, with it a person can literally be taxed out of their home. He mentioned that an MSTU is ad valorem based. Commissioner Cummings thought a better method might be a broader based MSTU for all of the County but keep the individual MSBU’s for neighborhood plans. *Ken Doherty* recapped Commissioner

THESE MINUTES ARE NOT OFFICIAL
UNTIL ADOPTED BY THE
Board of County Commissioners Sub-Committee

BOOK _____ PAGE _____
DATE: _____

Cummings comments as follows: County structure is okay, going to City structure would probably not be any more efficient and possibly less, a combination of the MSBU and MSTU concept can do the job. Commissioner Cummings agreed, saying that the MSBU/MSTU concept would need some serious tweaking. *Ken Doherty* then brought up the issue of the debt/reserve policy from 2004 which was not implemented until September 2009. Commissioner Cummings said the he could not recall it being discussed too much, and indicated that it would be a subject easy to ignore because it would be unpopular to go to the public and say that more of their money was being kept in the bank. *Mr. Doherty* pointed out that it was a matter of Charter, and *Chairman Vernon* expressed his disappointment. Commissioner Cummings said he supports having those reserves in place, and once again said that he did not recall there being much discussion of the subject. He said the reserves could have been in place but just not identified out in the accounting. *Mr. Doherty* and other members would be interested in looking at mechanisms that could facilitate enforcement of Charter items.

Chairman Vernon asked Commissioner Cummings if he had further comments. Commissioner Cummings said that he does think the BCC is struggling, but it has nothing to do with organizational structure and therefore would not be issues for the CRC to handle. *Chairman Vernon* thanked Commissioner Cummings for his time as well as thanking Stephen Deutsch for being in attendance.

Florida Charter Counties
(in order by population)

Population	County	Adopted	Cities	Districting	Admin. Struct.	Const. Officers	Countywide Power
29,417	Wakulla	2008	2	5 at large	Admin.	No change	no
65,373	Columbia	2002	2	5 single	Admin.	Recall,nonpartisan election	yes
164,584	Charlotte	1986	1	5 at large	Admin.	Residency requirement	yes
184,644	Clay	1991	4	5 single	Manager	Revised	no
247,561	Alachua	1987	9	5 at large	Admin.	No change	no
266,123	Osceola	1992	2	5 at large	Admin.	BoCC Auditor	no
272,896	Leon	2002	1	Mixed (5/2)	Admin.	Supervisor non partisan	no
387,461	Sarasota	1971	4	5 at large	Admin.	Revised	no
475,698	Seminole	1989	7	5 at large	Admin.	No change	no
508,014	Volusia	1971	16	Mixed (5/2)	Executive	Revised	yes
552,109	Brevard	1994	15	5 single	Admin.	Revised	no
581,058	Polk	1998	17	5 at large	Admin.	Recall,nonpartisan election	no
615,741	Lee	1996	5	5 at large	Admin.	No change	no
897,597	Duval	1968	5	Mixed (14/5)	Executive	Revised	yes
944,199	Pinellas	1980	24	Mixed (4/3)	Admin.	No change	yes
1,105,603	Orange	1986	13	6 single	Chairman	Comptroller	yes
1,192,861	Hillsborough	1983	3	Mixed (4/3)	Admin.	No change	yes
1,295,033	Palm Beach	1985	37	7 single	Admin.	No change	yes
1,765,707	Broward	1975	31	9 single	Admin.	Revised	yes
2,462,292	Miami-Dade	1957	34	13 single	Executive	Revised	yes

This list includes all Florida Charter Counties. The remaining non-charter counties use the 5 at large commission districts with an appointed administrator.

Attachment "D"
Responses of Commissioner Duffy

SHOULD THE BCC BE STRUCTURED ANY DIFFERENTLY?

Commissioner Duffy said that she had talked to other Commissioners around the State and has concluded larger Commissions sound like they are very dysfunctional. She would not recommend it being any larger, nor the inclusion of two at-large.

WHAT ARE YOUR THOUGHTS CONCERNING SINGLE MEMBER DISTRICTS PLUS TWO AT LARGE (NOT TO EXCEED FIVE TOTAL)?

