

**SEMINOLE COUNTY  
CHARTER REVIEW COMMISSION  
PUBLIC HEARING  
THURSDAY, JULY 13, 2006  
7:00 P.M.  
COUNTY SERVICES BUILDING  
BCC CHAMBERS – ROOM 1028  
1101 EAST FIRST STREET  
SANFORD, FLORIDA 32771**

Convene Charter Review Commission at 7:00 P.M.

**Opening Ceremonies**

- **Invocation**
- **Pledge of Allegiance**

**Public Hearing**

Purpose of this hearing is to obtain suggestions from the public regarding possible amendments to the Seminole County Home Rule Charter. In addition the following possible Charter amendments will be heard, subject to changes which may be made at or after such public hearing:

1. **Resolution No. 1** – Proposing Amendment of Article II of the Seminole County Home Rule Charter to provide: A method of setting salaries of County Commissioners and to set limits on increases.
2. **Resolution No. 2** – Proposing Amendment of Article V of the Seminole County Home Rule Charter to include provisions which prohibit: (1) Certain Lobbying by Seminole County Commissioners; (2) Bidding by the Seminole County tax collector or his or her employees on tax certificate sales; and (3) certain officials and their employees from accepting compensation for working in other's election campaigns.
3. **Resolution No. 3** – Proposing Amendment of Article V of the Seminole County Home Rule Charter to add new provisions; (1) to prohibit certain gifts to officials (or any of their relatives); (2) to prohibit attempts by officials to influence actions coming before their agency which could result in private gain to the officials of their relatives, and providing for enforcement.

4. **Resolution No. 4** - Proposing Amendment of Article V of the Seminole County Home Rule Charter to provide new requirements of full disclosure of ownership of property which is the subject of land use approvals in Seminole County, Florida.
5. **Resolution No. 5** – Proposing Amendment of Article II of the Seminole County Home Rule Charter by adding new sections to provide: that the functions and duties now prescribed by the Florida Constitution to the Clerk of the Circuit Court which relate to Clerk’s duties as Auditor of County funds be transferred to a newly created auditor position serving at the pleasure of the Board of County Commissioners; for powers, duties and qualifications of said auditor; for the Clerk’s duties which relate to custodian of County funds to be transferred to the County Manager.
6. **Resolution No. 6** – Proposing Amendment of Article II of the Seminole County Home Rule Charter to provide for: adding a new section providing for a volunteer advisory audit committee; for setting forth the powers, duties, terms and qualifications of said audit committee; for conforming changes to sections 2.2(E) and 3.1 of the Charter.
7. **Resolution No. 7** - Proposing Amendment of Article V of the Seminole County Home Rule Charter to provide for: adding a new section which includes the Sheriff, Property Appraiser, Tax Collector, Clerk of the Circuit Court and Supervisor of Elections within the scope of internal audits conducted by the person designated by the Charter to perform audits; for internal audit if no such person is designated in the Charter to perform internal audits for conforming changes to section 2.2(E) and 3.1 of the Charter.
8. **Question 1 Ballot Title** – Setting of County Commissioner’s Salaries by County Ordinance.
9. **Question 2 Ballot Title** – Commissioner lobbying, tax collector bidding on tax certificate sales and campaign employment of Official’s employees.
10. **Question 3 Ballot Title** – Prohibitions on gifts to Officials in certain circumstances and Official’s influencing matters for private gain.
11. **Question 4 Ballot Title** – Requiring disclosure of ownership interests for county land use applications.

12. **Question 5 Ballot Title** – Transfer of Clerk’s function as Auditor and Custodian of county funds.
13. **Question 6 Ballot Title** – Creation of a Volunteer Advisory Audit Committee.
14. **Question 7 Ballot Title** – Constitutional Officers subject to internal audit for certain county funds.

**Items for discussion – Commission, Staff, or Citizens**

**Adjourn Charter Review Commission Meeting**

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR 48 HOURS IN ADVANCE OF THE MEETING AT 407-665-7941.

FOR ADDITIONAL INFORMATION REGARDING THIS NOTICE, PLEASE CONTACT THE COUNTY MANAGER’S OFFICE, AT 407-665-7219. PERSONS ARE ADVISED THAT, IF THEY DECIDE TO APPEAL DECISIONS MADE AT THESE MEETINGS / HEARINGS, THEY WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, THEY MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, PER SECTION 286.0105, FLORIDA STATUTES.

**Approval of Minutes  
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MINUTES

Motion by Ms. Dietz, seconded by Mr. Boyko to approve the CRC minutes dated May 20, 2006.

All members present voted AYE.

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Motion by Ms. Hammontree, seconded by Ms. Dietz to approve the CRC minutes dated June 14, 2006.

All members present voted AYE.

NEXT MEETING DATE

Ms. Yurko stated she recommended at the last meeting to continue with a fourth public hearing. She stated she understands that there is a conflict with the July 12 and she believes they have several alternative dates.

Don Fisher, Deputy County Manager, advised that due to the July 4 holiday the Planning & Zoning Commission (P&Z) rescheduled their meeting for July 12; therefore, there is a conflict. He stated he would recommend considering the CRC hearing for either July 11 or July 13, 2006 at 7:00 p.m. He added it may be a good idea to consider July 13, 2006 as that will give the CRC an extra day due to the holiday.

Ms. Hammontree stated she believes counsel will be out of town during that time and July 13 will be a better date.

Ms. Yurko stated she will be in town on Tuesday, July 11, 2006.

Vice Chairman van den Berg stated if there are no objections, the fourth public hearing will be held on July 13, 2006 at 7:00 p.m. The CRC voiced **no objections**.

Ms. Yurko stated she will attempt to submit the ballot language to the CRC tomorrow.

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Vice Chairman van den Berg stated Chairman Tucker felt that they should have a separate meeting to consider the ballot language.

Mr. Maloy recommended that they do it at the end of the July 13 meeting in order to knock it out at once.

The CRC **consented** to considering the ballot language at the July 13 meeting.

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Vice Chairman van den Berg stated there is an item of business that requires action by the CRC. He stated the Board of County Commissioners (BCC) funded \$15,000 for legal services based on the experience six years earlier. During that time legal counsel was only in attendance when specifically requested. This CRC has had a number of workshops and Ms. Yurko has attended every meeting. He stated \$15,000 is not an adequate amount and the procedure is for the CRC to approve and recommend to the BCC an additional amount. He said he spoke to Ms. Yurko and she is willing to reduce the amount substantially and she believes she can finish her services for an additional sum of \$20,000.

**Motion** by Ms. Hammontree, seconded by Mr. Horan to submit a recommendation of an additional amount of \$20,000 to the BCC for legal services for the CRC.

Under discussion and upon inquiry by Mr. Lovestrand, Vice Chairman van den Berg advised \$175 an hour is the hourly rate being charged.

Mr. Horan advised that is far below the market rate.

All members present voted AYE.

**Resolution #1**

Vice Chairman van den Berg opened the public hearing on Resolution #1 - Amendment of Article II of the Seminole County Home Rule Charter to provide: A method of setting salaries of County Commissioners and to set limits on increases.

Ms. Yurko read the pertinent language of Resolution #1 into the Record. She referred to and read into the Record Section 2.2(C) Salaries and Other Compensation that was amended.

No one spoke with regard to Resolution #1.

Vice Chairman van den Berg closed the public input portion of the hearing.

There was no additional discussion by the CRC, therefore, Vice Chairman van den Berg closed the public hearing on Resolution #1.

