

**Charter Review Commission
Board of County Commissioners
Subcommittee Meeting
December 15, 2015**

A meeting of the Charter Review Commission, Board of County Commissioners Subcommittee was held at Charlotte County Administration Complex, Room B-106, Port Charlotte, Florida.

Roll Call

The following Board of County Commissioners members were present:

Paula Hess, Acting Chair

Thomas P. Conroy III

Jim M. Brown

Absent members:

William Abbatematteo, Chairman

Raymond A. Corcoran (alternate)

Citizens:

None

Call to Order:

The meeting was called to order at 3:30 PM by Paula Hess, Acting Chair.

Agenda Items:

- I. Citizens Input – None
- II. Old Business
Interview was previously scheduled with Commissioner Christopher Constance. The interviewee had been provided the list of questions prior to this meeting.
- III. New Business
Paula Hess – We have prepared some topics and may ask other questions in response to your answers.

Interview with Commissioner Christopher Constance

Elections by District

Commissioner Constance – I do not really have a favorable opinion of Election by District and it stems from the fact each Commissioner would only represent one-fifth of the population which in my opinion is very dysfunctional. The way it works now is we all have to live within our districts, which is really good because we have representation from each one. Yet I have to care about the whole County because all of those voters determine whether I stay in office or not. It is much more functional to have the system that we have right now.

Paula Hess – Another negative that has been expressed with Elections by District is that it gets to be intramural battles.

Jim M. Brown – Also, another problem with two (2) Commissioners at large, they would be in a position where they were lobbied by the other five (5) to get their area taken care of.

Commissioner Constance – You would have to make a deal with another district and get the two (2) at large people to come along to get your four (4) votes to push something through, along with the expense of two (2) more people.

Non-Partisan Elections

Paula Hess – The citizen that came forward felt a Democrat really does not have much of a change in this County and if we had Non-Partisan Elections it would be much fairer to the general population, what are your comments on that?

Commissioner Constance – The party system allows individuals to be selected by their parties that truly represent the goals and objectives of each party. I think that really helps to select individuals that will be categorized and be better understood by the voters. If you have non-partisan elections then it is very hard for anybody to really be well represented. I think it makes it more difficult, essentially people identify with a specific party. You are taking away the rights of the party system if you adjust to this new model.

Paula Hess – Do you get financial aid and training from the parties?

Commissioner Constance – I think any candidate in the party system can avail themselves of information, but in the primary system there is no financial support.

Thomas P. Conroy III – How do you as a group represent the entire County of different parties?

Commissioner Constance – You run as your party, but the day you are sworn in you essentially become non-partisan for your term limit. You still are a member of that party, you should still participate in that party's activities, you still allow yourself to be defined by that party but every decision I make, I make as a non-partisan legislature. Because I represent every single man, women and child of Charlotte County and I do not make my decisions based upon what is best for my party. I make the decision as I have been elected by the people of Charlotte County and what is the best decision I can make for them. My filter may be I want to be fiscally conservative. I want to see that the dollars we spend are appropriately spent, that we are doing programs that people are actually going to use. I think about every single person that it is going to effect because I do represent everyone.

Paula Hess – I want to say as a citizen that is the way most of the Commissioners of Charlotte County conduct themselves, they do not know what your party is when they are talking to you.

Term Limits

Commissioner Constance – There are term limits it is called a voting booth and when citizens see there are bad decisions made or dysfunctional behavior they get rid of people. We really have not had any issues and I am fortunate that I was re-elected a year ago. I do not make my decisions based upon am I running again, I make my decisions on what is best for the citizens of Charlotte County. I have a great job and at the end of the day I enjoy this job. I enjoy the team, it is not just the other Commissioners we also have a great administrative team. Mr. Sandrock has done a phenomenal job over the last five (5) years and we have some top notch people.

Paula Hess – The citizen representing a group thought four (4) years was too long and two (2) years would be better. Would you comment on the learning curve; I know the range of topic that you have to learn is enormous and most citizens do not realize that.

Commissioner Constance – So if that were the case then you would have to elect Commissioners every year like you do for City Council. It would be extremely dysfunctional for that much turnover. It takes time to really get an understanding of the work involved, it would be very difficult. I think the system we have now makes the most sense. It really takes time to mature and I think you need the first two (2) years to get grounded in what your responsibilities are.

Jim M. Brown – If you are new and have incumbent Commissioners, does the Sunshine law get in the way of that?

Commissioner Constance – We work around it, we work through staff and save our comments for the meetings. We all abide by the law it does make life a little bit difficult and dysfunctional. I do understand why those laws are put in place.

Elected Mayor

Paula Hess – The suggestion was an Elected Mayor who had administrative duties also.

Commissioner Constance – I think the system we have right now works really well and the team we have assembled that would be very detrimental. It would also bring in too much politics.

Paula Hess – I do not believe this commission is even thinking about it, but wanted to bring it forward for comment.