Commissioner Duffy confirmed that single member districts meant that the person was elected from that district. She said that she thought the system now was half and half: she receives questions from people in her district that she handles, but on occasion receives and assists on issues in other districts. There does not appear to be any conflict with that. Commissioner Duffy said that she does not know any system other than the one they have now, and it appears to be working. They hold Town Hall meetings with everyone and also individual ones in districts. If it was going to save money or be a more efficient way of reaching your audience then she would say to consider it.

SHOULD THE BCC ELECTIONS BE NON-PARTISAN?

Commissioner Duffy feels that is something that could be reviewed. The two things she can see that are party related with her philosophy as a Republican are (1) smaller government and (2) lowering taxes as much as possible. *Chairman Vernon* asked if you could not do the same as an independent and Chairman Duffy agreed.

SHOULD THE BCC BE SUBJECT TO TERM LIMITS?

Commissioner Duffy would favor term limits of either eight or twelve years. She stated that there is so much information that must be learned and accumulated. Commissioner Duffy acknowledged that there is some merit to term limits depending on the individual.

WHAT ARE YOUR THOUGHTS CONCERNING BCC ELECTION BALLOT ROTATION OF NAMES?

Commissioner Duffy did not feel there was a need for that.

THESE MINUTES ARE NOT OFFICIAL
UNTIL ADOPTED BY THE
Board of County Commissioners Sub-Committee

BOOK _____ PAGE _____
DATE: _____

IS THERE A NEED TO REGULATE BCC ELECTION FINANCING IN THE CHARTER?

Commissioner Duffy feels that the current Five Hundred (\$500) Dollar limit is reasonable.

WOULD YOU LIKE THE CRC TO RECOMMEND ANY CHARTER AMENDMENTS RELATIVE TO THE BCC?

Commissioner Duffy thought it might be totally futile, but she feels that Sunshine Laws are the biggest obstacle and make the BCC a dysfunctional organization. She mentioned that she has been working closely with various business organizations in the community, all of whom have come to this conclusion. Commissioner Duffy acknowledges that there is definite merit as far as preventing collusion and corruption, but the way they are now written now are not satisfactory. *Michael Grant* advised that this would be a State constitutional issue. Commissioner Duffy knew that but wanted to bring it up and thinks it should be reviewed statewide. Commissioner Duffy also pointed out that these Sunshine Laws are being used as an attack weapon, citing a case in Sarasota. It was concurred by the members that this is not a Charter issue, but *Ken Doherty* said that they could indicate in their report that Commissioner Duffy had indicated the limitations imposed by these Laws and the hampering of efficiency. *Michael Grant* also indicated that State statutes could be modified. One example would be to exclude MSBU's which are just an advisory board. Commissioner Duffy felt that another exception could be for economic development purposes.

WHAT ARE YOUR THOUGHTS CONCERNING THE COUNTY ADMINISTRATOR'S POSITION BECOMING ELECTED?

Commissioner Duffy can understand why some people may be in favor of this, but pointed out that having the Administrator report to five people is preferable to having to report to the entire population. She further stated that there are no qualifications to run for Commissioner as far as education, ability, etc. This same situation would apply to an elected Administrator. Although there have been some mistakes made in the past selection of an Administrator, Commissioner Duffy does not feel it would be wise to let the voter "hire" them. She added that the Sunshine Laws would make that even worse.

WOULD YOU LIKE THE CRC TO RECOMMEND ANY CHARTER AMENDMENTS RELATIVE TO ANY OTHER PORTIONS OF CHARLOTTE COUNTY GOVERNMENT?

Commissioner Duffy asked the members for an example and one subject that was mentioned was the election/appointment of Sheriff. *Michael Grant* elaborated that a Charter amendment could make it possible for the Constitutional Officers to be appointed by the BCC. *Ken Doherty* said that it is an option which would make these Constitutional Officers be Department directors. Commissioner Duffy did not have a strong opinion that this would work one way or another. She referred to the Tax Collector's Office as an example, saying

that much of the function of that office is controlled by the State. Commissioner Duffy did not know how well that would work under the Commission.