**RESOLUTION #2**

Vice Chairman van den Berg opened the public hearing on Resolution #2 - Amendment of Article V of the Seminole County Home Rule Charter to include provisions which prohibit: (1) Certain Lobbying by Seminole County Commissioners; (2) Bidding by the Seminole County Tax Collector or his or her employees on tax certificate sales; and, (3) Certain officials and their employees from accepting compensation for working in others' election campaigns.

Ms. Yurko read the pertinent language of Resolution #2 into the Record. She stated she took the liberty of adding a paragraph to address "intent" that was brought up at the last meeting. She said she feels it would be helpful to have some legislative embodiment of what the CRC's intent is with regard to the provision that deals with officials dealing with other officials' campaigns. She read the proposed language into the

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Record: "With respect to the new language proposed to be added to the Charter at Article V B, the Charter Review Commission expressly declares that its intent is not to regulate the political speech or participation in campaigns by employees during their off duty hours but rather to prohibit any appearance of impropriety that could arise by virtue of accepting compensation for both government employment and for such outside campaign obligations". She stated it appears that impropriety may not be the right term, it may be the CRC's concern about conflicting interest and dual roles, and she want to explore that to see if there is a consensus on that.

Bob Webster, 3435 Holliday Ave., stated he really likes some of the proposals in this resolution, but he feels that to limit the action of the BCC acting as lobbyists is very offensive and he doesn't feel they should be involved in that and it should not be tolerated. He stated he feels they are alright with limiting action of the BCC acting as lobbyists, but when it affects other constitutional officers the CRC is way out of step. There may be some personal merit to it but the legal aspect is what he is talking about. If they want to change the rules of the charter, they can do it under Chapter 125.60 thru 64 or do it by a constitutional amendment. He added the CRC has to stay within the law or they will fall in the category of being outlaws. At the request of Mr. Webster, the CRC had no objections of allowing him to speak an additional 5 minutes. Mr. Webster continued by discussing setting the BCC salaries. He suggested rescinding the charter and going back to the regular county form of government. He discussed the issue of executive and legislative branches of government.

No one else spoke with regard to Resolution #2.

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Vice Chairman van den Berg closed the public input portion of the hearing.

Mr. Horan stated the intent language came up at the last public hearing as it relates to Item B.3 because apparently there was some existing law that gave an impression whether or not this provision violated State law, and there was a general concern that it might be subject to a Constitutional attack. He stated he feels it is a good idea to have the intent language as part of the resolution.

Ms. Yurko stated it will not be in the charter itself.

Mr. Horan stated he is comfortable with including this language because anything that is put in the resolution might give someone an idea as to what they are after if this is challenged. He stated the first thing they will do is take a look at challenging these provisions on constitutional or legal grounds. He said he feels that any intent language included will assist the court and it will be helpful in upholding it. What the CRC would like to do is to have a code of ethics that is consistent with general law and is enforceable. The Attorney General has said he is not sure if he can enforce it. There is a question whether or not the County can impose criminal penalties and that would be left up to the ordinance process. He stated given the majority of what the CRC wanted; he feels this about the best product they can get. He feels Attorney Yurko has done an excellent job of drafting this and it reflects the majority opinion of what they would like to have done.

Upon inquiry by Mr. Maloy, Ms. Yurko advised the proposed language is not a proposed amendment on the revision to the charter and it is nothing that will be put in the charter.

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**Motion** by Mr. Boyko, seconded by Ms. Hammontree to accept the wording for Resolution #2 as presented with the amendments.

All members present voted AYE.

There was no additional discussion by the CRC, therefore, Vice Chairman van den Berg closed the public hearing for Resolution #2.

**RESOLUTION #3**

Vice Chairman van den Berg opened the public hearing on Resolution #3 - Amendment of Article V of the Seminole County Home Rule Charter to add new provisions: (1) prohibit certain gifts to officials (or any of their relatives); (2) prohibit attempts by officials to influence actions coming before their agency which could result in private gain to the officials or their relatives and providing for enforcement.

Ms. Yurko read the pertinent language of Resolution #3 into the Record. She advised she believes the wording to Article V Miscellaneous Provision, Section B should be Chapter 112.3134 instead of Chapter 112.3734. She said she will check that out. She continued by reading Sections C and D of the Miscellaneous Provisions.

Bob Webster, 3435 Holliday Ave., stated the only objection to this issue is, once again, they are referring to the Constitutional Officers and there are no Constitutional Officers in the charter. He stated he doesn't mind the proposed resolutions referring to the members of the BCC and their employees, but they are running crossways when they are trying to involve the actions of other Constitutional Officers.

Mr. Lovestrand discussed with Mr. Webster the issue of the County Manager form of government providing for other officers.

No one else spoke with regard to Resolution #3.

Vice Chairman van den Berg closed the public input portion of the hearing.

There was no additional discussion by the CRC, therefore, Vice Chairman van den Berg closed the public hearing for Resolution #3.

**RESOLUTION #4**

Vice Chairman van den Berg opened the public hearing on Resolution #4 - Amendment of Article V of the Seminole County Home Rule Charter to provide: new requirements of full disclosure of ownership of property which is the subject of land use approvals in Seminole County, Florida.

Ms. Yurko read the pertinent language regarding Resolution #4 into the Record.

No one spoke with regard to Resolution #4.

Vice Chairman van den Berg closed the public input portion of the hearing.

There was no additional discussion by the CRC, therefore, Vice Chairman van den Berg closed the public hearing for Resolution #4.

**RESOLUTION #5**

Vice Chairman van den Berg opened the public hearing on Resolution #5 - Amendment of Article II of the Seminole County Home Rule Charter by adding new sections to provide: that the functions and duties now prescribed by the Florida Constitution to the Clerk of the Circuit Court which relate to Clerk's duties as Auditor of County funds be transferred to a newly created auditor position serving at the pleasure of the Board of County Commissioners; for powers, duties and qualifications of said auditor; and for the Clerk's duties which relate to custodian of County funds to be transferred to the County Manager.

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Mr. Yurko read the pertinent language regarding Resolution #5 into the Record. She referred to Section 3, Effective Date and Intent, and advised that Mr. Lovestrand brought up the wording "appropriate executive officer", and stated she has included that in the intent section. She read same into the Record.

Bob Webster, 3435 Holliday Avenue, stated he is not in total disagreement of all the sections, but when the CRC gets involved with constitutional officers they are treading on bad ground. He stated the CRC does not have validity over any constitutional officers as the Florida Constitution makes it abundantly clear that any change has to be by Constitutional Amendment. The CRC is attempting to change the duties of an officer of a county and make it different from other constitutional officers in a different way and they cannot do that. He said he feels there is a lot of merit with some of things the CRC is trying to do, but they are off base with getting involved with constitutional officers.

No one else spoke with regard to Resolution #5.

Mr. Maloy stated he would like to know how is it going to work out structurally if departments are separate. He stated he also would like to know how this will follow under the County's Administrative Code or will a different Administrative Code for this department be created.

Mr. Horan stated he feels A(2) was put in there to make it clear that the new County auditor shall have unrestricted access to County government employees and officials' records. This would be someone who would be a new and independent officer that would report to the BCC but would be able to have access, not only to the County employees under the County Manager, but to

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have the right to audit the Constitutional Officers and have control over finance functions.

Mr. Lovestrand asked if this position would be full-time or part-time and will they get benefits as well. He stated this has not been addressed and he feels it should be in the language.

Ms. Johnson stated she believes the intent is this position would be separate from the County Manager and she doesn't have any objections to that. She stated she believes the intent of the committee is it would be a full-time position. She said she doesn't believe a day-to-day or a month-to-month directive from the BCC would be required. Most of the activities are well planned in advance and, if issues arise, they can report to the BCC or to a potential audit committee.

