

**CHARTER REVIEW COMMISSION
ADMINISTRATION STAFF SUB-COMMITTEE
March 9, 2010**

A meeting of the Administration Staff 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:

Julie Mathis (Chairman), Kevin Russell, Ken Doherty, Paula Hess

Absent members: *Bill Weller (Alternate)*

Call to Order:

The meeting was called to order at 8:02 a.m. EST by *Chairman Mathis*.

Agenda Items:

1. Approval of Minutes of meeting on December 17, 2009. *Chairman Mathis* confirmed with those present that they had received a copy of these Minutes for review, and there being no additions nor deletions a motion was made and seconded and the Minutes were approved.

2. and 3. Chairman Mathis initiated discussion of the **entities to be interviewed** as well as **developing a list of interview questions**. *Ms. Mathis* began by confirming the previously established list of interviews scheduled for March 19, 2010 (Note: A copy of the Agenda showing the interviewees and times is attached to these Minutes as Attachment "A"). *Ms. Mathis* pointed out that the only entity not scheduled was the Charlotte County Economic Development Office, as this was being handled by the Other Boards and Agencies sub-Committee. *Paula Hess* commented on the interview times allotted, noting that both the County Attorney and the County Administrator had one hour. *Chairman Mathis* confirmed this. *Paula Hess* also said, in response to an observation by *Chairman Mathis*, that since these interview sessions will be a public hearing the officials may feel awkward responding to certain questions. *Ken Doherty* agreed, saying that typically that has been the situation. *Kevin Russell* indicated that one solution may be to ask anyone waiting to be interviewed to wait outside. *Mr. Russell* also asked about the level of detail to be contained in the Minutes. *Chairman Mathis* referred to the Minutes for the 2004 session, and read the questions that were asked at that time. *Ms. Mathis* indicated that those Minutes did not really indicate individual responses but was a summary of what was said. *Chairman Doherty* mentioned the Minutes of an interview session with the Board of County Commissioners (January 28, 2010) and all agreed that these were very detailed. *Paula Hess* read a proposed question from a list she had prepared about an elected Executive form of government, and it was agreed in discussion that the question could be worded appropriately and it was up to the interviewee how they wished to respond. *Kevin Russell* mentioned that the opposite side of that question would be to ask about the difficulty of working for five bosses. Discussion ensued about the authority of the County Commissioners with regard to Department Heads, *Ms. Hess* referred to one of the responses she had read in the aforementioned Minutes of January 28, in which a Commissioner had

said he thought they should have more control over Department Heads. *Mr. Doherty* gave some historical perspective from when there was not a separation of powers in the County Charter, indicating that was not a good situation. *Paula Hess* agreed, mentioning the non-interference clause and the fact that a previous CRC session which she chaired imposed penalties for not observing that. *Ms. Hess* then asked if a question about a limit on grants that create continuing obligations was appropriate to ask all of the interviewees and it was agreed that it was. *Kevin Doherty* returned to an earlier point, observing that where the County Attorney and Administrator Baltz are concerned they are always trying to get the necessary votes from the Commissioners in order to make a decision. *Paula Hess* asked *Mr. Russell* if he thought a strong executive form of government would be more efficient. *Mr. Russell* replied that he was not a proponent of that, and *Ms. Hess* indicated that the public is interested in the issue. *Ken Doherty* said that he too is undecided but is interested in Option 3, a County Chair/Administrator team which he described as being more like having a County Mayor. (For clarification *Mr. Doherty* explained that the three options available are: Option 1, an elected Executive similar to that of Governor or President; Option 2, the current County Administrator system; and Option 3). *Mr. Doherty* described some of the comments that have been heard in other interview meetings, and he explained some details of the possible system. In summarizing *Mr. Doherty* asked if Charlotte County should be the local government with the exception of Punta Gorda, or if it would be desirable to see other municipalities develop. *Paula Hess* observed that from the perspective of the Planning Department they would like to see additional cities. All the members observed that there are no plans underway from any of the areas in the County nor any money to do so. *Ken Doherty* agreed, adding that in view of this it might be possible to take the Charter and have the County evolve into a municipal form of government. *Paula Hess* asked for confirmation that the proposed strong Mayor is elected and the Administrator is hired, and in response to her question *Ken Doherty* said this is called the County Chair/Administrator form of government, and gives the accountability to the Executive branch. *Chairman Mathis* asked how this would be beneficial to the builders and *Mr. Doherty* responded that the key is that the Administrator would only have one boss. *Paula Hess* said that these were all comments for discussion but not interview questions. To clarify another question from *Chairman Mathis* about the structure of this proposed form, *Mr. Doherty* explained that one form could be four (4) Commissioners and one County Mayor elected County-wide. The Mayor would only vote in the case of a tie. *Mr. Doherty* indicated that many of the issues such as salary, hiring of Assistants, etc. would all have to be worked out. He said this should not cause any real increase in cost in the County and it might answer the public's concerns about accountability in the Executive branch. *Paula Hess* mentioned an increase in costs as far as the salary of the Mayor and the Administrator. *Mr. Doherty* said this topic transitions into an issue he wanted to bring up regarding the work already done by the Board of County Commissioners sub-Committee and possible overlap into the purview of this Administration Staff sub-Committee. *Mr. Doherty* said that the BCC sub-Committee is interested in pursuing the issue of an elected Executive form and he wants to prevent any overlap or duplication of effort. *Mr. Doherty* said that if any Amendment to change the Executive branch were to be put to the Commission for a vote, he anticipated that should come from this Administration Staff sub-Committee. He suggested that because of the scope of the issue and how it would integrate with the other branches of government it may be efficient to combine the two sub-Committees on this matter. *Paula Hess*

