

Charter Review Commission Constitutional Officers Subcommittee Meeting October 20, 2015

A meeting of the Charter Review Commission Constitutional Officers Subcommittee was held at Building Construction Services Conference Room, 18400 Murdock Circle, Port Charlotte, Florida.

Roll Call

The following Constitutional Officers members were present:

Katherine D. Ariens, Chairman

William Dryburgh

Frank C. Weikel

Absent members:

Jerry J. O'Halloran

John M. Davidson (alternate)

Call to Order:

The meeting was called to order at 12:30 PM by Chairman Ariens.

Agenda Items:

- I. Approval of September 24, 2015 minutes; signed and adopted.
- II. Citizens Input – None
- III. Old Business
Interviews previously scheduled with the Honorable Paul Stamoulis, Supervisor of Elections, Vickie L. Potts, Tax Collector, Paul L. Polk, Property Appraiser and Barbara T. Scott, Clerk of the Circuit Court. The interviewees had been provided the list of questions prior to this meeting and are attached.
- IV. New Business
Interview with the Honorable Paul Stamoulis, Supervisor of Elections

What is your opinion of non-partisan elections for Constitutional Officers?

I will answer the questions with my office held opinion, I really do not have an opinion either way. First I would like to define non-partisan elections, which means in essence that the name of the party affiliation does not appear on the ballot. Now there is a great misconception about this because non-partisan election candidates can still register parties, they can still receive the endorsement of the parties, they can attend party functions, and they can even receive money from the party. With just the names listed, some believe that would give an advantage to someone with high name recognition, unless you do your research. If you knew nothing else about the candidates seeing the party affiliation speaks volumes about who they are and their beliefs. I am not advocating that people do that because that implies they have not done their research. If you have non-partisan elections you deprive the voter of that knowledge. From a Supervisor of Elections standpoint, it will not make a difference on how the election is held it just will make a difference for the citizens. Every public official should be non-partisan in his office.

Would a change to the Charter making election of county commissioners non-partisan be more expensive than the current system, less expensive or about the same?

From my perceptive no difference in cost.

What is your opinion on setting term limits for Constitutional Officers?

I believe there should be term limits for all public officials, working in government should be a public service. The term limit would depend on the office. I think there should be a distinction made between legislative offices and bureaucrat offices, which is basically what I am, I do not make law I just follow it. Legislative offices are a little different. A downside on term limits is if you have somebody really good.

Frank C. Weikel – I agree with you, if we have a good person in office and their term limits are up, it is not fair to the voters to make them leave office and that should be taken into consideration.

What is your opinion on changing the Constitutional Officers to an appointed position rather than elected?

Elected positions are more responsive to the people and when you are appointed you are responsive to the people who appointed you. I do think that elected officers are better.

What suggestions would you make to improve the position or office?

As far as what is going on here in Charlotte County, I cannot image a better relationship than the one I have with my fellow Constitutional Officers, the Board of County Commissioners, people in general and I have the best group of employees. We have one of the highest registration rates not only in the State, but in the country. We also have one of the highest voter turnout rates, people here care about their government. I cannot think of anything that I would change.

Your observations regarding the relationship of Constitutional Officers and Board of County Commissioners?

As I stated very, very good.

What methods do you have in place to purge the polls?

In accordance with State law every two (2) years if there has not been any contact with the voter we send them a card which states; Are you still at this address? If the card comes back nothing further happens, if it does not come back we are required by law to send another card and if that does not come back we put them on the inactive list. What this means is a clock starts to run, they are still registered voters, they can still show up and vote at any election. If they contact our office during the inactive period it takes them off the clock. The clock runs for two (2) election cycles which is four (4) years and if at that time we have not heard from them in any way, by voting or even a phone call, after a total of six (6) years they are then purged from the voter list.

What Charter amendment would you propose is needed to improve the efficiency of your office in relevance with serving the citizens of Charlotte County?

From my perceptive, I do not see any amendments that I could propose that would make my office more efficient.

Do you feel that the Charter Review is beneficial to your department or is this process a waste of time?

Not at all, how else would we have had this conversation if we did not have the Charter Review Commission. I think it is extremely beneficial, it makes government closer to the people and it provides them a mechanism to change things.

Chairman Ariens and the subcommittee members thanked the Supervisor of Elections and appreciated him taking the time to be interviewed.

Interview with Vickie L. Potts, Tax Collector

What is your opinion of non-partisan elections for Constitutional Officers?

I believe that naming the party for the candidates with the elected positions gives the voter the core values of the person seeking election. However; on the other hand our local school board who are non-partisan elected officials are elected to serve the people the same as a partisan Constitutional Officer and Board of County Commissioners. Non-partisan elections do not affect the responsibility of elected officials and I have had many people tell me that they could not vote in elections because of their party or non-party affiliation that they are registered. So I think that sometimes this is an issue with the citizens especially when there is a write-in candidate that closes elections. So I like partisan elections and I like the two (2) party election process.