Upon inquiry by Mr. Maloy, Ms. Johnson advised if there is a county auditor position, that individual should have the ability to direct day-to-day operations and then have communication with the County Manager, County Attorney or whatever department director that is necessary. She stated she thinks it would be reasonable to have the financial function fall under the Administrative Code. She added she feels it would be reasonable to have the position full time and it would follow the County's Administrative Code. Discussion ensued.

Mr. Horan stated the office of the County Attorney was created by a charter revision and he doesn't believe there was anything in there that indicates that it is a full-time position. The County Attorney is a county employee and would be subject to the same code of conduct as the other County employees.

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Mr. Lovestrand stated he feels they should specify this in the language.

Mr. Maloy stated he believes there is a separate code for the County Attorney's office.

Mr. Horan stated he feels they can put it in the intent section, but he wouldn't want to bother the language of the amendment.

At the request of Vice Chairman van den Berg, Ms. Johnson advised she believes the consensus of the CRC was to include the County Auditor as a full-time position subject to the existing Administrative Code of Seminole County.

**Motion** by Mr. Horan, seconded by Ms. Dietz to adopt the consensus of the CRC that the County Auditor shall be a full-time position.

A **roll call vote** on the motion was taken with Mr. Horan, Ms. Dietz, Ms. Johnson, Mr. Harris, Mr. van den Berg, Mr. Boyko, Mr. Maloy and Ms. Hammontree voting AYE. Mr. Lovestrand voted NAY.

There was no additional discussion by the CRC, therefore, Vice Chairman van den Berg closed the public hearing for Resolution #5.

**RESOLUTION #6**

Vice Chairman van den Berg opened the public hearing on Resolution #6 - Amendment of Article II of the Seminole County Home Rule Charter to provide for: adding a new section to create providing for a volunteer advisory audit committee; for setting forth the powers, duties, terms and qualifications of said audit committee; and for conforming changes to Sections 2.2(3) and 3.1 of the Charter.

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Ms. Yurko read the pertinent language for Resolution #6 into the Record. She also read into the Record Section 3, Effective Date and Intent.

Ms. Johnson stated in reviewing the intent language, the one question she has is how specific does the CRC want to be in the direction for the charter creation, and whether they want to point out the specific model to which they discussed. She said her recommendation is to change the word "allow" in the first sentence to "direct the audit committee". She stated she believes the CRC's intent was to direct the audit committee. She added she would recommend adding the following words after the word duties in the last sentence to "using the guidance provided by the American Institute of Certified Public Accountants model charter matrix for audit committees for governmental entities". This would be a very clear directive to refer back to a specific matrix and would include all of the items, direction, and timing.

**Motion** by Mr. Horan, seconded by Mr. Harris to accept the wording as additional language in the Effective Date and Intent section.

All members present voted AYE.

There was no additional discussion by the CRC, therefore, Vice Chairman van den Berg closed the public hearing for Resolution #6.

**RESOLUTION #7**

Vice Chairman van den Berg opened the public hearing on Resolution #7 - Amendment of Article V of the Seminole County Home Rule Charter to provide for: adding a new section which includes the Sheriff, Property Appraiser, Tax Collector, Clerk of the Circuit Court and Supervisor of Elections within the

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scope of internal audits conducted by the person designated by the Charter to perform audits for conforming changes to Section 2.2.(E) and 3.1 of the Charter.

Ms. Yurko read the pertinent language for Resolution #7 into the Record. She stated she has included the meaning of county funds in Section 1.5, Audit of Constitutional Officers. She read into the Record the following: "meaning those funds appropriated to each such Officer by the Board of County Commissioners of Seminole County".

Vice Chairman van den Berg asked Mr. Fisher if he had a chance to determine whether that is a correct reference. For instance, if there was a state or federal grant to the Sheriff, it would not be subject to this particular audit provision, but if the funds were received through appropriation by the BCC, those funds would be subject to the internal audit.

Mr. Maloy stated some of the offices operate only on fees. He stated the BCC reviews the Supervisor of Elections and Sheriff's offices, but do not review the Property Appraiser or the Tax Collector. If that is put in there, they are taking out auditing service of two offices.

Vice Chairman van den Berg stated that is not his intent.

Bob Webster, 3435 Holliday Avenue, asked if the CRC is making them charter officers or doing away with the duties of the Clerk and giving them audit authority.

Vice Chairman van den Berg stated the CRC is proposing that funds received from Seminole County activities and all sorts of revenue generated by government that are turned over to the Constitutional Officers would be subject to internal audit.

Upon inquiry by Mr. Webster, Vice Chairman van den Berg advised they are not taking the Sheriff and all the

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Constitutional Officers and putting them under the Charter in its entirety. Discussion ensued relative to whether or not the Clerk has the power to audit other Constitutional Officers.

Ms. Yurko stated the CRC deleted language at the last hearing that addresses what role, if any, the Clerk would have regarding auditing other Constitutional Officers. This provision deals strictly with the requirement that if an entity is designated in the charter, i.e. if the Clerk's function as auditor is transferred out, then that audit function with respect to County funds would apply to the Constitutional Officers.

Vice Chairman van den Berg stated the intent of the CRC was that either the Clerk of Court or an auditor appointed pursuant to the CRC's recommendation would be authorized to perform internal audits of the Constitutional Officers' funds.

Ms. Yurko stated at the last meeting the CRC deleted the default mechanism that would have the Clerk do the audit function. She stated this deals specifically with a situation that if and when the entity is designated in the Charter to do the internal auditor function, then that would encompass the constitutional officers with respect to County funds.

Upon inquiry by Vice Chairman van den Berg, Ms. Johnson advised she agrees the word "internal" in the title of Resolution 7 is needed and should be added after the words "designated by the Charter to perform".

Mr. Fisher stated he feels it would be prudent to go back and clearly define the definition of County funds.

Mr. Horan stated what they are trying to do is not violate general law or the constitution but walk the fine line between properly authorizing an appropriate officer to audit county

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funds, but not duplicate the efforts of others who are already auditing or providing financial restraints on the Constitutional Officers.

Mr. Fisher stated many grants are leveraged with general fund dollars authorized by the budget of the BCC. He stated State and Federal revenues will be audited but at times they will be blending dollars that were authorized by the BCC. He said he believes there may be some interest on trying to have some evaluation of those dollars. He added he doesn't know if that is legal, but he prefers doing further research and submitting that information at the next meeting.

Mr. Horan stated his understanding is that if the County funds are fee generated under this proposed amendment and if someone else is not reviewing it, the CRC would like the County auditor to review it.

Vice Chairman van den Berg recommended adding the following "with respect to all funds received by these officers with the exception of funds received under State or Federal grants". He said that would not keep them from auditing blended County dollars.

Mr. Lovestrand stated even though the State may give a grant, how that is spent is at their discretion and he feels that should be included as well.

Vice Chairman van den Berg stated the only factor the CRC might want to consider is those grants which carry with them specific requirements for detailed audits of every penny that is spent.

Ms. Johnson stated she would suggest adding the following for the definition: "with respect to County funds meaning those funds derived from collections of taxes and fees and other like

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revenue sources of Seminole County not subject to specific separate audit opinion by regulation or law".

Mr. Maloy stated he would suggest adding in the intent section the same thing they did on the other audit resolution.

Vice Chairman van den Berg stated he feels it is critical to know what it is that is legally subject to the audit. He stated the intent section may not carry that force.

Mr. Horan stated he feels it should be included in the amendment.

At the request of Vice Chairman van den Berg, Ms. Johnson reiterated the definition of county funds.

Ms. Yurko stated she would feel more comfort putting this in the intent section.

Vice Chairman van den Berg suggested using County funds with initial caps and then have a definition sentence which includes Ms. Johnson's definition.

