

**CHARTER REVIEW COMMISSION
VOLUSIA COUNTY, FLORIDA**

**MINUTES OF THE MEETING OF SEPTEMBER 3, 2015
DAYTONA BEACH INTERNATIONAL AIRPORT
VOLUSIA ROOM**

CALL TO ORDER/ROLL CALL

Volusia County Council Chair Jason P. Davis called the Organizational Meeting of the Charter Review Commission to order at 6:03 p.m. in the Volusia Room at the Daytona Beach International Airport, 700 Catalina Drive, Daytona Beach, Florida. Roll Call was conducted by Administrative Aide Christine Beccaris. The following members were present: Dr. T. Wayne Bailey, Hyatt Brown, Frank Bruno Jr., Frank Darden, Patricia Drago, Ambassador Stanley Escudero, Dr. Phillip Fleuchaus, David Haas, Peter Heebner, James Morris, Patricia Northey, Glenn Ritchey Sr., Derek Triplett, Mark Watts, Lisa Ford Williams. Also present were County Manager James Dinneen, County Attorney Dan Eckert, Community Assistance Director Dona DeMarsh Butler, Budget and Administrative Services Director Tammy Bong, and support staff: Corry Brown, Brittany Scott, John Duckworth, and Charli King and approximately 16 members of the public.

WELCOMING REMARKS

Mr. Davis welcomed all members, staff and the general public to the meeting. Mr. Davis encouraged the public to participate and put all their comments in writing. He then asked each member of the Charter Review Commission to give some personal background information about themselves.

Mr. Davis then asked Mr. Dinneen, Dona DeMarsh Butler and Tammy Bong to introduce themselves. Mr. Eckert gave a brief introduction as well. Mr. Davis stated that agenda item six will be heard next which was the election of the Chair and Vice-Chair of the Charter Review Commission.

ELECTION OF CHAIR AND VICE CHAIR

Mr. Davis then called for nominations for the Chair of the Charter Review Commission. Mr. Bruno nominated Mr. Brown for Chair. Mr. Brown acknowledged his nomination and asked if any other committee member would be interested in being appointed as Chair. He stated his concern about the listening session schedule. Mrs. Butler then advised that either the Chair or the Vice-Chair must be in attendance at all of the listening sessions. All members of the commission were in favor of Mr. Brown as Chair. Mr. Brown then nominated Mr. Ritchey as Vice Chair. The motion passed unanimously.

Mr. Davis turned the meeting over to Chair Brown, who stated that he felt Volusia County was at a crossroad with regard to growth challenges and income disparity versus the state median. Chair Brown further stated that we must create a climate now to allow for expansion in the future.

OVERVIEW OF THE CHARTER REVIEW PROCESS

Mr. Dinneen was then called upon by the Chair to address the group and give an overview of the Charter Review process. Mr. Dinneen started off with stating that Mrs. Butler and Mrs. Bong are the main staff contacts at Volusia County throughout the entire Charter Review Commission process. Mr. Dinneen then asked all members to call attention to the hard copy of the power point presentations in the notebooks that were provided to them. Public participation was encouraged and the website was given so that the public who are unable to attend any meetings can listen as well as provide a comment via the website. In addition he announced that everything will be public record.

The meeting was turned back over to Chair Brown, who asked for a discussion regarding meeting times. Some had indicated that 6:00 p.m. was a bit late in the day and perhaps the meetings could start earlier. Another member offered up a 4:00 p.m. meeting time. Several members noted that they are actively working and would like to get in a full day before attending the meetings. Concern was also expressed that many members of the public may be unable to participate at the earlier time because of work conflicts. After more discussion a motion was made for a 5:30 p.m. starting time. A second was received and the meeting times were set for 5:30 p.m.

Mr. Darden made a motion to operate under Robert's Rules of Order to ensure that meetings are moved along as quickly and efficiently as possible. Mr. Morris seconded the motion. It was approved unanimously.

Chair Brown next stated that he felt the listening session schedule was too tight, and that three sessions in a week were too many. A discussion ensued regarding public notice. It was felt that adequate notice would need to be given, so spreading the listening session out over a few more weeks would be beneficial for all. It was noted that an email would be sent to the group with a modified schedule of the listening sessions.

