



## Minutes of September 19, 2017

Members in attendance: Alice Hunt, Christian Spinosa, Cassandra Denmark, Bart Allen, Drew Crawford, Bob English, Michael Craig, Charles McPherson, Clay Watkins, Greg Masters and Lisa Jensen.

Members Absent: Robert Stanz, Mike Hickman, Patty Schmidt and Ramon Edwards Vicioso

Pledge of Allegiance

A few group photos were taken of the Charter Review Commissioners present at this meeting by Jeremy Maready, Polk County Communications Division.

- There were other photos taken through the course of the meeting
- These photos will be uploaded on the Facebook page.

Public Comments:

None

Approval of Minutes Charter Review Commission (CRC) Meeting on August 15, 2017

- Motion to approve the minutes of August 15, 2017 - Christian Spinosa
- Second with the following correction to the spelling of Mr. Masters name. There were a few places the (s) was omitted – Cassandra Denmark (**correction made**).
- **Minutes approved**

Introduction - New CRC Commissioner

Alice Hunt, CRC Chairperson

- A. Hunt asked Mr. Allen to introduce himself as the newest commissioner to the CRC
- He was appointed by Commissioner Dantzler to replace Rennie Heath
- John B. "Bart" Allen, Esq., Peterson & Myers, PA (Land Use Attorney)
- B. Allen gave a brief overview; he has been in Polk County pricing land usage and real estate development for the past 10 years. He works in their Winter Haven Office and lives in the Lakeland.

Financial Report

Alice Hunt, CRC Chairperson

- No update at this meeting
- Future there will be financials reflecting the expenditures for Mr. Crawford and Ms. Curry.

CRC Recommendations

Alice Hunt, CRC Chairperson

Alice Hunt explained Drew Crawford would be reviewing the procedural steps the CRC will be taking as we move forward on the CRC recommendations and any others to follow.



- a. Procedural Explanation  
Drew Crawford, Legal Counsel

Drew Crawford gave a brief overview of the power point explaining what will be seen as this committee moves forward. In the prior meetings there was an adoption of rules of procedure. This document doesn't replace those; this will identify and give a quick cheat sheet as to where things will be seen in the process.

He continued to explain the best time to discuss the "draft ballot" language would be at the end of all the meetings. Then we will be putting together the final report, going through the report line by line and determine the language the CRC would like to see on the ballot. He briefly went over the draft ballot language which adequately captures the intent of the commission. The draft ballot is for review; this can be discussed or taken under advisement. The ballot will come back for review and adoption on the report at the end of the proceedings most likely the second quarter 2018.

- b. Efficiency Commission Discussion Update  
Alice Hunt, Chairperson

Alice Hunt gave a brief overview regarding the elimination of the Efficiency Commission. She explained at the last meeting it was discussed to look for the minutes from the meeting where they recommended discontinuing. Ms. Curry researched and was unable to find these minutes. She asked Commissioner Masters since he was a member at the time could he highlight any of the information regarding the conversation.

Greg Masters stated he would like to think about it and come back to the commissioner.

Alice Hunt explained there were no minutes addressing the issue; there was just the formal recommendation which went to the commission and was directed back to this group.

- c. Ballot Language – Elimination "Efficiency Commission"  
Alice Hunt, Chairperson

The ballot language is in tonight's packet; no action needed for tonight it will come back later. Please take the time to read it, review and come back with any specifics or questions.

Drew Crawford explained the ballot language and gave a brief overview of what is required by the statutes. Ballot items need to be broken up into 2 parts:

1. Ballot Title – limit of 15 words
2. Ballot Summary – this is the question to ultimately be voted on. Limit of 75 words

Greg Masters asked about the final language which will be sent to the County Commission; we all vote on one last time. Which will require a unanimous or will it be a super majority.

Drew Crawford stated his understanding is an implementation item, once the super majority vote is taken; it will become an official recommendation, the implantation of this is just a vote of the majority. A unanimous vote from this commission is certainly appropriate.



Alice Hunt explained when it goes to the public the Charter Review Commission will all be on the same page.

