

**2021-2022  
CHARTER REVIEW COMMISSION**

**PUBLIC HEARING**

**Charlotte Harbor Event and Conference Center  
Myakka River Rooms AB  
75 Taylor Street, Punta Gorda, Florida**

**April 27, 2022**

A Charter Review Commission (CRC) "Public Hearing" Meeting was held at the Charlotte Harbor Event and Conference Center, Myakka River Rooms AB, 75 Taylor Street, Punta Gorda, Florida at 3:00 p.m. on April 27, 2022.

**Call to Order**

The Meeting was called to order at 3:00 p.m. by Chairman William J. Dryburgh.

**Roll Call**

**The following CRC members were present:**

Patricia W. Aho	Donna C. Peterman
Jeffrey K. Anlauf	Richard J. Pitz
Donna Barrett	Adam James Riley
William J. Dryburgh	William B. Schafer
Donald McCormick	Bob White
Theresa H. Murtha	

**Alternates**

Rob Humpel, 1st Alternate

The following members were absent: Members William Abbatematteo, Cherie Burnett, Steve Drake, and Cyril Schrage and Alternates Suzanne Graham and James Coalwell.

**Others present:** Robert H. Berntsson, Attorney.

**Citizen's present:** David Kesselring, Mike Moses, Sylvia Orr, Daniel Sutphin, (Charlotte Sun Newspaper), Robert Saucier, Robert Duncan, Donna Robichaud, and Gary Skillicore.

**I. Approval of Minutes:**

**MOTION WAS MADE BY DONNA PETERMAN AND SECONDED BY DONNA BARRETT TO APPROVE THE MINUTES FROM THE MEETING OF APRIL 13, 2022.**

**MOTION CARRIED: 10:0**

**II. Introduction and overview of proposed Charter Amendments under consideration:**

- 1. County Commission Review of Operations**
- 2. Charter Review Commission to be convened every 10 years**
- 3. Personnel policies for County Attorney and Director of Economic Development**
- 4. Casino Gambling – require referendum approval**

Attorney Rob Berntsson introduced the four proposed Charter Amendments and read the following proposals for the record.

**Charter Amendment No. 1**

**County Commission Review of Operations**

*Shall Article II, Section 2.2.D of the Charlotte County Charter be amended to provide for the County Commission to conduct a review of all operations of the County in conjunction with the budget process?*

*YES for Approval*

*NO for Rejection*

The third sentence of Section 2.2.D is amended to read: "in addition to its other powers and duties, the board of county commissioners shall conduct ~~an annual~~ review of all operations of the [county in conjunction with the budget process](#), including all programs and services provided, with input from the public, ~~prior to April first of each year~~, and take action as a result of this review for improvement of the county and the welfare of its residents."

**Charter Amendment No. 2**

**Charter Review Commission to be convened every 10 years.**

*Shall Article IV, Section 4.2.C.(1) of the Charlotte County Charter be amended to provide for the Charter Review Commission to be appointed every 10 years rather than every 6 years?*

YES for Approval

NO for Rejection

The first sentence of Section 4.2.C.(1). Is amended to read: "A charter review commission consisting of fifteen (15) members and three (3) alternates shall be appointed by the board of county commissioners at least eighteen (18) months before the general election occurring in 2016~~32~~ and at least eighteen (18) months before the general election occurring every [ten \(10\)](#) years thereafter, to review the home rule charter and propose any amendments or revisions which may be advisable for the placement on the general election ballot.

**Charter Amendment No. 3**

**Personnel policies for County Attorney and Director of Economic Development**

*Shall Article II, Sections 2.3.D. and F. of the Charlotte County Charter be amended to apply the same Charter personnel policies applicable to the County Administrator to the County Attorney and Director of Economic Development?*

*YES for Approval*

*NO for Rejection*

Section 2.3.D. and F. are amended as follows:

Section 2.3.D. is amended by renumbering existing section 2.3.D. to 2.3.D.(1) and adding new section D.(2) through D.(4) to read as follows:

(2) The county attorney shall be appointed on the affirmative vote of four (4) members of the board of county commissioners on the basis of legal ability and qualifications, pursuant to requirements specified by ordinance, and shall reside in the county while so employed.

(3) The county attorney's salary shall be set by the board of county commissioners.

(4) The county attorney may be removed with or without cause upon the affirmative vote of four (4) members of the board of county commissioners, or upon the affirmative vote of three (3) members at two (2) separate board meetings held at least two (2) weeks apart. Grounds for removal for cause shall include flagrant neglect of duty, physical or mental incapacity, conviction for the commission of a felony, violation of any statute relating to conduct of public employees, or such other grounds as may be provided by ordinance.