What is your opinion on setting term limits for Constitutional Officers?

I think you should change that question to what is the problem with term limits. A Constitutional Officer serves in his or her capacity as an Administrator, a full time professional and a public policy maker. With these rules longevity can be an access for the people in the elections remain the means by which citizens exercise their accountability. Constitutional Officers are methodology subjected to public evaluation and scrutiny every four (4) years through the election process. Real term limits are at the ballot box and I believe that is where they should remain.

What is your opinion on changing the Constitutional Officers to an appointed position rather than elected?

I think it would take away the power from the citizens of Charlotte County and give all the power of the local government to the Board of County Commissioners with limited accountability and unwise concentration of power to one governmental entity. In the process of conducting State affairs for the citizens in Charlotte County the Constitutional Officers' duties and actions are set forth by State Constitution by Florida Statutes and by rules and regulations. This separation of power allows for a system of checks and balances to exist between Board of County Commissioners and all of the Constitutional Officers. Without the separation of power, checks and balances the power to tax on property, collect, spend, manage judicial functions, police powers and legislate, regulate and control the rules and methods of elections would all rest with one Board of County Commissioners. That could lead to favoritism, corruption and take away the accountability to the citizens that we all serve. Again, the key to public accountability is Constitutional Officers and the Board of County Commissioners is subjected to public evaluation and scrutiny every four (4) years through the election process.

What are your observations regarding the relationship of the Constitutional Officers and the Board of County Commissioners?

I can speak for myself personally, I think that we have a very good working relationship I respect the work that the Board of County Commissioners and their staff does. We work well together and I think it is a pleasure to work with them and their staff.

Katherine D. Ariens – In what form do you communicate with the other Constitutional Officers?

Vickie L. Potts – We are very connected, we work together on a lot of things. They do their part and we do ours. Our office registers a lot of people to vote through the Department of Highway Safety and Motor Vehicles. Our offices meet a lot and we all have a great relationship. All of the Constitutional Officers have specific functions and they all are unquestionable important.

What Charter amendment would you propose is needed to improve the efficiency of your office in relevance with serving the citizens of Charlotte County, do you think there is anything?

No, I do not. I have read the Charter and I do not think there is anything.

Do you feel that the Charter Review is beneficial to your department or is this process a waste of time?

Absolutely, I think it is beneficial. I am a citizen of Charlotte County so I like things to be updated and reviewed. I think the citizens of our County have great expectations of our government and I think it is a must that the Charter be reviewed.

Chairman Ariens and the subcommittee members thanked the Tax Collector and appreciated her taking the time to be interviewed.

Interview with Paul L. Polk, Property Appraiser

What is your opinion of non-partisan elections for Constitutional Officers?

As the Property Appraiser I am not a policy maker, I have my duties and responsibilities set forth by the Statutes and Florida Administrative Code. We serve the whole County not just one party or the other. The partisan election does sets forth what your beliefs are, rather you are conservative or moderate. The biggest issue I have is the way the write-in candidate closes the election to everybody. Otherwise, I am neutral on non-partisan or partisan elections.

What is your opinion on setting term limits for Constitutional Officers?

If you are not doing your job you are not going to be re-elected, the public will let you know real quick. I do not like term limits.

What is your opinion on changing the Constitutional Officers to an appointed position rather than elected?

With my position, you need that separation from the Board appointing somebody, the position could be influenced and an independent elected by the people you are not going to have that appearance or illusion that there is some type of favoritism. I think elected is better, you have the checks and balances.

Any changes/suggestions to the office that you would recommend?

The only suggestion that comes to mind is in some of the other counties the Geographic Information Services (GIS) is within the Property Appraiser's office. Our office works closely with the County's GIS department and we have a very good relationship with their staff. We are required statutorily to provide the GIS department with the aerial photography every two (2) years. These additional positions would need to be approved by the Department of Revenue as they are responsible for approval of the Property Appraiser's annual budget.

Frank C. Weikel – Could that be done by administrative changes or does that need a ballot change?

Paul L. Polk – I think that would be administrative.

William Dryburgh – That is something we probably should ask our attorney and make sure, he could make that suggestion to the County Commission.

Paul L. Polk – They do not have a really big staff, but we do deal with them quite a bit. We have a good relationship with them as far as our mapping department.

What Charter amendment would you propose is needed to improve the efficiency of your office in relevance with serving the citizens of Charlotte County?

Mostly what we do is required statutory and again we are kind of different because our budget is approved by the Department of Revenue it does not go directly to the Board for approval. No, I cannot really think of anything that the Charter could change.

How do you enforce Homestead Exemption eligibility?