Appointed Sheriff

Paula Hess – The Charter provides for an elected Sheriff and it has not come forward yet, but past opponents argued that the commission was in a better position than the elective to select a really qualified person. What is your opinion on an appointed Sheriff instead of having a Sheriff elected?

Commissioner Constance – Again looking at the legacy of the Sheriff's Department here, I do not think anybody in the last dozen years or more has done a bad job. The real advantage I see is that when the Sheriff comes forward with his budget he has to work more aggressively, we can actually give him a number and that is a very powerful mechanism. Having said that we can interview for a Sheriff, but what I see in the way things work here is that the Sheriff is supported by his men. I think that somebody who can push sort of a political theme and get themselves elected to office shows that they have the support of their men because they are really a formable group.

Paula Hess – I do not think this will come forward this time because everybody is quite happy with our Sheriff.

Commissioner Constance – Again I look at the system we have had and it has not faltered. At the end of the day we want the community safe and law enforcement safe.

Dealing only with MSBU/TU's; do you favor adding periodic review and where appropriate, sun setting language?

Paula Hess – This suggestion came forward from another subcommittee and a citizen, the proposal was they should be voted on by those affected. What do you think about that?

Commissioner Constance – Well as far as periodic review, we are doing that now. We have gone through in the last year and a half sort of an overview and overhaul of them. With regard to sun setting language we are already proactively basically saying to administration that if a MSBU/TU has been created for a specific purpose and is sort of a one-time deal, we want the sun setting language built in. Once we have affected the change it needs to go away. It is not logical to continue to collect a fee or even have it be in existence for the potential.

Paula Hess – So there is no need to put that phraseology in the Charter?

Commissioner Constance – I do not think so. If they are a continual thing I do think we could do a better job of more efficiently timing them, properly costing them and ensure they are managed properly. It is probably appropriate that they are periodically reviewed. We do review them essentially every year.

Paula Hess – A question was raised by a citizen group regarding; should we be taxing churches?

Commissioner Constance – I do not know what the State laws and rules are. I guess we would have to look at how many houses of worship we have in these areas. What is the bottom line and what would be the financial impact. I would really need to see a breakdown before I would propose that.

Paula Hess – We will check into that because our Chairman agrees that churches should not be taxed. I have heard him express we are being taxed twice, at home and if I decide to go to church.

Commissioner Constance – As long as those individuals understand that you are now defraying the cost of the houses of worship onto the general public.

Jim M. Brown – The strongest reason some MSBU's are in trouble is nobody wants to participate until there is a problem.

Commissioner Constance – It is helpful and informational when people do respond.

Any changes, additions you would like to see in the Charter and why?

Commissioner Constance – In five (5) years I have never come up with an issue, I think so far the citizens have gotten it correct. We did get a curve ball regarding the Economic Development Director in 2010, especially with Sunshine laws and was very difficult in the beginning.

Economic Development Director is now employed by the Commission, better than employed by the Administrator or not? ~ Explain

Commissioner Constance – The key element in having it work and it does work, is picking the right person for that position. Mr. Patton did a phenomenal job.

Paula Hess – Some people thought that reporting to the Commission he had to air details of negotiation which a lot of businesses do not want.

Commissioner Constance – I think he made it clear to us that he would prefer not to divulge and that he had signed confidentiality and to the best of my knowledge, every Commissioner understand and respected that. I have stated this publicly on many occasions for the four (4) years he was with us he really did a great job in a time line the recession was in full swing. His job was to go out, get the leads and work the leads.

Do you think there are inefficiencies that an independent body to oversee and review could correct?

Commissioner Constance – So, who would that independent body be?

Paula Hess – I guess you would have to appoint them.

Commissioner Constance – This is a volunteer advisory committee?

Paula Hess – That would be the only way it could be addressed in the Charter. Then the idea came forward that the Charlotte Assembly could be put in to be convened every three (3) years as a way to make recommendations from the citizens, holding the Commission and staff accountable as they see fit. What do you think about putting that in the Charter?

Commissioner Constance – If I could see a more specific plan because this is fairly general language.

Paula Hess – It is. Let's put it this way, do you think that deadline decisions are presented to the Commission without sufficient information provided by staff?

Commissioner Constance – The only time I remember was years ago, items were added to the agenda last minute and we found out we were not given all of the information. From that point forward we told Administration do not ever let that happen again. If you want something on the agenda last minute it better be life or death and be able to prove it. We have become very savvy about what gets presented in the time frame, the backup material and we ask a lot of questions.

IV. Discussion

Jim M. Brown – I just want to further comment when it comes to an employer wanting to come into an area, secrecy is the utmost and the Economic Director should be given some empathy because companies will walk away.

Commissioner Constance – From my standpoint, I really do not need to know. At the end of the day stay true to your clients and bring in business.

Commissioner Constance was thanked for his time and input.

V. Citizens Input – None

VI. Adjournment: Upon motion made and seconded the meeting was adjourned at 4:38 PM.


William Abbate Matteo, Chairman