Chairman Vernon asked Commissioner Duffy if she would like to submit her answers to these questions in written form as she had not previously reviewed them. *Michael Grant* brought up the issue of efficiencies addressed in interviews earlier in the day, ie., is it the best use of the County Administrator's time to be answering citizen's emails at night because of lack of staffing? Commissioner Duffy responded that she too answers emails at night, and she likes the fact that the Administrator is that accessible. She posed a question to *Ken Doherty* about the level of power of the Administrator, and *Mr. Doherty* responded by enumerating the three options described earlier (appointed Administrator, elected executive or mayor/administrator team). This led to *Mr. Doherty* asking her if she would favor a transition, and Commissioner Duffy said that it might be time as things are not going smoothly as currently structured. There was discussion that this could result from personalities as much as structure. *Michael Grant* acknowledged that there are drawbacks inherent with all three options, but opined that if growth in Charlotte County is going to occur there needs to be accountability where a citizen can go to an appointed official for results. He said that is part of what the Charter Review Commission is looking at and *Ken Doherty* said that one thing the CRC will need to decide is whether to enter into a community debate on it. *William Dryburgh* asked Commissioner Duffy once again about the issue of Sheriff and she replied that part of those problems might be personalities and lack of information. *Mr. Dryburgh* reminded Commissioner Duffy that she had mentioned unqualified Sheriff candidates running for office, and that allowing the BCC to appoint the Sheriff would eliminate that. Commissioner Duffy agreed that these are all important issues and hard decisions. *Ken Doherty* brought up the debt/reserve policy issue described in earlier interviews, and asked Commissioner Duffy her thoughts on why this was overlooked. Commissioner Duffy responded that she thought it was just ignored, and she agreed with the significance of it. *Frank Weikel* acknowledged Commissioner Duffy's opposition to going to seven (7) Commissioners mentioning to Commissioner Duffy the figure for support staff being \$74,511 for every staff member.

Chairman Vernon thanked Commissioner Duffy for her time and she likewise thanked the committee.

Attachment "E"
Responses of Commissioner Skidmore

SHOULD THE BCC BE STRUCTURED ANY DIFFERENTLY?

Commissioner Skidmore replied that he thought that was an issue that should be answered by the people of Charlotte County. *Chairman Vernon* said that this committee would like his opinion and Commissioner Skidmore replied that he thinks the five (5) member structure works. He knows there are other models such as the seven (7) member structure which includes two at-large. Commissioner Skidmore said that he favors single member districts as it brings the level of government closer to the people and makes the representative accountable and more effective.

WHAT ARE YOUR THOUGHTS CONCERNING SINGLE MEMBER DISTRICTS PLUS TWO AT LARGE (NOT TO EXCEED FIVE TOTAL)?

Commissioner Skidmore feels that in these financial times single member districts are smart, but the selling of the two additional at large will be a challenge. . He does not think it is necessary to have to add two if you go to single member districts. It takes some of the money out of politics to not have to run County wide. *Chairman Vernon* asked if representing a specific district would influence his vote on a matter concerning a different district. Commissioner Skidmore replied that all single member does is take the knowledge base closer to the people, it still takes a majority on the Commission to get something done. He feels tha you learn to work more effectively with your colleagues. *Frank Weikel* posed the question of a move to dredge Stump Pass, and asked if that would take precedence over an issue in another part of the County. Commissioner Skidmore said that if you did show that favoritism, if you were going to champion only your district, you would only be effective one or two times until you have to learn to compromise and work with others. As an aside, Commissioner Skidmore mentioned that if the people wanted to dredge Stump Pass that was their money (MSTU), and *Frank Weikel* said that was not always the case, as late as 2000 it would have come out of the County budget. Commissioner Skidmore also used Stump Pass to illustrate that there is so much more than dollars and cents to the issue and to the job of a Commissioner.

SHOULD THE BOARD OF COUNTY COMMISIONERS' ELECTIONS BE NON-PARTISAN?

Commissioner Skidmore responded emphatically "no". He felt that people should know the party and philosophy they are electing.