We have a lien process if we come across somebody that is not entitled to Homestead, we can lien them back ten (10) years and apply penalties and interest. Florida has to be your primary residence to receive Homestead and you must own your home. It is not malicious we do have some people who are truly doing it as fraud.

How are you informed of the latest technology changes to your office?

There is an exception in the legislation which states the Property Appraiser's office can use drones to view aerial photography, I am not saying we will use them, but we are allowed to. We have started using Tablets in the field, we are trying to go paperless and through our conferences we find out about new software. We are also trying to get more people to file for Homestead Exception on our website.

Katherine D. Ariens – How do you coordinate with the other Constitutional Officers, do you have overlap of your duties?

Paul L. Polk – We do, primarily with the Tax Collector and the Clerk of the Court but we all work well together.

Do you feel that the Charter Review is beneficial to your department or is this process a waste of time?

I think it is very important getting input from not just myself, but the other Constitutional Officers and the Board because we are directly impacted by it. I really appreciate the opportunity to give my input.

Chairman Ariens and the subcommittee members thanked the Property Appraiser and appreciated him taking the time to be interviewed.

Interview with Barbara T. Scott, Clerk of the Circuit Court

It is noted; Ms. Scott could not attend today, but gave her answers by e-mail.

What is your opinion of non-partisan elections for Constitutional Officers?

A two-party system provides an avenue to produce the best and most diversified candidates for the people to choose their next official.

What is your opinion on setting term limits for Constitutional Officers?

Term limits are in effect now; every four (4) years the people can remove the sitting official.

What is your opinion on changing the Constitutional Officers to an appointed position rather than elected?

The people have the right and responsibility to vote for their Constitutional Officers. State control through appointment of the Constitutional Officers is taking this right away. Appointment of all officials will give the State complete control of our County government, taxes and budgets.

Do you have any ballot suggestions for alternative forms of funding?

If you are asking about alternative forms of funding for my office; the legislature and Florida Statutes dictate the funding mechanism for the courts and official records. These budgets are funded through service fees established by the legislature. The budget to the Board of County Commissioners is for the services provided. This ad valorem budget is presented annually, reviewed and approved by the Board of County Commissioners. I do not have any suggestions for alternative funding for the County budget.

What are your observations regarding the relationship of Constitutional Officers and the Board of County Commissioners?

Speaking for myself, I have found the commissioners to be hard working, concerned individuals. They have the best intentions for the citizens of Charlotte County. I have had many opportunities to talk with them about mutual needs of our offices. They have listened and helped when feasible.

V. Discussion

Our next meeting is on November 16, 2015 at 12:30 p.m. and we will be interviewing Sheriff Prummell at 1:00 p.m. After this interview we will be discussing our Final Report.

VI. Citizens Input – None

VII. Adjournment: Upon motion made and seconded the meeting was adjourned at 2:02 PM.



Katherine D. Ariens, Chairman

Attachment #1
Interview Questions

Supervisor of Elections:

What is your opinion of non-partisan elections for Constitutional Officers?

Would a change to the Charter making election of county commissioners non-partisan be more expensive than the current system, less expensive or about the same? If there is a difference in cost, can you estimate what that cost or saving would be?

What is your opinion on setting term limits for Constitutional Officers?

What is your opinion on changing the Constitutional Officers to an appointed position rather than elected?

What suggestions would you make to improve the position or office?

What are your observations regarding the relationship of Constitutional Officers and the Board of County Commissioners?

What methods do you have in place to purge the polls?

Tax Collector:

What is your opinion of non-partisan elections for Constitutional Officers?

What is your opinion on setting term limits for Constitutional Officers?

What is your opinion on changing the Constitutional Officers to an appointed position rather than elected?

What are your observations regarding the relationship of Constitutional Officers and the Board of County Commissioners?

Property Appraiser:

What is your opinion of non-partisan elections for Constitutional Officers?

What is your opinion on setting term limits for Constitutional Officers?

What is your opinion on changing the Constitutional Officers to an appointed position rather than elected?

Any changes/suggestions to the office that you would recommend?

What are your observations regarding the relationship of Constitutional Officers and the Board of County Commissioners?

How do you enforce Homestead Exemption eligibility?

How are you informed of the latest technology changes to your office?

Clerk of Courts:

What is your opinion of non-partisan elections for Constitutional Officers?

What is your opinion on setting term limits for Constitutional Officers?

What is your opinion on changing the Constitutional Officers to an appointed position rather than elected?

Do you have any ballot suggestions for alternative forms of funding?

What are your observations regarding the relationship of Constitutional Officers and the Board of County Commissioners?

Attachment #2
Interview Questions Added

What Charter amendment would you propose is needed to improve the efficiency of your office in relevance with serving the citizens of Charlotte County?

Do you feel that the Charter Review is beneficial to your department or is this process a waste of time?