Section 2.3.F. is amended by renumbering existing section 2.3.F. to 2.3.F.(1) and adding new sections F.(2) through F. (4) to read as follows:

(2) The director of economic development shall be appointed on the affirmative vote of four (4) members of the board of county commissioners on the basis of legal ability and qualifications, pursuant to requirements specified by ordinance, and shall reside in the county while so employed.

(3) The director of economic development's salary shall be set by the board of county commissioners.

(4) The director of economic development may be removed with or without cause upon the affirmative vote of four (4) members of the board of county commissioners, or upon the affirmative vote of three (3) members at two (2) separate board meetings held at least two (2) weeks apart. Grounds for removal for cause shall include flagrant neglect of duty, physical or mental incapacity, conviction for the commission of a felony, violation of any statute relating to conduct of public employees, or such other grounds as may be provided by ordinance.

#### **Charter Amendment No. 4**

##### **Casino Gambling:**

*Shall the Charlotte County Charter be amended to require-referendum approval to allow Casino Gambling in Charlotte County?*

*YES for Approval*

*NO for Rejection*

Section 1.6 is added to the Charter to read:



## 1.6 Casino Gambling

The citizens of Charlotte 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 a referendum on allowing casino gambling in the County is approved by a majority of the voters voting on the question at an election.

### **Public Hearing:**

Chairman Dryburgh read the following instructions as to how this meeting would be conducted to those present:

*"Remarks shall be related to the Charter, be limited to three (3) minutes, and shall be addressed to the Commission as a body, not to individual members. There will not be any discussion."*

### **III. Citizen Input:**

1. Robert Duncan: Mr. Duncan stated that he is a taxpayer and homeowner in Charlotte County and is against a casino being built in Charlotte County.

Based on this citizen's comment, Member Theresa Murtha asked that a point of clarification be given. Attorney Berntsson detailed that the amendment that is proposed states that if casino gambling became legal in the State of Florida, it would not be legal in Charlotte County until the voters approved casino gambling.

2. David Kesselring: Mr. Kesselring conveyed his disappointment that the board voted down all citizen suggestions and felt that little consideration was given to the proposals. In this vein, he feels the county needs to adopt a citizen's bill of rights, however he did not know what it should look like and was not advocating for the samples he previously supplied as suggestions. Mr. Kesselring felt that should be the work of this commission, to seek out other bill of rights used by other counties and work out what is best for Charlotte County and provide a suggested amendment to our constitution. Let the citizens vote up or down on each "right" that is suggested.

Mr. Kesselring further proposed that at Charlotte County public meetings the commission give the citizens the ability to speak for three minutes on each topic. He stated that if the commission is asking for citizen input, they should prove their seriousness by providing a reasonable amount of time for citizens to speak. (Please see attached proposal.)

3. Mike Moses: Mr. Moses made a general suggestion about having the commission members use wireless microphones for ease of hearing. He also spoke about how important the work of this commission is and how difficult it is to move forward new or volatile issues. He felt looking at the proposed amendments that the commission had not done all it could have done and encouraged the commission to consider all the citizen input and suggestions they had received

**IV. Commission Comments:**

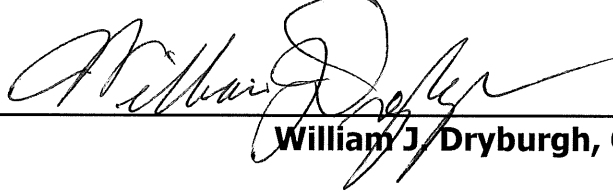
Chairman Dryburgh stated that the commission will meet two more times for public comment, the next meeting being held at the Ann and Chuck Dever Regional Park in Englewood. He further stated how we are trying to make the public aware of these meetings and acknowledge that a representative from the paper was here to follow-up on his previous article.

Chair Dryburgh reminded the commission members and those present that the commission voted on 24 different issues presented by citizens, the subcommittees, and members. He further stated that the commission has done its job, more than could be expected, and all the work is appreciated.

**V. ADJOURNMENT:**

**THE MEETING WAS ADJORNED BY CONSENSUS AT 3:16 P.M.**

The next meeting will convene on May 11, 2022 at the Ann and Chuck Dever Regional Park, Meeting Room LMR-B, 6961 San Casa Drive, Englewood, Florida at 3:00 p.m.

  
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**William J. Dryburgh, Chair**

**DATE ADOPTED:** 5/11/2022