Ms. Yurko stated she doesn't want the issue that they are violating the amendment to come up.

Vice Chairman van den Berg stated they are using the term County funds and that is going to mean different things to different people.

Upon inquiry by Ms. Hammontree, Mr. Fisher advised the Clerk performs audits on State funds as well as the State. Nothing in this would preclude someone inviting an auditor to perform audits.

Mr. Horan stated he doesn't want to duplicate but to have the power to do it if they feel it is necessary.

**Motion** by Mr. Horan, seconded by Mr. Boyko to ask counsel to suggest a term that would be reasonably meaningful on the

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description of the funds to be audited and adding a definition close to or identical to that recommended by Ms. Johnson.

All members present voted AYE.

There was no additional discussion by the CRC, therefore, Vice Chairman van den Berg closed the public hearing for Resolution #7.

Ms. Yurko clarified that the CRC will be doing the formal adoption at the fourth public hearing.

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Speaker Request Forms were received and filed.

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Vice Chairman van den Berg stated this has been an interesting experience for him and everyone on the CRC has been dedicated to this very important work. He said there have been an incredible number of meetings and they have been proactive in the public's interest. He added that he feels they are honing in on a very good product.

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There being no further business to come before the CRC at this time, the Vice Chairman adjourned the meeting at 8:50 p.m.

## **Resolution 1**

**RESOLUTION NO. 1**

**A RESOLUTION OF THE 2005-2006 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, PROPOSING AMENDMENT OF ARTICLE II OF THE SEMINOLE COUNTY HOME RULE CHARTER TO PROVIDE: A METHOD FOR SETTING SALARIES OF COUNTY COMMISSIONERS AND TO SET LIMITS ON INCREASES THERETO; FOR A REFERENDUM; FOR AN EFFECTIVE DATE; AND FOR SUBMISSION TO THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA.**

WHEREAS, Section 4.2(B), Seminole County Home Rule Charter provides that a Charter Review Commission periodically shall review the Charter, and propose amendments which may be advisable for placement on the general election ballot for voter approval, and

WHEREAS, hearings have been held to inform the public and receive suggestions regarding this and other amendments proposed to be made to the Seminole County Home Rule Charter; and

WHEREAS, the Seminole County Home Rule Charter provides Seminole County with all powers of local self-government not inconsistent with the Constitution and laws of Florida, and,

WHEREAS, passage of this Resolution will allow the residents of Seminole County to adopt or reject the Amendment proposed herein at a special election in conjunction with the general election to be held on November 7, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE 2005-2006 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, THAT:

Section 1 – Adoption of Amendments:

Subject to the approval of the electors at a special election to be held in conjunction with the general election on November 7, 2006, as required by the Constitution, Laws of Florida and Section 4.2(B) of the Seminole County Home Rule Charter, the Seminole County Home Rule Charter is amended at Article II to read:

Section 2.2(C) Salaries and Other Compensation

~~Salaries and other compensation of the County Commissioners shall be set by County Ordinance and shall be the same as those set by general law for the County commissioners of non-charter counties.~~ Salaries and other compensation of the County Commissioners shall be set by county ordinance, approved at a public hearing, all in accordance with general law and the State Constitution. Any increases in said salaries shall not exceed the percentage change in the U.S. Consumer Price Index for Urban Wage Earners and Clerical Workers Revised during the preceding calendar year ending December 31<sup>st</sup>. Any salary increase shall be effective on the first day of January in the year following adoption of the increase.

Section 2 – Referendum:

On November 7, 2006, a special election shall be held in accordance with the requirements of the Constitution and Laws of Florida, and Section 4.2(B)(5) Seminole County Home Rule Charter in conjunction with the general election. The ballot pertaining to this proposed Charter Amendment shall read as follows:

**Ballot language to be added.**

Section 3 – Effective Date:

If approved by a majority of electors voting on the matter, this Charter Amendment shall become effective on November 7, 2006, and shall be incorporated into the Charter with any necessary renumbering or re-lettering of its provisions.

Section 4 – Submission to the Board of County Commissioners of Seminole County, Florida:

This Resolution and proposed amendment shall be delivered to the Board of County Commissioners of Seminole County, Florida, in accordance with Section 4.2(B)(5), Seminole County Home Rule Charter, for placement on the general election ballot to be held November 7, 2006.

APPROVED AND ADOPTED by the Seminole County Charter Review Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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By: Ben Tucker  
Chairman, Seminole County  
Charter Review Commission



**RESOLUTION NO. 2**

**A RESOLUTION OF THE 2005-2006 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, PROPOSING AMENDMENT OF ARTICLE V OF THE SEMINOLE COUNTY HOME RULE CHARTER TO INCLUDE PROVISIONS WHICH PROHIBIT: (1) CERTAIN LOBBYING BY SEMINOLE COUNTY COMMISSIONERS; (2) BIDDING BY THE SEMINOLE COUNTY TAX COLLECTOR OR HIS OR HER EMPLOYEES ON TAX CERTIFICATE SALES; AND (3) CERTAIN OFFICIALS AND THEIR EMPLOYEES FROM ACCEPTING COMPENSATION FOR WORKING IN OTHER'S ELECTION CAMPAIGNS; AND WHICH PROVIDE FOR DEFINITIONS; FOR ENFORCEMENT; FOR MAKING CONFORMING CHANGES IN THE CHARTER TO ADDRESS COVERAGE OF THE CONSTITUTIONAL OFFICERS; FOR A REFERENDUM; FOR AN EFFECTIVE DATE; FOR INTENT; AND FOR SUBMISSION TO THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA.**

WHEREAS, Section 4.2(B), Seminole County Home Rule Charter provides that a Charter Review Commission periodically shall review the Charter, and propose amendments which may be advisable for placement on the general election ballot for voter approval, and

WHEREAS, hearings have been held to inform the public and receive suggestions regarding this and other amendments proposed to be made to the Seminole County Home Rule Charter; and

WHEREAS, the Seminole County Home Rule Charter provides Seminole County with all powers of local self-government not inconsistent with the Constitution and laws of Florida, and,

WHEREAS, passage of this Resolution will allow the residents of Seminole County to adopt or reject the Amendment proposed herein at a special election in conjunction with the general election to be held on November 7, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE 2005-2006 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, that:

Section 1 – Adoption of Amendments:

Subject to the approval of the electors at a special election to be held in conjunction with the general election on November 7, 2006, as required by the Constitution, Laws of Florida and Section 4.2(B) of the Seminole County Home Rule Charter, the Seminole County Home Rule Charter is amended ~~at~~ in Articles II, III and V to read:

Article II. Organization of County Government

Section 2.2(E) Administrative Code

The Board of County Commissioners shall adopt an Administrative Code in accordance with general law within twelve (12) months of the effective date of this Charter.

- (1) The Administrative Code shall organize the administration of county government and set forth the duties and responsibilities and powers of all county officials and agencies.
- (2) Except as specifically provided elsewhere in this Charter, the Administrative Code shall not apply to the elected Constitutional Officers.

...

Article III. Elected County Constitutional Offices

Section 3.1 Elected County Constitutional Offices

The offices of Sheriff, Property Appraiser, Tax Collector, Clerk of the Circuit Court and Supervisor of Elections shall remain as elected constitutional offices and the powers, duties and functions shall ~~not~~ be altered by this Home Rule Charter only to the extent specially provided in this Charter. ~~Except as otherwise provided in this Charter~~ The Constitutional officers shall perform their executive and administrative functions as specified by

general law, the State Constitution and in accordance with any specific provisions set forth in this Charter.