referred to another question she had worded that asked the officials they thought any restructuring would improve their ability to deliver services, saying that the answers would help in determining this direction. *Chairman Mathis* indicated that she would not want to take any action as far as combining the sub-Committees before bringing everything in front of the full Charter Review Commission. *Paula Hess* agreed. *Ms. Hess* also suggested a question be asked concerning observance of the non-interference clause and *Chairman Mathis* agreed that should be included. *Ms. Hess* also wanted to include a question about the Administrative Code as well as economic impact statements. This evolved into a discussion of housekeeping issues, including attendance policy, and *Mr. Doherty* said he was going to bring these up at the next general membership meeting on March 18th. *Chairman Mathis* and *Paula Hess* said that all of these issues, especially the elected vs. appointed Executor, need to be brought in front of the whole Commission. *Ms. Hess* restated that there is a strong feeling among the public in this regard. *Ms. Hess* also commented that the role of County Commissioner does not pay enough for someone who does not have another job. *Kevin Russell* referred to a comment that he had made in the Public Meeting on January 21, 2010, when he said that they should either work for nothing or be paid an appropriate salary to make it a full time job. *Ken Doherty* said that if the Commissioners were truly policy makers and not quasi-Executives they would have more time for their legislative duties. He said that an elected individual in charge of the Executive branch would solve this, also possibly allowing the County Commission to remain a part time position. *Paula Hess* mentioned the learning curve necessary in the position of County Commissioner and the problems encountered when the Commission is made up of primarily new candidates. She said having a Mayor with a qualified Assistant may be worth studying. *Paula Hess* then referred to another question she had proposed to ask if there are any aspects from other communities that should be considered by the CRC. *Ms. Hess* asked if all of the questions should be asked to all of the interviewees and *Chairman Mathis* indicated that they could. The discussion returned to housekeeping issues, particularly enforcement of Amendments after they are adopted by the voters. *Kevin Russell* responded to a question from *Ken Doherty* about public perception that the Charter Review Commission is ineffective. *Mr. Russell* said that he did not get that sense from the Builders Association group which he had addressed the week before. *Paula Hess* mentioned the non-interference penalties and the issue that County ordinances supercede those of the City of Punta Gorda, indicating that those were two very important issues that were handled on a previous Commission which she chaired. *Ms. Hess* said the public does not think about those things, they are more concerned with large issues such as changes in government structure. *Chairman Mathis* commented that more people could have applied to be part of the Charter Review Commission if they were concerned nothing gets accomplished.

Chairman Mathis then asked for confirmation that all of the issues had been covered in the questions previously discussed. Administrative support was directed to produce a list and forward it to the members for review and editing, after which it would be distributed to the various officials for their review prior to the interviews on March 19, 2010. (NOTE: The final list of questions is attached to these Minutes as Attachment "B").