THESE MINUTES ARE NOT OFFICIAL
UNTIL ADOPTED BY THE
Board of County Commissioners Sub-Committee

BOOK _____ PAGE _____
DATE: _____

SHOULD THE BOARD OF COUNTY COMMISSIONERS BE SUBJECT TO TERM LIMITS?

Commissioner Skidmore said no. He indicated that there are already term limits in the form of the vote.

WHAT ARE YOUR THOUGHTS CONCERNING BCC ELECTION BALLOT ROTATION OF NAMES?

Commissioner Skidmore asked for clarification and *Chairman Vernon* and *Frank Weikel* explained that this referred to the alphabetical listing of names on the ballot. Commissioner Skidmore responded that in concurrence with State law the party that is in power has the names listed first and he would not change that.

IS THERE A NEED TO REGULATE BCC ELECTION FINANCING IN THE CHARTER?

Commissioner Skidmore responded “no”.

WOULD YOU LIKE THE CRC TO RECOMMEND ANY CHARTER AMENDMENTS RELATIVE TO THE BCC?

Commissioner Skidmore responded that he would like to require that the County Attorney live in Charlotte County. *Ken Doherty* added that he thought all Directors should also. Commissioner Skidmore felt that if you are taking money from the citizens of Charlotte County you should live in the County. He cited the fact that the Growth Management Director lives in North Port. Additionally, Commissioner Skidmore did not agree with the fact that a Commissioner cannot tell a staff member what to do, that it must be filtered through the Administrator. He lauded the strength of former Commissioners such as Franz Ross and Joseph Tringali. For clarification *Ken Doherty* asked Commissioner Skidmore if what he was saying was that the current interaction between the legislative branch and executive branch was not working, to which Commissioner Skidmore agreed.

WHAT ARE YOUR THOUGHTS CONCERNING THE COUNTY ADMINISTRATOR’S POSITION BECOMING ELECTED?

Commissioner Skidmore responded that if it is the will of the people then so be it. *Chairman Vernon* asked him if he thought it should be put on the ballot to decide, and Commissioner Skidmore responded that was the only way to get an answer. *Michael Grant* asked him the same question and received the same answer. Commissioner Skidmore said that there would be some opposition and people saying that it is a bad idea.

WOULD YOU LIKE THE CRC TO RECOMMEND ANY CHARTER AMENDMENTS RELATIVE TO ANY OTHER PORTIONS OF CHARLOTTE CO. GOVERNMENT?

Commissioner Skidmore felt it would be interesting to look at an appointed Sheriff. He felt that position should be filled by the top lawman one can get. He did not say it would be necessarily a good idea, but just that it should be reviewed. Commissioner Skidmore also felt that School Board elections should go back to being partisan, citing the fundamental beliefs of the parties and how important that is in what you are selecting to teach children. He also mentioned changing judicial elections in order to be better able to assess the judges, feeling that is very important as their rulings will be setting precedent for years to come. Commissioner Skidmore would like to see partisanship remain in as many elections as possible.

Commissioner Skidmore once again indicated that he was not giving an opinion on the appointment of a Sheriff either pro nor con. *Michael Grant* asked him about the selection of the School Board administrator, and Commissioner Skidmore did not have an opinion except to say that if it brought the process closer to the people it was a good idea. *Michael Grant* elaborated that if you have an elected County Administrator or School Board, there will be a person doing the day to day administration and the elected official will be setting the direction; if it works on one level of government it should work on the level of the School Board also. *Mr. Grant* said that he was not advocating either way. Commissioner Skidmore addressed the issue of the threshold of debt, saying that unless the Charter is renewed to adjust for inflation, construction costs, etc. it results in artificial placeholders that could restrict economic growth. He felt that like Amendment IV it sounds good but is a dangerous thing. *Ken Doherty* asked Commissioner Skidmore if he would like an amendment to the debt policy. Commissioner Skidmore replied that he would be willing to look at it.