#### Article V Miscellaneous Provisions

##### Section 1.3 Conduct of Certain Officials and Employees

- A. Ordinance Requirements: On or before January 8, 2008, the Board of County Commissioners of Seminole County, shall, by ordinance (the "Ordinance"), establish an enhanced code of conduct for the Seminole County Board of County Commissioners and the Property Appraiser, Tax Collector, Clerk of the Circuit Court, Sheriff, and Supervisor of Elections (hereinafter collectively referred to as "Officials") and certain employees thereof, which shall be supplemental to, but may not diminish the provisions of general law, and which shall include, as a minimum, the following provisions:
- B. Prohibitions
1. No County Commissioner shall, during the term of his or her office, accept compensation from a person or entity, other than Seminole County, personally to communicate with an elected official of any municipality in Seminole County in order to influence any future action of that official in his or her government capacity.
  2. Neither the Tax Collector of Seminole County, nor any employee of the Tax Collector's office shall be permitted directly or indirectly to bid on any Seminole County tax certificate sales.
  3. No employee of an Official, and no employee of Seminole County government shall render services for compensation in order to aid in the election of any person who is running for election or re-election as an Official
- C. Enforcement: In addition to other enforcement measures available by general law, the Ordinance may include provisions establishing an ethics board to hear and determine charges, and prescribing penalties within the limits outlined by law. If the Board of County Commissioners deems violation of any of said provisions to be a criminal violation, it will provide for criminal penalties in said Ordinance and immediately following the effective date of this Charter provision shall enter into negotiations to compensate the legally appropriate prosecuting authority for costs to be associated with prosecution of any such provisions upon terms acceptable to any such prosecuting authority. The Board of County Commissioners shall also fund any necessary investigation costs and other enforcement costs associated with the Ordinance.

Section 2 – Referendum:

On November 7, 2006, a special election shall be held in accordance with the requirements of the Constitution and Laws of Florida, and Section 4.2(B)(5) Seminole County Home Rule Charter in conjunction with the general election. The ballot pertaining to this proposed Charter Amendment shall read as follows:

**Ballot language to be added.**

Section 3 – Effective Date and Intent:

If approved by a majority of electors voting on the matter, this Charter Amendment shall become effective on November 7, 2006, and shall be incorporated into the Charter with any necessary renumbering or re-lettering of its provisions.

With respect to the new language proposed to be added to the Charter at Article V B, the Charter Review Commission expressly declares that its intent is not to regulate the political speech or participation in campaigns by employees during their off duty hours, but rather to minimize any conflicting interests that could arise by virtue of accepting compensation for both government employment and for such outside campaign obligations.

Section 4 – Submission to the Board of County Commissioners of Seminole County, Florida:

This Resolution and proposed amendment shall be delivered to the Board of County Commissioners of Seminole County, Florida, in accordance with Section 4.2(B)(5), Seminole County Home Rule Charter, for placement on the general election ballot to be held November 7, 2006.

APPROVED AND ADOPTED by the Seminole County Charter Review Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
By: Ben Tucker  
Chairman, Seminole County  
Charter Review Commission



**RESOLUTION NO. 3**

**A RESOLUTION OF THE 2005-2006 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, PROPOSING AMENDMENT OF ARTICLE V OF THE SEMINOLE COUNTY HOME RULE CHARTER TO (1) PROHIBIT CERTAIN GIFTS TO OFFICIALS (OR ANY OF THEIR RELATIVES);(2) PROHIBIT ATTEMPTS BY OFFICIALS TO INFLUENCE ACTIONS COMING BEFORE THEIR AGENCY WHICH COULD RESULT IN SPECIAL PRIVATE GAIN TO THE OFFICIALS OR THEIR RELATIVES; AND (3) TO PROVIDE FOR ENFORCEMENT; FOR DEFINITIONS; FOR EXCEPTIONS; FOR MAKING CONFORMING CHANGES IN THE CHARTER TO ADDRESS COVERAGE OF THE CONSTITUTIONAL OFFICERS WITH RESPECT TO THE ETHICS PROVISIONS; FOR A REFERENDUM; FOR AN EFFECTIVE DATE; AND FOR SUBMISSION TO THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA.**

WHEREAS, Section 4.2(B), Seminole County Home Rule Charter provides that a Charter Review Commission periodically shall review the Charter, and propose amendments which may be advisable for placement on the general election ballot for voter approval, and

WHEREAS, hearings have been held to inform the public and receive suggestions regarding this and other amendments proposed to be made to the Seminole County Home Rule Charter; and

WHEREAS, the Seminole County Home Rule Charter provides Seminole County with all powers of local self-government not inconsistent with the Constitution and laws of Florida, and,

WHEREAS, passage of this Resolution will allow the residents of Seminole County to adopt or reject the Amendment proposed herein at a special election in conjunction with the general election to be held on November 7, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE 2005-2006 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, that:

Section 1 – Adoption of Amendments:

Subject to the approval of the electors at a special election to be held in conjunction with the general election on November 7, 2006, as required by the Constitution, Laws of Florida and Section 4.2(B) of the Seminole County Home Rule Charter, the Seminole County Home Rule Charter is amended at Articles II, III and V to read:

Article II. Organization of County Government

Section 2.2(E) Administrative Code

The Board of County Commissioners shall adopt an Administrative Code in accordance with general law within twelve (12) months of the effective date of this Charter.

- (1) The Administrative Code shall organize the administration of county government and set forth the duties and responsibilities and powers of all county officials and agencies.
- (2) Except as specifically provided elsewhere in this Charter, the Administrative Code shall not apply to the elected Constitutional Officers.

...

Article III. Elected County Constitutional Offices

Section 3.1 Elected County Constitutional Offices

The offices of Sheriff, Property Appraiser, Tax Collector, Clerk of the Circuit Court and Supervisor of Elections shall remain as elected constitutional offices and the powers, duties and functions shall ~~not~~ be altered by this Home Rule Charter only to the extent specially provided in this Charter. ~~Except as otherwise provided in this Charter~~ The Constitutional officers shall perform their executive and administrative functions as specified by

general law, the State Constitution and in accordance with any specific provisions set forth in this Charter.

#### Article V Miscellaneous Provisions

##### Section 1.4 Conduct of Certain Officials their Employees, and Others Regarding Gifts and Conflicts of Interest

- A. Ordinance Requirements: On or before January 8, 2008, the Board of County Commissioners of Seminole County, shall, by ordinance (the "Ordinance"), establish a code of conduct for the Seminole County Board of County Commissioners and the Property Appraiser, Tax Collector, Clerk of the Circuit Court, Sheriff, and Supervisor of Elections (hereinafter collectively referred to as "Officials") and certain employees thereof, which shall be supplemental to, but may not diminish the provisions of general law, and which shall include at a minimum the following provisions:
- B. No person shall make a gift to an Official or a "Relative" of an Official, (as "Relative" is defined by Florida Statutes, Chapter 112.3143, as amended), nor shall any Official or Relative accept a gift, which is intended to influence the outcome of any matter that may be pending before said Official, or is otherwise given with the expectation of favorable treatment from the Official in his or her governmental capacity with respect to any matter. Such exceptions as deemed reasonable and necessary may be included in the Ordinance.
- C. No Official shall attempt to influence in any way the outcome of any matter coming before his or her agency which, if approved, would inure to the special private benefit of the Official or his or her Relative.
- D. Enforcement: In addition to other enforcement measures available by general law, the Ordinance may include provisions establishing an ethics board to hear and determine charges, and prescribing penalties within the limits outlined by law. If the Board of County Commissioners deems violation of any of said provisions to be a criminal violation, it will provide for criminal penalties in said Ordinance and immediately following the effective date of this Charter provision shall enter into negotiations to compensate the legally appropriate prosecuting authority for costs to be associated with prosecution of any such provisions upon terms acceptable to any such prosecuting authority. The Board of County Commissioners shall also fund any necessary investigation costs and other enforcement costs associated with the Ordinance.

