

**CHARTER REVIEW COMMISSION
PUBLIC MEETING
NOVEMBER 10, 2011**

CHARTER COMMISSION:

- District 1 - Tom Boyko
- Jeffrey Bauer
- Regina Bereswell
- District 2 - Imogene Yarborough
- Mark Wylie
- Patti Green
- District 3 - Michael Bowdoin
- Kimberly Carroll
- Daryl McLain
- District 4 - Larry Strickler
- Allen Sneath
- District 5 - Sherry Bellomo
- Stephen Coover
- James Dicks

ABSENT: District 4 - Robert McMillan

ATTENDEES: County Attorney Bryant Applegate
Deputy Co. Attorney Lynn Porter-Carlton
Chief Deputy Clerk Bruce McMenemy
Deputy Clerk Eva Roach

The following is a non-verbatim transcript of the **CHARTER REVIEW COMMISSION PUBLIC MEETING**, held at 6:34 p.m. on Thursday, November 10, 2011, in Room 1028 of the Seminole County Services Building at Sanford, Florida.

PUBLIC INPUT

Chairman Stephen Coover stated the Charter Review Commission has been appointed by the BCC to receive input and to make recommendations on possible changes to the charter. He stated if the public would like to see any changes considered by the CRC to fill out the Speaker Request Forms that are available in the lobby. The CRC will only receive information from the public and will not decide whether or not to include that information.

John Casselberry addressed the CRC to state the taxes for the cities are around 5 mills and the County is about the same.

The School Board's millage went up to 7.7 and that is the highest he has ever seen in any single millage. He stated it seems to him that 70% of what the BCC does appears to be just related to the unincorporated areas. He said he had asked the BCC to start asking their employees to track their hours to see how much actual labor is involved before an item gets to a Board meeting. Everyone in the county is paying for the 70% unincorporated activity. That is about half of the population and half of the value of the tax base compared with all the municipalities put together. The County has the ability to levy 10 mills and they also have the ability to levy another 10 mills for municipal services within the County. He stated he feels the County should start dividing their labor into municipal and countywide services and just have a County millage and pay for their own city-level services to the County's unincorporated areas. That would probably save the municipalities approximately 3 mills. He added he doesn't believe it will cost the County taxpayers any more than what they are paying now once they get a real efficient budget. He stated he feels the County should look at unincorporated taxation like they do for the fire departments. From his point of view, the cities do a good job; but the County is far more into the city pockets than they should be. Speaker Request Form was received and filed.

Upon inquiry by Daryl McLain, Mr. Casselberry advised that he feels whoever the legal counsel is, they should evaluate paying for the Sheriff's patrol like the County pays for the fire department.

Mr. McLain stated he believes Mr. Casselberry is suggesting that the County should not have a millage against incorporated city residents.

Mr. Casselberry stated he is suggesting regular patrol of the unified leaders (jail, courthouses, etc.). He stated there

is only one government spending money on that, but the residents are paying for city patrols and county patrols and they shouldn't be in the cities.

Mr. McLain stated he believes what Mr. Casselberry is saying is that the County not charge millage for the law enforcement inside city limits.

Mr. Casselberry stated the detectives are in the city limits and the police cooperate more with each other. He added he doesn't believe the Sheriff's Department should waste their time in neighborhoods, streets and cities that the police departments are patrolling.

MINUTES APPROVAL

Motion by Mr. Larry Strickler, seconded by Mr. Tom Boyko to approve the October 13, 2011 minutes.

All members in attendance voted AYE.

OLD BUSINESS

Mr. Strickler stated the subcommittee was charged to develop a short list of potential law firms that they might want to consider should the CRC ever need legal representation in the CRC process. The subcommittee met twice and they short-listed four law firms. There were two major criteria they were looking at, and one was trying to ensure a minimal possibility of conflicts of interest, meaning they do not need to pick a firm that is currently doing business for the BCC or Constitutional Officers in Seminole County. The second criteria was to make sure that the law firm have someone with a good background in charters, and they would be within close driving distance to make it reasonable. The four firms are Goren Cherof Doody and Exrol located in Fort Lauderdale; Wade Vose located in Winter Park; Bryant Miller & Olive located in St. Petersburg; and Cobb & Cole located in Daytona Beach. The Subcommittee's goal was to present this to the CRC this evening for approval so they can

solicit these firms for individual attorney's expertise to develop a further short list the CRC may want to consider early next year.

Upon inquiry by Chairman Coover, Mr. Strickler advised he is not aware of any conflicts with the four firms that the subcommittee has chosen. He stated the subcommittee tried to be sensitive to attorneys that regularly interact with the BCC and they eliminated those with obvious strong relationships.

Upon further inquiry by Chairman Coover, Mr. Strickler advised from the subcommittee's perspective, they do not need to do more work before these four firms come before the CRC for a presentation. He stated from the CRC's perspective, they will need to inform the subcommittee if they need to do more work.

Mr. Jeff Bauer recommended that the subcommittee obtain information on specific attorneys from these firms that would be representing the CRC, and then have those attorneys come in to answer questions from the CRC.

Chairman Coover stated he was thinking why the CRC would want to spend December listening to the law firms when they don't have any issues at this time. He said he is inclined to go with Mr. Bauer's recommendation of allowing the subcommittee to do more work in getting more specifics from each firm, who they are looking at and their backgrounds. The CRC can spend December's meeting trying to look at what few issues they still have that are not cleared out.

