

**Charter Review Commission
Board of County Commissioners
Subcommittee Meeting
January 5, 2022**

A meeting of the Charter Review Commission Board of County Commissioners Subcommittee was held at Charlotte County Administration Center, 18500 Murdock Circle, Room B-106, Port Charlotte, Florida at 1:00 P.M. on January 5, 2022.

Roll Call:

The following members were present:

William Abbatematteo, Chair
Richard Pitz
Donna Peterman
Jeffrey Anlauf

Absent Members: None.

Citizens Present: None.

Call to Order:

The meeting was called to order at 1:00 p.m. by Chairman William Abbatematteo.

Agenda Items:

I. Approval of Minutes:

MOTION WAS MADE BY DONNA PETERMAN AND SECONDED BY JEFFREY ANLAUF TO APPROVE THE MINUTES FROM DECEMBER 16, 2021.

MOTION CARRIED 3:0 (Member Pitz arrived after the vote.)

II. Citizens Input: None.

III. Old Business: None.

IV. New Business:

a. Review of the thirteen topics and final adoption of recommendation to include in the Final Report. The members reviewed the following items that guided their discussions and interviews with the following results and recommendations:

- **Term Limits for all County Elected Officials and Boards (excludes Constitutional Officers):**

The Committee **does** recommend that Board of County Commissioners be limited to three consecutive terms in office.

- **Number of County Commissioners:**

The committee **does not** recommend any change to the number of county commissioners.

- **How Elected? At Large vs. By District or a Combination:**

The committee **does not** recommend any change as to how the county commissioners are elected.

- **County Administrator: Appointed vs. Elected:**

The committee **does not** recommend any change as to how the county administrator is hired.

- **Economic Development Office: Return to the Executive Branch of Government:**

The committee agrees with the separation of powers between the Legislative and Executive functions of Charlotte County Government. The committee **does** recommend that the Economic Development Office return to the executive branch of government which affects the Charlotte County Charter, Article II, Section 2.3 B (1) *County Department Heads* and F *Director of Economic Development*.

The committee also recommends either returning to the language of the 2004 Charter (for the above items) or adding a Division of Powers clause– see example from Brevard County:

“Section 1.5 Division of Powers. The County hereby establishes the separation between legislative and executive functions of Brevard County government. The establishment and adoption of policy shall be the responsibility of the Board of County Commissioners and the execution of that policy shall be the responsibility of the County Manager.”

- **Partisan Elections:**

The committee **does not** recommend any changes.

- **Casino Referendum needed for Casino Gambling:**

The committee **does** recommend language regarding casino gambling be added to the Charter.

To be modeled based upon language used in Clay, Orange, Osceola, and Seminole County Charters, which in part reads:

“ Reservation of Power by the Electorate: The citizens of Clay County reserve to themselves the power to approve or disapprove casino gambling of any nature within the boundaries of the County. Therefore, if and when casino gambling becomes lawful under the Constitution and Laws of the State of Florida, no action may be taken by the Board of County

Commissioners, by the governing body of any municipality, or by any elected or appointed official or employee of either the County or any municipality the effect of which is to authorize, to approve, or in any manner to allow casino gambling to occur anywhere in the County unless and until casino gambling in the County is first authorized by an approving vote of a majority of the qualified electors residing in the County and voting on the question at referendum, and such referendum must be separate and apart from any State-wide or multi-County referendum on the question."

(This excerpt is only one of four or so paragraphs that we are recommending.)

- **Establish Ethics Board/Citizen Bill of Rights:**

The committee reviewed and researched the suggestion and **does not** recommend any addition of these items to the Charter as they are covered by the county's administrative code.

- **Procedures for review and oversight of County Funds given to other government entities, NGOs, Non-Profits, civic groups, etc.:**

The committee **does make a recommendation** to the Board of County Commissioners and Administration that they review procedures for oversight of County Funds given to other government and non-governmental entities and make sure all mechanisms are in place and address it administratively as needed.

- **Prohibition on use of county offices and staff for non-County entities, including NGOs, civic groups, 501c(3), 501c(6), etc.:**

The subcommittee **does make a recommendation** and the subcommittee's preference is to handle this issue administratively in lieu of a charter revision.

"The subcommittee inquired about the previous use of county facilities and staff serving as the office, point of contact and record keeping for a 501(c)(6) for several years, and although the subcommittee was told that this practice has stopped after the hiring of a new department director, this arrangement is not officially prohibited by the County, as far as memorializing it in any written policy, code or resolution by the County Administration or BOCC. To avoid a repeat of this practice, which we felt is not a legitimate use of public funds, personnel, and property, we prefer and that the BOCC or Administration handle this internally by adopting and issuing a written county-wide prohibition of such uses by any county department or personnel, and that such policy is communicated to all county departments and personnel via the standard distribution process for such matters.

Furthermore, if this recommendation is adopted by the Charter Review Commission, we would like to submit this one particular matter to the BOCC and the Administration contemporaneously upon such adoption to give the County an opportunity to respond to the CRC regarding this recommendation, and upon assurances that the County has agreed to adopt such a prohibition administratively, we will forego any further discussions about addressing this as a Charter revision."

- **1% Sales Tax:**

The committee **does make a recommendation** to the Board of County Commissioners and Administration to review the process by which they make decisions (to select projects) regarding the allocation of the one percent sales tax dollars.

- **Citizen's Initiatives:**

Upon review, the committee **does not** have a recommendation to make.

- **Vacancies:**

The committee **does not** have any recommendations to make.

Charter Enforcement: The committee discussed the issue of enforcement of the Charter and feels that there needs to be some type of mechanism to enforce but decided not to take any action as another committee will be bringing the issue forward.

V. Discussion: A "thank you" was extended to the committee for their hard work and attendance, for Chair Abbatematteo for his leadership and to Administrative Assistant, Andrea Yerger for her support.

VI. Adjournment:

The meeting adjourned by consensus at 2:24 p.m.

No further meetings were scheduled.


William Abbatematteo, Chairman 1/12/2022
Date
Board of County Commissioners Sub-committee