Section 2 – Referendum:

On November 7, 2006, a special election shall be held in accordance with the requirements of the Constitution and Laws of Florida, and Section 4.2(B)(5) Seminole County Home Rule Charter in conjunction with the general election. The ballot pertaining to this proposed Charter Amendment shall read as follows:

**Ballot language to be added.**

Section 3 – Effective Date:

If approved by a majority of electors voting on the matter, this Charter Amendment shall become effective on November 7, 2006, and shall be incorporated into the Charter with any necessary renumbering or re-lettering of its provisions.

Section 4 – Submission to the Board of County Commissioners of Seminole County, Florida:

This Resolution and proposed amendment shall be delivered to the Board of County Commissioners of Seminole County, Florida, in accordance with Section 4.2(B)(5), Seminole County Home Rule Charter, for placement on the general election ballot to be held November 7, 2006.

APPROVED AND ADOPTED by the Seminole County Charter Review Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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By: Ben Tucker  
Chairman, Seminole County  
Charter Review Commission



**RESOLUTION NO. 4**

**A RESOLUTION OF THE 2005-2006 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, PROPOSING AMENDMENT OF ARTICLE V OF THE SEMINOLE COUNTY HOME RULE CHARTER TO PROVIDE: NEW REQUIREMENTS OF FULL DISCLOSURE OF OWNERSHIP OF PROPERTY WHICH IS THE SUBJECT OF LAND USE APPROVALS IN SEMINOLE COUNTY, FLORIDA; FOR ENFORCEMENT PROVISIONS; FOR A REFERENDUM; FOR AN EFFECTIVE DATE; AND FOR SUBMISSION TO THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA.**

WHEREAS, Section 4.2(B), Seminole County Home Rule Charter provides that a Charter Review Commission periodically shall review the Charter, and propose amendments which may be advisable for placement on the general election ballot for voter approval, and

WHEREAS, hearings have been held to inform the public and receive suggestions regarding this and other amendments proposed to be made to the Seminole County Home Rule Charter; and

WHEREAS, the Seminole County Home Rule Charter provides Seminole County with all powers of local self-government not inconsistent with the Constitution and laws of Florida, and,

WHEREAS, passage of this Resolution will allow the residents of Seminole County to adopt or reject the Amendment proposed herein at a special election in conjunction with the general election to be held on November 7, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE 2005-2006 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, that:

Section 1 – Adoption of Amendments:

Subject to the approval of the electors at a special election to be held in conjunction with the general election on November 7, 2006, as required by the Constitution, Laws of Florida and Section 4.2(B) of the Seminole County Home Rule Charter, the Seminole County Home Rule Charter is amended at Article V to read:

Article V Miscellaneous Provisions

Section 1.5 Ethics

Ordinance Requirements: On or before January 8, 2008, the Board of County Commissioners of Seminole County, shall, by ordinance (the “Ordinance”), require compliance with the following provisions, which shall be supplemental to, but may not diminish the provisions of general law:

- A. Each person or entity applying for rezoning, comprehensive plan amendment, special exception or variance in unincorporated Seminole County, shall be required to, and shall disclose the true ownership interests in any real property affected, and shall further disclose in the application the names of all true parties in interest in any corporation, trust, partnership, or other legal entity which is referenced in the application (other than entities which are traded on a national exchange or a minority interest representing less than 2% of the whole). The Ordinance shall provide penalties for violation of this subsection and, in addition to any financial or criminal penalties, the Ordinance shall, in order that no person may benefit from a violation, provide that any rezoning or comprehensive plan amendment, special exceptions or variances obtained in violation of this subsection shall be rescinded.
  
- B. Enforcement: In addition to other enforcement measures available by general law, the Ordinance may include provisions establishing an ethics board to hear and determine charges, and prescribing penalties within the limits outlined by law. If the Board of County Commissioners deems violation of any of said provisions to be a criminal violation, it will provide for criminal penalties in said Ordinance and immediately following the effective date of this Charter provision shall enter into negotiations to compensate the legally appropriate prosecuting authority for costs to be associated with prosecution of any such provisions upon terms acceptable to any such prosecuting authority. The Board of County Commissioners shall also fund any necessary investigation costs and other enforcement costs associated with the Ordinance.

Section 2 – Referendum:

On November 7, 2006, a special election shall be held in accordance with the requirements of the Constitution and Laws of Florida, and Section 4.2(B)(5) Seminole County Home Rule Charter in conjunction with the general election. The ballot pertaining to this proposed Charter Amendment shall read as follows:

**Ballot language to be added.**

Section 3 – Effective Date:

If approved by a majority of electors voting on the matter, this Charter Amendment shall become effective on November 7, 2006, and shall be incorporated into the Charter with any necessary renumbering or re-lettering of its provisions.

Section 4 – Submission to the Board of County Commissioners of Seminole County, Florida:

This Resolution and proposed amendment shall be delivered to the Board of County Commissioners of Seminole County, Florida, in accordance with Section 4.2(B)(5), Seminole County Home Rule Charter, for placement on the general election ballot to be held November 7, 2006.

APPROVED AND ADOPTED by the Seminole County Charter Review Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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By: Ben Tucker  
Chairman, Seminole County  
Charter Review Commission



**RESOLUTION NO. 5**

**A RESOLUTION OF THE 2005-2006 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, PROPOSING AMENDMENT OF ARTICLE II OF THE SEMINOLE COUNTY HOME RULE CHARTER BY ADDING NEW SECTIONS TO PROVIDE: THAT THE FUNCTIONS AND DUTIES NOW PRESCRIBED BY THE FLORIDA CONSTITUTION TO THE CLERK OF CIRCUIT COURT WHICH RELATE TO CLERK'S DUTIES AS AUDITOR OF COUNTY FUNDS BE TRANSFERRED TO A NEWLY CREATED AUDITOR POSITION SERVING AT THE PLEASURE OF THE BOARD OF COUNTY COMMISSIONERS; FOR POWERS, DUTIES AND QUALIFICATIONS OF SAID AUDITOR; FOR THE CLERK'S DUTIES NOW PRESCRIBED BY THE CONSTITUTION TO THE CLERK OF CIRCUIT COURT WHICH RELATE TO CUSTODIAN OF COUNTY FUNDS TO BE TRANSFERRED TO THE COUNTY MANAGER; FOR CONFORMING CHANGES TO SECTION 2.2(E) AND 3.1 OF THE CHARTER; FOR A REFERENDUM; FOR AN EFFECTIVE DATE; FOR INTENT; AND FOR SUBMISSION TO THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA.**

WHEREAS, Section 4.2(B), Seminole County Home Rule Charter provides that a Charter Review Commission shall review the Charter, and propose amendments which may be advisable for placement on the general election ballot for voter approval, and

WHEREAS, hearings have been held to inform the public and receive suggestions regarding this and other amendments proposed to be made to the Seminole County Home Rule Charter; and

WHEREAS, the Seminole County Home Rule Charter provides Seminole County with all powers of local self-government not inconsistent with the Constitution and laws of Florida, and,

WHEREAS, passage of this Resolution will allow the residents of Seminole County to adopt or reject the Amendment proposed herein at a special election in conjunction with the general election to be held on November 7, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE 2005-2006 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, that:

Section 1 – Adoption of Amendments:

Subject to the approval of the electors at a special election to be held in conjunction with the general election on November 7, 2006, as required by the Constitution, Laws of Florida and Section 4.2(B) of the Seminole County Home Rule Charter, the Seminole County Home Rule Charter is amended at Articles II and III to read:

Article II. Organization of County Government

Section 2.2(E) Administrative Code

The Board of County Commissioners shall adopt an Administrative Code in accordance with general law within twelve (12) months of the effective date of this Charter.