Michael Craig stated according to the adopted Rules of Procedure each of the proposition for charter revision; in order to move forward to the next level of review and the commission's final recommendation to The Board of County Commission if any; require an extraordinary majority.

Drew Crawford stated which is a majority plus one, (this information is available under the July tab in the commissioner's master book).

Michael Craig commented the goal should be a unanimous vote.

#### Old Business

Alice Hunt, Chairperson

Alice Hunt stated at last month's meeting there was a push by this board to have everything properly notified, through Facebook, Website the only miss which was not on this end was The Ledger did not put the piece in which was given. The only way to guarantee a spot in The Ledger is by purchasing an advertisement.

#### New Business

Alice Hunt, Chairperson

Alice Hunt stated there needs to be an approval of the Boswell & Dunlap, LLP Contract for Drew Crawford. A copy is in everyone's master book, please review and then we can vote on it.

Lisa Jensen stated this is what was used in the Request for Proposal (RFP) process and it does match.

Motion to approve for legal services of this agreement for Drew Crawford as written – Cassandra Denmark Second - Lisa Jensen

Open Discussion:

There was a discussion on the hourly rate; it is listed in the contract. Also; the billing for D. Crawford and each time he will attend this meeting there will be billing applied. The budget was discussed there is a \$200,000 budget in place for legal counsel and administration services. This money is not really a budget it is what was set aside for this commission by the BoCC, we have no funding; the funding was put aside. In the past this commission spent over \$400,000, which could have been the original design of the charter. It was stated it should not cost as much for legal counsel. There will be updated financial report for this group which will include Ms. Curry and Mr. Crawford's billing. In the future once the bills come in for legal services this commission will be able to monitor all billing and the progress.

A vote was taken and all members voted AYE to approve the contract of Boswell and Dunlap, LLP – Drew Crawford, CRC Legal Counsel.

#### **MOTION APPROVED**

Charter Commission Minutes 9/19/17



Alice Hunt explained any requests made by this group via the email will always be documented and placed at the end of the monthly packet for discussion by the group. Currently there is one for the month from Patty Schmidt. Since she is not here today; and she represents Commissioner Bell; this will be discussed in the future when she is present.

Open Discussion:

Lisa Jensen asked if staff could provide a list of what is required by this commission to cover and what we need to address. She stated there have been some discussions as to not changing the constitutional officers term limits. What needs to come up, what is the goal, what are the objectives we have to review? Could we triage those items first?

Michael Craig stated there is no mandate on what issues have to be covered; it's what this commission wants to cover. There are a lot of ideas out there and depending on the perspective some are good and some are not good. There are a lot of bad ideas out there and having seen how they have affected other county governments in other parts of the State of Florida. It is the issues each of you would like to cover and look at. He hopes these interests are small.

Lisa Jensen doesn't want this commission to be criticized for not having the opportunity to discuss what we should discuss. She stated she has a strong opinion about our constitutional officers who currently are not subject to term limits like the Sheriff and she doesn't want their terms to be limited. We are good in this regard, but we should have the discussion. The Sheriff, Tax Assessor, Property Appraiser and Supervisor of Elections those officers are not subject to term limits this works beautifully under Charter Review and it should stay this way.

Alice Hunt it still comes back to this commission and representing our commissioners, we bring the items to the table.

Lisa Jensen believes there will be someone who will ask why was there a discussion, but the CRC felt it works well in the current charter. We all have a very strong opinion about it but at least it was covered. She wants to offer under New Business the Constitutional Officers not be subject to term limits, it is great it works well it should not be offered as a ballot item.

Drew Crawford stated the power of no; the power we did review the item and we have chosen not to move forward. It is difficult to express a negative; the only way would be if it were written in the minutes. A board can do it and if it is the will of this commission to a review agenda the main principal topics and address those. Are we ok with this or not. It can certainly be done; but it does have to be a positive action moving forward. The silence carries the same concept. The fact no one brought the topic up means everyone is ok. It appears everyone is ok with the Charter; but if there are changes those are the items brought forward for discussion.

