MICROFILMING INFORMATION SHEET

TO: VENDOR

FROM: Town of Longboat Key
Town Clerk Department
501 Bay Isles Road
Longboat Key, FL 34228

DATE: 05-24-2005

SUBJECT: Microfilming

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CHARTER REVIEW COMMITTEE 04-06-1998

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MINUTES:	**Charter Review Committee**	
MEETING DATE:	4-6-98	**TIME:** 1:30 PM
PRESENT:	Chairman Jim Brown, Vice-Chairman Bob Farber, Members Bob Drohlich, Lew Gotthainer, Al Green, Lee Rothenberg	
ABSENT:	Ken McCall	
ALSO PRESENT:	Town Manager St. Denis, Town Attorney Persson, Vice-Mayor Redgrave Deputy Clerk-Minutes Dunay-Mixon,	

Call to Order
The meeting was called to order by Chairman Brown at 1:30 PM.

1. Old Business (Articles Previously Reviewed)
A. Article I, Section 8, Ethics in government.
Chairman Brown reported a letter was received from Ethics Commission member Carleton Stewart. He noted Mr. Stewart was appointed to the Ethics Commission at the inception of the Committee and was a past Mayor and Town Commissioner.

Carleton Stewart presented a historical background highlighting the actions of the Ethics Commissioner. He pointed out expenditures included the creation of a 47 Page handbook, form letters, advisory opinions, and necessary legal advise. Mr. Stewart distributed a 1991 analysis of the Ethics Committee developed by the Public Interest Committee (PIC).

A lengthy discussion ensued concerning the creation of a Special Master and elimination of the Ethics Commission, as well as the possible situations which could occur if a Special Master system was utilized.

Mr. Persson read the draft language developed as a result of previous Committee discussion; he advised Chapter 39 was well written and substantive changes were not necessary; however, methodology changes would occur. Mr. St. Denis advised a local Ethics Commission could be helpful; local decisions could resolve issues within a short timeframe.

A consensus was reached to remove the following options from continued discussion: 1) State referrals for Ethics complaints; 2) retaining the existing Ethics Commission; 3) establishing a methodology to review Ethics complaints.

A consensus was reached to continue discussion on the Special Master concept.

B. Whistle-blower's Act

Discussion was held concerning the Whistle-blower's Act issue and the ethical conduct of employees, Town Manager, and Town Commission, as well as a Special Master serving in an investigative manner for Whistle-blower issues.

Mr. St. Denis questioned whether a Whistle-blower investigation would be held during a public meeting. Mr. Persson advised a determination of probable cause would not be part of a meeting; he reported the Special Master could be viewed as a quasi-judge who would review the information based on law.

Further discussion ensued concern the difference between employees and elected officials and the different types of Whistle-blower complaints, and whether an appeal process would be necessary.

Mr. St. Denis expressed concern with a Special Master reach a conclusion which could restrict a Town Manager from making a decision concerning an employee.

There was a consensus for the Special Master system to handle all Town Manager, Town Board, and elected officials Whistle-blower complaints.

Lee Rothenberg left the Meeting at 2:45 PM.

Discussion was held concerning the selection of a Special Master and the number of Special Master to be retained.

There was a consensus to retain three Special Masters and for the investigation to be completed by one Special Master who would be selected by lot.

Betty Blair, PIC, pointed out the difference between illegal and unethical conduct. She questioned whether all issues should be decided on the basis of law rather than ethics.

There was a consensus to further discuss the Whistle-blower's Act and the issue of ethics.

C. Article I, Section 12 - Boundaries, Powers and Form of government.
Chairman Brown read the new language for Article 1, Section 12.
There was a consensus to approve the new language.

D. Article II, Section 13 -
Chairman Brown read the new language for Article 11, Section 13.
There was a consensus to approve the new language.

E. Article II, Section 15 -
Mr. Green read the new language for Article II, Section 15.
There was a consensus to approve the new language.
F. Article II, Section 21- Bonds
Chairman Brown read the new language for Article II, Section 21.

There was a consensus to approve the new language.

G. Article II, Section 22 - Appointment of advisory boards.
Chairman Brown read the new language for Article II, Section 22.
There was a consensus to approve the new language.

2. New Business - Article II
A. Article II, Section 23
Chairman Brown read Article II, Section 23.
There was a consensus not to change the language.

B. Article II, Section 24
Chairman Brown read Article II, Section 24. Discussion ensued questioning the need for this issue to be included in the Charter.
There was a consensus to combine subsections (a), (b), and (c).

Chairman Brown read Article II, Section 24, Subsection (d).
There was a consensus not to change Subsection (d).

C. Article II, Section 25 - Investigations
Mr. Green read Article II, Section 25. Chairman Brown suggested amending line number five to clarify the issue. Mr. St. Denis expressed concern with the term "may issue subpoenas". He questioned whether the power actually existed. Mr. Persson advised the powers referred to in Article, Section 25 were sweeping; the Code Enforcement Board had previously issued subpoenas; records could be obtained which were not public.

There was a consensus to re-write Section 25 and bring new language back to the Charter Review Committee.

Public to be Heard
Ms. Blair expressed concern with asking the registered voters of Longboat Key to vote for or against the Charter amendments as a single issue; each amendment should be voted on separately. Mr. Gotthainer agreed with Ms. Blair.

4. Date of Next Meeting
Chairman Brown stated the next Charter Revision Committee meeting will be held on Monday, 4-13 at 3:30 PM.

Adjournment
The Meeting was adjourned at 3:30 PM.

Submitted by: Jo Ann Dunay-Mixon
Jo Ann Dunay-Mixon, Deputy Clerk-Minutes