- (1) The Administrative Code shall organize the administration of county government and set forth the duties and responsibilities and powers of all county officials and agencies.
- (2) Except as specifically provided elsewhere in this charter, the Administrative Code shall not apply to the elected Constitutional Officers.

...

Section 2.5 Clerk Function

A. CREATION OF COUNTY AUDITOR: The office of County Auditor (hereinafter “Auditor”) is hereby created, to be fully in place by October 1, 2007. The functions and duties now prescribed by the Constitution and laws of Florida for the office of the Clerk of the Circuit Court which relate to the Clerk’s duties as auditor of county funds shall be transferred to the Auditor as of October 1, 2007. The County Commission shall appoint as Auditor a person who is a Certified Public Accountant or such other person as is similarly qualified by education or experience in governmental accounting,

internal auditing practices, and fiscal controls. The Auditor shall serve at the pleasure of the County Commission and shall report directly to it. The Auditor shall be responsible for the maintenance of internal financial controls and for the performance of such other duties assigned by the County Commission. To the degree necessary to fulfill the responsibilities of the office, the Auditor shall have the power and authority to:

(1) Conduct financial, compliance, efficiency and performance audits of Seminole County government, with written reports submitted directly to the County Commission.

(2) Have free and unrestricted access to County government employees, officials, records and reports, and, where appropriate, require all branches, departments, and officials of County government to provide oral and written reports and to produce documents, files and other financial records.

- B. FINANCE FUNCTION. The functions and duties now prescribed by the Constitution and laws of Florida for the Clerk of the Circuit Court which relate to the Clerk's duties as custodian of County funds shall be transferred to the County Manager as of October 1, 2007.

### Article III. Elected County Constitutional Officers

#### Section 3.1 Elected County Constitutional Offices

The offices of Sheriff, Property Appraiser, Tax Collector, Clerk of the Circuit Court and Supervisor of Elections shall remain as elected constitutional offices and the powers, duties and functions shall ~~not~~ be altered by this Home Rule Charter only to the extent specially provided in this Charter. ~~Except as otherwise provided in this Charter~~ The Constitutional officers shall perform their executive and administrative functions as specified by general law, the State Constitution and in accordance with any specific provisions set forth in this Charter.

#### Section 2 – Referendum:

On November 7, 2006, a special election shall be held in accordance with the requirements of the Constitution and Laws of Florida, and Section 4.2(B)(5) Seminole County Home Rule Charter in conjunction with the general election. The ballot pertaining to this proposed Charter Amendment shall read as follows:

**Ballot language to be added.**

Section 3 – Effective Date and Intent:

If approved by a majority of electors voting on the matter, this Charter Amendment shall become effective on November 7, 2006, and shall be incorporated into the Charter with any necessary renumbering or re-lettering of its provisions.

With respect to the revision to Article II at Section 2.5B of the Charter, the Charter Review Commission expressly declares that its intent is that those financial aspects of the Clerk's duties as ex-officio clerk to the Board of County Commissioners, (including the approval for expenditure/"pre-audit" function) be transferred to the County Manager the newly created County Auditor be deemed to be the "appropriate executive officer" to conduct the internal audit function.

Section 4 – Submission to the Board of County Commissioners of Seminole County, Florida:

This Resolution and proposed amendment shall be delivered to the Board of County Commissioners of Seminole County, Florida, in accordance with Section 4.2(B)(5), Seminole County Home Rule Charter, for placement on the general election ballot to be held November 7, 2006.

APPROVED AND ADOPTED by the Seminole County Charter Review Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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By: Ben Tucker  
Chairman, Seminole County  
Charter Review Commission



**RESOLUTION NO. 6**

**A RESOLUTION OF THE CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, PROPOSING AMENDMENT OF ARTICLE II OF THE SEMINOLE COUNTY HOME RULE CHARTER TO PROVIDE FOR: ADDING A NEW SECTION TO CREATE A VOLUNTEER ADVISORY AUDIT COMMITTEE; FOR SETTING FORTH THE POWERS, DUTIES, TERMS AND QUALIFICATIONS OF SAID AUDIT COMMITTEE; FOR CONFORMING CHANGES TO SECTION 2.2(E) AND 3.1 OF THE CHARTER; FOR A REFERENDUM; FOR AN EFFECTIVE DATE; FOR INTENT; AND FOR SUBMISSION TO THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA.**

WHEREAS, Section 4.2(B), Seminole County Home Rule Charter provides that a Charter Review Commission periodically shall review the Charter, and propose amendments which may be advisable for placement on the general election ballot for voter approval, and

WHEREAS, hearings have been held to inform the public and receive suggestions regarding this and other amendments proposed to be made to the Seminole County Home Rule Charter; and

WHEREAS, the Seminole County Home Rule Charter provides Seminole County with all powers of local self-government not inconsistent with the Constitution and laws of Florida, and,

WHEREAS, passage of this Resolution will allow the residents of Seminole County to adopt or reject the Amendment proposed herein at a special election in conjunction with the general election to be held on November 7, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE 2005-2006 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, that:

Section 1 – Adoption of Amendments:

Subject to the approval of the electors at a special election to be held in conjunction with the general election on November 7, 2006, as required by the Constitution, Laws of Florida and Section 4.2(B) of the Seminole County Home Rule Charter, the Seminole County Home Rule Charter is amended at Articles II and III ~~and V~~ to read:

Article II. Organization of County Government

Section 2.2(E) Administrative Code

The Board of County Commissioners shall adopt an Administrative Code in accordance with general law within twelve (12) months of the effective date of this Charter.

- (1) The Administrative Code shall organize the administration of county government and set forth the duties and responsibilities and powers of all county officials and agencies.
- (2) Except as specifically provided elsewhere in this Charter, the Administrative Code shall not apply to the elected Constitutional Officers.

...

Section 2.5 Creation of Audit Committee

- A. PURPOSE, SCOPE AND POWERS OF AUDIT COMMITTEE: On or before October 1, 2007, the Board of County Commissioners shall, by ordinance, provide for creation and funding of reasonable expenses for an Audit Committee, (the “Committee”), to act as an oversight board to broaden the coverage of, and to enhance the effectiveness of internal audit functions with respect to the collection and expenditure of public funds, and to ensure prompt consideration of audit findings and implementation of corrective action where appropriate.
- B. COMMITTEE STRUCTURE: The Committee shall be a volunteer advisory board to the Board of County Commissioners (“the Commission”), with two voting members selected by majority vote of the Commission, and the remaining five may be chosen, one each, by the Sheriff, Tax Collector, Property Appraiser, Supervisor of Elections and Clerk of Circuit Court at their option (“the Constitutional

Officers’). If any of the Constitutional Officers elects not to choose a member, that member will be chosen by majority vote of the Commission. Members shall be residents of Seminole County not employed by Seminole County, and members shall have no regular business dealings with the County. In appointing individuals to serve on the Committee, the Constitutional Officers and/or the County Commissioners shall consider the County’s commitment to diversity, and shall select professionals with backgrounds in accounting and finance. The Committee shall report directly to the Board of County Commissioners.

- C. TERMS OF COMMITTEE: The term of service for Committee members shall be for two fiscal years. Committee members appointed by the Commission will serve initial terms of two years, and Committee members appointed by Constitutional Officers will serve initial terms of three years. After each member’s initial term, all memberships will be for a two year term. There shall be a maximum of two (2) terms or four (4) years, whichever is greater.