Mr. McLain stated one of the things that he is interested in knowing is what public agencies (cities or governmental agencies), if any, each of these firms represent.

Mr. Boyko stated he would like to know if the contract is going to be written in such a way that shows what the CRC expects of them as far as salary and availability of coming to a meeting on an as-needed basis.

Chairman Coover stated he believes the CRC may need to rely on the subcommittee to come up with a recommendation for some key points in the contract.

Mr. Strickler stated the subcommittee needs to find out whether these four firms are sufficient or does the CRC want to add more. He stated the subcommittee can obtain a copy of a couple of contracts on charters with attorneys, and develop a generic contract and then make a recommendation in priority order of the four or more firms based on their experience. The specifics of the generic contract can be reviewed when they meet with the four firms. The subcommittee could deliver a recommendation in priority order by January, 2012; and the final step after that would be to go into negotiations of the contract.

Chairman Coover stated he doesn't want the subcommittee to select the attorney. He stated the CRC needs to have concepts that they intend to have in the contract, such as, if they do not want to pay them to drive, then tell them. Once the CRC ranks the attorneys, then they negotiate the contract with number one and if they do not get a contract that they like, then they will go with number two. The option is to have the subcommittee do the contract and then the CRC submit that to all the law firms. If the subcommittee identifies who those who are going to participate, then let them come in and sell themselves at the meeting. The CRC will then rank them and they will go from there. He stated if the subcommittee could bring that back for the December meeting, then the CRC will go into the meeting knowing what they want from them and what they expect from them.

Mr. McLain stated if these firms have dealt with charter committees before, he is sure they have dealt with contracts before. He recommended obtaining a copy of the contracts with different agencies they have worked for.

Mr. Boyko stated there are a few of them that have dealt with charters. There have been many times in past charters that they have dealt with issues and they found out at the eleventh hour that it was unconstitutional. The attorney also needs to be aware of what is taking place in Tallahassee.

Upon inquiry by Michael Bowdoin, Chairman Coover advised in December, the CRC needs to dive into the few issues (2006 election items and litigation items) that are still hanging to see if they want to tackle them. He stated if it is not resolved, it may be smart to push the attorney interviews off for another month until they know what they are doing. The CRC members could review the leftovers from the last CRC at the next meeting.

NEW BUSINESS

Chairman Coover stated the next meeting is scheduled for December 8, 2011 in Room 3024.

Upon inquiry by Sherry Bellomo, Chairman Coover advised Mr. Applegate provided a letter at the September 23, 2011 meeting as well as information on the 2006 election and the resolution of the Charter Review Committee, including all of the recommendations and ordinances. He stated Mr. McMillan indicated that there were a couple of ordinances that were passed that, in his opinion, didn't meet the intent of the Charter Review or the electorate.

Mr. Strickler stated he believes the intent is to be aware of the recent history of the Seminole County Charter Review Commission to be sure of any issues that were brought up that either passed or were found unconstitutional. He stated anything on the hit list should be open to anyone on the CRC for discussion.

Mr. Strickler stated his notes show that pay raises was an issue that was brought up, as well as ethics and Issues 4, 5 and 6 (audit committee litigation).

Ms. Bellomo stated she would like for someone to give the CRC more history on this as it is hard to understand what went on six years ago.

Chairman Coover stated the CRC can invite the Clerk to provide the committee with the 2006 CRC minutes to read what was discussed. He stated the CRC could rely upon Mr. McMillan and Mr. Boyko's memories.

Ms. Bellomo stated she wants to know if there is anything else she needs to be doing between now and the next meeting to be prepared. She stated she will probably be more confused by reading the previous minutes.

Mr. Boyko stated he believes Mr. McMillan wanted to know the percentage of the vote on the referendum. He stated he believes the whole idea is to know where they stand. He added some of the audits have failed and he would like to know the procedures on audits. He said the procedures being done in the County sounds pretty insufficient and he feels that the CRC should be looking at doing audits again.

Bruce McMenemy, Chief Deputy Clerk, addressed the CRC to state he is sure the Clerk of Court, Maryanne Morse, is willing to come in and speak to the CRC relative to audits. He stated he feels people sometimes get confused when they hear internal audit. The Clerk is an independently elected Constitutional Officer who is responsible for auditing the BCC functions.

County Attorney Bryant Applegate addressed the CRC to state his office and the County Manager's office will provide documentation if the CRC needs additional information in the operation of the County, history, or any other issues. He stated legal advice will be provided to the CRC if they hire

outside counsel. He said the BCC salaries have actually gone down since the last Charter Review Commission. The ordinance accurately reflected what the charter proposition was on the ballot. The County Attorney indicated that the yearly consideration of the BCC salaries must be adopted at the County's budget public hearing.

Chairman Coover gave the results of the previous referendum for salaries, ethics, ballot title, transportation, Clerk's function as auditor and custodian, creation of volunteer Advisory Audit Committee, and Constitutional Officers subject to audit for certain County funds. He stated he will make arrangements for inviting the Clerk of Court to attend the next meeting.

Mr. Strickler asked if those items that came up at the previous charter review have been passed by ordinance.

Mr. Applegate stated he will respond to that question at the next meeting or prior to that meeting.

Chairman Coover adjourned the meeting at 7:12 p.m., this same date.