Committee Comments: Returning to the issue of enforcement as it applies to the reserve policy, *Kevin Russell* said that five years to implement it is ridiculous. *Mr. Russell* also mentioned that the fact there was no debt policy in place came up in the first place during an interview conversation just like the ones that have been discussed. *Paula Hess* brought up a public comment that said “ under the current form of government if an Administrator had come before he Commission at the time that the Murdock Village concept was promoted and said that there would be bad consequences that person would have been fired..” *Ms. Hess* asked if a response to that was that under this proposed mayor/administrator form the mayor cannot be fired and the Administrator can presumably go to the mayor and try to educate him if there are concerns. *Chairman Mathis* pointed out that at the time of the Murdock Village talks everyone was completely on board with it. *Kevin Russell* raised his concern about implementation if a change of government structure were to be proposed. *Ken Doherty* said this would be one thing that could be studied if the BCC and Administration Staff sub-Committees were to be merged. *Chairman Mathis* repeated her request that it all be brought to the full Commission. *Paula Hess* asked about other Counties that have adopted the mayoral form of government. *Chairman Mathis* confirmed that Volusia was one such County. *Ken Doherty* again outlined his plan to facilitate further study with the formation of a joint sub-Committee, observing that the outcome might be to continue the study beyond the current CRC session. *Chairman Mathis* said that there also need to be time to educate the public. *Kevin Russell* remarked that study and implementation are two different things, saying that although he does not support the concept of a perpetual Charter Review Commission, that would be the type of entity that could aid in implementation. At the request of *Chairman Mathis*, administrative support was asked to do some online research on the process used by Volusia County when it changed to the elected County Chair form of government. *Chairman Mathis* also asked *Ken Doherty* if he would summarize the three options to the general membership at the meeting on March 18, 2010. *Chairman Mathis* said that a lot may be learned from the interviews on March 19, 2010 as far as staff perception. The members discussed that a lot of the current dissatisfaction comes from the current economic situation, although it was pointed out that Charlotte County does have a reputation for being difficult to get things done. *Mr. Doherty* wondered if there was a relatively easy fix that could provide a true leader of the community who could get things done. *Paula Hess* mentioned that some Commissioners find it equally frustrating and acknowledge that the permitting process should be improved. *Mr. Doherty* observed that the bureaucracy may feel that they are doing a good job. *Kevin Russell* commented that there is no new business coming to the County at this time. *Chairman Mathis* cautioned that this Commission should be careful how it proceeds and not have a “knee-jerk” reaction. *Ms. Mathis* also commented that this is the time when the County should be looking its best, but because of budget cuts there is not even any maintenance on the medians. *Mr. Doherty* recapped his plan for the meeting on March 18, 2010 and the members briefly discussed again the issue of implementation. *Paula Hess* said that the County needs to start performing like a large area municipality and *Mr. Doherty* agreed, saying that it might not be necessary today but could be sometime within the next six years.

Public Input: None

Adjournment: The meeting was adjourned at 9:10 a.m. EST

Julie Mathis, Chairman

Attachment "A"

**CHARTER REVIEW COMMISSION
ADMINISTRATION STAFF SUB-COMMITTEE MEETING
March 19, 2010**

**AGENDA
BUILDING B - ROOM 106B
18500 Murdock Circle, Port Charlotte, Florida 33948**

Administration Staff Sub-Committee Members

Julie Mathis (Chair)
Paula Hess
Ken Doherty
Kevin Russell
Bill Weller (alternate)

The Charlotte County meeting room is accessible to the physically disabled. If sound enhancement units are not sufficient please contact TTY# 941-743-1234

Roll Call – 8:30 a.m.

1. Approval of Minutes of meeting March 9, 2010
2. Conduct interviews of the following officials:
 - 8:30 a.m. - Janette Knowlton, County Attorney
 - 9:30 a.m. - Kelly Shoemaker, Ass't County Administrator
 - 10:00 a.m. - Ray Sandroek, Ass't County Administrator
 - 11:00 a.m. - Roger Baltz, County Administrator
 - 1:30 p.m. - Gordon Burger, Budget Director
 - 2:00 p.m. - Robert Halfhill, Public Works Director
 - 2:30 p.m. - J. Ruggierri, Community Development Director
 - 3:00 p.m. - T. Kesner, Charlotte County Utilities Director

3. Public Input

4. Committee Comments

5. Adjournment

NOTE: Anyone wishing to address the meeting on any agenda item may do so at the appropriate time during the meeting. He or she must state one's own name for the record and indicate what Agenda item is to be discussed.

Attachment "B"

**Charter Review Commission
Administration Staff sub-Committee**

Proposed Interview Questions

1. What are your specific duties and in the performance of those duties what, if any, local government re-structuring could be proposed for the Charter that would improve your ability to deliver services ?
2. In the performance of your duties are you affected by the Charter?
3. Have you had experience working under an elected Administrator, and what is your opinion on an elected Executive form of government?
4. Should there be residency requirements for Department Heads?
5. Should there be a limit set on Federal and State grants that create a continuing obligation?
6. In your experience is the non-interference clause observed? Is the method of enforcement adequate?
7. Is the Administrative Code current? The annual debt policy? Are economic impact statements faithfully prepared in accordance?
8. Are there any aspects you know from other communities that the Charter Review Commission should consider for Charlotte County?

In addition to the above, the following specific questions will only be asked of County Attorney Knowlton and Administrator Baltz:

Should there be an entity for enforcement of the Charter? How should this enforcement be handled? Should there be penalties for non-compliance in addition to those for non-interference?