OVERVIEW OF SUNSHINE LAW

County Attorney Eckert provided an overview of the Sunshine Law. The Sunshine Law states that any discussion of two or more members must be advertised as a meeting, held in a public place, and minutes must be completed. The commission members are allowed to have one way communication but no interaction. Mr. Eckert cautioned against inadvertently violating the laws. He stated that private email should not be used, as all communication of the group must be archived as public record. Mr. Darden asked a clarifying question regarding discussions of members from different boards. Mr. Eckert stated that members who communicated from different boards would not be in violation of the law. Social matters and unrelated business is typically allowable. Mr. Eckert then

recommended that the commission members refer to the Government in the Sunshine manual provided to them as well as the Florida attorney general's website. Several different scenarios were given on what is acceptable and what is unacceptable according to the Sunshine Law. Questions were presented for Mr. Eckert such as: Is a financial disclosure needed from the commission members? No, not needed. Can the Charter Review Commission speak with Mrs. Butler? Yes, but not about a matter that is likely to come before the Charter Review Commission that requires action. Mrs. Butler can deliver messages via the website if need be. Mr. Eckert concluded his overview of the Sunshine Law.

Mr. Eckert finished up by reminding members not to use a third party as a conduit to any substantive communication. He added that it is best to avoid any appearance of impropriety regarding communication.

Chair Brown next asked for a motion to approve the proposed schedule dates for regular Commission meetings. A motion was offered, which was seconded. The meeting schedule was passed as offered.

EXPLANATION OF COUNTY PROVIDED BOOKS

Mrs. Bong then gave a brief explanation of the notebooks provided and stated that they are to be used as a reference tool. The notebooks included: 2005-2006 Charter, Annotated Charter, rules and procedures and the tentative meeting schedule. Mrs. Butler called attention to the previously adopted rules and procedures. The Chair moved to review the rules and procedures at the next meeting.

PUBLIC PARTICIPATION

The Chair explained the importance of following the specific rules of the meeting and gave a three minute time limits to all those who wished to speak during the public participation portion of the meeting.

Vernon Weatherholtz's spoke on beach driving, term limits, boardwalk extension, and the commercial aspects of the county.

Bob Walker discussion was based on the VCSO (Volusia County Sherriff's Office) Personnel Board. He stated that the system is outdated and needs to be changed. Asked that the Charter Commission reevaluate the current policies.

Greg Gombert requested that the time limit for the public participation portion of the meeting to be extended to six minutes. He also asked not to eliminate the resign to run process.

Jeff Marris spoke on behalf of the Volusia County Professional Firefighters in support of the reevaluation of the Personnel Board.

Michael Ledbetter spoke on the topics of beach issues, beach driving, and potential dangers of off-beach parking.

Brodie Hughes, president of the Volusia County Deputy Association, spoke regarding the Personnel Board. He stated that the board doesn't work the way that it should. He stated the deputies want binding arbitration.

DISCUSSION – BY CHARTER REVIEW COMMISSION MEMBERS

After the conclusion of the public participation the Chair discussed past subcommittees and asked for thought and input. Both Dr. Bailey and Ambassador Escudero suggested that the listening sessions should take place prior to the discussion on whether subcommittees will be needed or not. Discussion ensued on whether there would be a need for subcommittees. Mr. Heeber saw a need to have subcommittees as they are valuable in determining what the community needs. Dr. Fluechaus and Ambassador Escudero would like to act as a whole group in lieu of subcommittees. It was agreed that the issue of subcommittees would be discussed after all the listening sessions have been conducted.

Dr. Bailey suggested that the Charter Review Commission may need some funding from the County to pay for expenses incurred during the Charter Review process. Mr. Dinneen stated that the County will provide any resource that is necessary.

Mr. Heebner and Mr. Darden made a motion for the commission to act as a whole but the Chair declined the motion.

The Chair stated that the meeting scheduled for September 14, 2015 will be canceled as the listening sessions will not yet be completed. The next meeting will take place on October 12, 2015 at 5:30 p.m. in the Volusia Room at the Daytona Beach International Airport.

Ambassador Escudero would like a trend report compiled so that the commission can consider all factors, such as: general population, income, intelligence ect. Mr. Dinneen commented that the County will provide factual information and that staff will look into it and find a way to consolidate the report.

Vice Chair Ritchey would like the County to reach out to local businesses to give input because he would rather have direct input from the public.

DISCUSSION – LISTENING SESSIONS

Questions were presented to Mrs. Butler in regards to how the listening sessions were conducted in the past. Discussion ensued about the listening sessions and their importance. Dr. Bailey asked that we contact the Mayors, and City Commissions. He also asked how we will advertise for the listening sessions such as web/press release/news. The topic of social media was discussed, Mr. Eckert advised that the

Charter Review Commission can post on social media but he reiterated that every post is public record and by using social media a public record is being created. A Charter Review only Facebook page was discussed.

DISCUSSION – PRESS/MEDIA

Ambassador Escudero expressed that all press should go through the Chair. The Chair would like to discuss how he should address the media.

ADJOURNMENT

There being no further business for discussion, the meeting was adjourned at 7:43 p.m. The next meeting will take place on October 12, 2015 at 5:30 p.m. in the Volusia Room at the Daytona Beach International Airport, 700 Catalina Drive, Daytona Beach, Florida.