Ken Doherty referred to Commissioner Skidmore's comments about the workings between the legislative and executive branch. He posed the question of transitioning government to a city structure, enumerating the three options: appointed Administrator (County Manager), elected executive or elected County chair/appointed Administrator team. Commissioner Skidmore feels that the goal of an efficient government is to allow the people to re-call when necessary. He said an elected official is always concerned about public perception and what the voters think, and that is a good thing. He said there should be deliverables and measurements, deliverables being what a person does and measurements being how the people respond. He feels that the people are saying they do not want a County government that purchases Murdock Village, that raises every ad valorem fee and then says that taxes were not raised, that will not eliminate non-essential services. He thinks that the current Administrator does very little as far as recommending actions. *Ken Doherty* asked him again if he thought the County should be structured more like a City to deliver the services or continue as it is. Commissioner Skidmore replied that he thought a balance of both could be struck. He feels that Home Rule is very important in County government and we should preserve it. He said that on the other hand he is an advocate of municipalities, feeling that it brings the government closer to the people. He gave the example of the City of Punta Gorda as evidence that you can live in a city and pay lower taxes than un-incorporated Charlotte. He mentioned that Charlotte County is neither high enough in population nor rural enough to qualify for grant or Federal funding opportunities. Commissioner Skidmore feels that the proposed options are worth looking at and letting things evolve. He emphasized an accountable County executive. He recommended no changes that do not result in accountability, stating the importance of allowing the BCC to rule Department heads. He agreed that the current situation of the BCC playing a dual role of legislative and quasi-executive does not work. *Ken Doherty* pointed out that all of the structures of County government prohibit interference by the legislative into the administrative branch. Commissioner Skidmore replied that legislative was a strong word for what the BCC does. He said that in day to day operations only fifteen (15%) percent of his duties are legislative. Things have changed over time, the key is to be adaptable to what the organization is and what the constituency needs. Commissioner Skidmore remarked that a combination of the second and third options enumerated by *Mr. Doherty* could be the best direction, further saying that there might be an additional model in government that has not been explored. *Chairman Doherty* asked if he thought this was an issue that should at least be scheduled for a community debate, and Commissioner Skidmore responded affirmatively, saying that is the only way to know what people think. *Frank Weikel* then asked *Mr. Doherty* if having a strong mayor would dilute what he was proposing. *Ken Doherty* replied that it becomes a fundamental decision of branches of government as to who wants to do what. Theoretically the mayor is responsible for delivering what the BCC wants policy to be, which would significantly reduce the workload of a Commissioner and they could get into other areas such a policy. Commissioner Skidmore

THESE MINUTES ARE NOT OFFICIAL
UNTIL ADOPTED BY THE
Board of County Commissioners Sub-Committee

BOOK _____ PAGE _____
DATE: _____

acknowledged that he would be much more effective in that situation. He also said that single member districts would increase effectiveness. *Ken Doherty* then presented to Commissioner Skidmore the issue of the reserve/debt policy that was voted on in 2004 and not implemented until 2009. Commissioner Skidmore replied that in a perfect world that would be alarming, and he then referred to other events in the County at that time such as Hurricane Charley in August 2004, the Sr. Budget Director left her post. He believes the policy was worked on and he is glad it is now in place. Commissioner Skidmore indicated that he would rather have seen the County respond as it did to a natural disaster than have a formal debt policy. *Mr. Doherty* responded that he did not think it would have taken that long to put it together, but he appreciated Commissioner Skidmore's opinion. *Mr. Doherty* further pointed out that if the voters think it is important enough to pass then it should be worked on.. Commissioner Skidmore then pointed out that the voters had also that the Environmentally Sensitive Land Acquisition Program was also a good idea, but he feels that may turn out to be one of their biggest regrets. He mentioned the impact of taxation and the fact that half the County is now preserved. Commissioner Skidmore did acknowledge to *Ken Doherty* that things can always be done better. In speculating what else he would like to see addressed in the Charter, he again referred to the issue of residency requirements are integral. *Michael Grant* inquired if that could be handled by ordinance and Commissioner Skidmore responded that he did not know. *Frank Weikel* thanked Commissioner Skidmore for his comments. Commissioner Skidmore concluded by saying that a person should not go into public service to make money, urging a keen awareness of salaries and benefits packages. He agreed with *Michael Grant* that pensions are going to ruin State, County and local government.