Bob English there was a statement made we have a strong opinion about something but it was not asked if there were strong options about the topic. The only way you know is if you argue it back and forth. Without a presentation as to what are the benefits of the term limits as opposed to what are the benefits of not having term limits



Lisa Jensen felt if staff or each member felt like we should say our ok, the issue should come up whether they are moved or not. If the Chairperson feels we are silent it means we are ok, than I am good. She is not advocating any in-depth discussion. She wants to understand the right way to approach it; if the understanding is if we are silent on it and it doesn't move forward this commission is good with it, that's great.

Christian Spinosa he gave an overview of a committee he is on they read it out if there is a problem ok, if no one reacts then its good. We don't need to take this route; as a commissioner on this committee we have been charged with reading the charter. If we had a problem with something in the charter we will bring it up as we're supposed to in the comments.

Alice Hunt stated the items presented by Patty Schmidt are there for this commission to discuss. We will have to gather information and begin the discussion on it.

Greg Masters stated the charter has been in existence for so many years; is the charter doing what it was set out to do? This is the charter review; we set it up, we designed all of the pieces. Now it has been out there do we like the way the charter is performing or do we get rid of it; or this is great. Let's look at the charter as a document, is it performing and as the Efficiency Commission did because it was in the document they came up and said we don't need an Efficiency Commission but this was in the document. Now we are on the Charter Review; we can get into term limits whatever; but when you review the charter do we like how it is performing. Maybe this is the angle we need to look at.

Lisa Jensen acknowledged how she appreciated the discussion and it gives defensible position in the way we approach and a common understanding as a commission.

Alice Hunt stated it is very important each person read the charter and highlight and bring back items as Commissioner Schmidt did back to the table. If our commissioners spoke to each of us regarding ideas we will be able to represent them as well.

Bob English stated he is confused in what our goals are or what our responsibility is. Our responsibility he doesn't think it is to say yes or no term limits are good or bad. Our responsibility is put the question on the ballot and let the people decide.

Alice Hunt clarified with a vote we can place the item on the ballot or vote it down.

Bob English there is a similar augment going on in the county regarding a strong mayor. Orange County they have a strong county chairman and is this something the people over the years have considered would be a good thing for Polk County. This is something I think we should discuss; should we precede with our Counsel Manager form of government or a strong mayor/strong chairman government.

Alice Hunt stated as of this evening we have 3 suggestions now 2 from Commissioner Schmidt and 1 from Commissioner English. We need to gather the information and come back for discussion.

Bob English stated he is not opposed to it one way or the other. We need to discuss it and it may be warranted to be put on the ballot.



Lisa Jensen stated she appreciated the clarification if we are in the position, if it is not broken we don't need to fix it.

Greg Masters as a group we have to decide; if there is a concern everyone can come up with an idea and 90% do or don't want it. There was some discussion of a way to vet it to see if we want to go down that road or is there any subject we will discuss.

Alice Hunt stated anything brought forward has the right to be discussed it can be a sixty second discussion voted up or down. She doesn't feel it is her place to determine what we will or won't be discussed.

Lisa Jensen stated Greg Masters brought up in the first meeting we had to have some plurality before we could move forward.

Greg Masters we need to research whatever the item is brought up for discussion. For example if Mr. English's idea about strong mayor government and he doesn't get a majority then we don't move forward with the idea.

Alice Hunt this is why we are tabling Commissioner Schmidt's right now because she is not here to address it tonight.

Lisa Jensen based on what Greg Masters offered originally we could take a position we didn't move forward on these items.

Bob English agreed how they should proceed but the person in favor of the action should have the opportunity to express the reasons he/she and have the others express the reasons why they shouldn't do it.

Greg Master stated like in a motion; there was a motion and there was a second for discussion if it passes then it is moving to investigation.

#### CRC Member Comments

Alice Hunt, Chairperson

Alice Hunt stated the member's comments and suggestions can be done in the meeting, at the end of the meeting or the next meeting. They can be emailed throughout the month to Ms. Curry. All of these items will be included in the packets as it was done with Commissioner Schmidt's suggestions.

With no further business, the meeting adjourned at 6: 40 PM

Respectfully submitted,

Deborah Curry, Administrative Supervisor  
Charter Review Commission