Article III. Elected County Constitutional Offices  
Section 3.1 Elected County Constitutional Offices

The offices of Sheriff, Property Appraiser, Tax Collector, Clerk of the Circuit Court and Supervisor of Elections shall remain as elected constitutional offices and the powers, duties and functions shall ~~not~~ be altered by this Home Rule Charter only to the extent specially provided in this Charter. ~~Except as otherwise provided in this Charter~~ The Constitutional officers shall perform their executive and administrative functions as specified by general law, the State Constitution and in accordance with any specific provisions set forth in this Charter.

Section 2 – Referendum:

On November 7, 2006, a special election shall be held in accordance with the requirements of the Constitution and Laws of Florida, and Section 4.2(B)(5) Seminole County Home Rule Charter in conjunction with the general election. The ballot pertaining to this proposed Charter Amendment shall read as follows:

**Ballot language to be added.**

Section 3 – Effective Date and Intent:

If approved by a majority of electors voting on the matter, this Charter Amendment shall become effective on November 7, 2006, and shall be incorporated into the Charter with any necessary renumbering or relettering of its provisions.

With respect to the revision of Article II at Section 2.5 of the Charter, the Charter Review Commission expressly declares that its intent is to direct the Audit Committee to create its own charter which addresses the specific accounting standards and guidelines to be used in the performance of the committee's duties using the guidance provided by the American Institute of Certified Public Accountants Model Charter Matrix for Audit Committees for Governmental Entities.

It is the intent of the Charter Review Commission that the Audit Committee shall be a technical resource to the Board of County Commissioners with no independent audit authority.

Section 4 – Submission to the Board of County Commissioners of Seminole County, Florida:

This Resolution and proposed amendment shall be delivered to the Board of County Commissioners of Seminole County, Florida, in accordance with Section 4.2(B)(5), Seminole County Home Rule Charter, for placement on the general election ballot to be held November 7, 2006.

APPROVED AND ADOPTED by the Seminole County Charter Review Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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By: Ben Tucker  
Chairman, Seminole County  
Charter Review Commission



## RESOLUTION NO. 7

**A RESOLUTION OF THE 2005-2006 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, PROPOSING AMENDMENT OF ARTICLE V OF THE SEMINOLE COUNTY HOME RULE CHARTER TO PROVIDE FOR: ADDING A NEW SECTION WHICH INCLUDES THE SHERIFF, PROPERTY APPRAISER, TAX COLLECTOR, CLERK OF THE CIRCUIT COURT AND SUPERVISOR OF ELECTIONS WITHIN THE SCOPE OF INTERNAL AUDITS CONDUCTED BY THE PERSON DESIGNATED BY THE CHARTER TO PERFORM AUDITS WITH RESPECT TO COUNTY FUNDS; FOR CONFORMING CHANGES TO SECTION 2.2(E) AND 3.1 OF THE CHARTER; FOR A REFERENDUM; FOR AN EFFECTIVE DATE; AND FOR SUBMISSION TO THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA.**

WHEREAS, Section 4.2(B), Seminole County Home Rule Charter provides that a Charter Review Commission periodically shall review the Charter, and proposed amendments which may be advisable for placement on the general election ballot for voter approval, and

WHEREAS, hearings have been held to inform the public and receive suggestions regarding this and other amendments proposed to be made to the Seminole County Home Rule Charter; and

WHEREAS, the Seminole County Home Rule Charter provides Seminole County with all powers of local self-government not inconsistent with the Constitution and laws of Florida, and,

WHEREAS, passage of this Resolution will allow the residents of Seminole County to adopt or reject the Amendment proposed herein at a special election in conjunction with the general election to be held on November 7, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE 2005-2006 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, that:

Section 1 – Adoption of Amendments:

Subject to the approval of the electors at a special election to be held in conjunction with the general election on November 7, 2006, as required by the Constitution, Laws of Florida and Section 4.2(B) of the Seminole County Home Rule Charter, the Seminole County Home Rule Charter is amended at Article II, III and V to read:

Article II. Organization of County Government

Section 2.2(E) Administrative Code

The Board of County Commissioners shall adopt an Administrative Code in accordance with general law within twelve (12) months of the effective date of this Charter.

- (1) The Administrative Code shall organize the administration of county government and set forth the duties and responsibilities and powers of all county officials and agencies.
- (2) Except as specifically provided elsewhere in this Charter, the Administrative Code shall not apply to the elected Constitutional Officers.

Article III. Elected County Constitutional Offices

Section 3.1 Elected County Constitutional Offices

The offices of Sheriff, Property Appraiser, Tax Collector, Clerk of the Circuit Court and Supervisor of Elections shall remain as elected constitutional offices and the powers, duties and functions shall ~~not~~ be altered by this Home Rule Charter only to the extent specially provided in this Charter. ~~Except as otherwise provided in this Charter~~ The Constitutional officers shall perform their executive and administrative functions as specified by general law, the State Constitution and in accordance with any specific provisions set forth in this Charter.

Article V Miscellaneous Provisions

Section 1.5 Audit of Constitutional Officers

The Constitutional Offices of Sheriff, Property Appraiser, Tax Collector, Clerk of the Circuit Court and Supervisor of Elections shall, as of October 1, 2007, be subject to internal audit with respect to County Funds (meaning those funds appropriated to each such Officer by the Board of County Commissioners of Seminole County) to the same extent, and by any person or entity designated in any other section of this Charter to conduct internal audits of Seminole County government. A copy of each such audit shall be provided to the affected Constitutional Officer and to the Board of County Commissioners. For purposes of this provision, County Funds shall mean: (1) those funds appropriated to each such Constitutional Officer by the Board of County Commissioners of Seminole County; and (2) any other receipts of funds by such Constitutional Officer not subject to separate audit.

Section 2 – Referendum:

On November 7, 2006, a special election shall be held in accordance with the requirements of the Constitution and Laws of Florida, and Section 4.2(B)(5) Seminole County Home Rule Charter in conjunction with the general election. The ballot pertaining to this proposed Charter Amendment shall read as follows:

**Ballot language to be added.**

Section 3 – Effective Date:

If approved by a majority of electors voting on the matter, this Charter Amendment shall become effective on November 7, 2006, and shall be incorporated into the Charter with any necessary renumbering or relettering of its provisions.

Section 4 – Submission to the Board of County Commissioners of Seminole County, Florida:

This Resolution and proposed amendment shall be delivered to the Board of County Commissioners of Seminole County, Florida, in accordance with Section 4.2(B)(5), Seminole County Home Rule Charter, for placement on the general election ballot to be held November 7, 2006.

APPROVED AND ADOPTED by the Seminole County Charter Review Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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By: Ben Tucker  
Chairman, Seminole County  
Charter Review Commission



**Question 1 Ballot Title-**

Setting of County Commissioner's Salaries by county ordinance

**Question 1 Ballot Summary-**

Shall the Seminole County Charter be revised to require that the salaries of Seminole County Commissioners be set by county ordinance (approved at a public hearing, with increases not to exceed the U.S. Consumer Price Index and any salary increases not to be effective until the first day of January in the year following the increase) rather than by the current method of utilizing the statutory salary formula applicable to non-charter counties?

YES \_\_\_\_\_

NO \_\_\_\_\_

**Question 2 Ballot Title-**

Commissioner lobbying, tax collector bidding on tax certificate sales and campaign employment by Official's employees

**Question 2 Ballot Summary**

Shall the Seminole County Charter be revised to require a county ordinance (with enforcement, finding and conforming changes) which prohibits: (1) personal communication for non-county compensation by County Commissioners accepting non-county compensation for personal communication to influence elected officials of Seminole County municipalities; (2) bidding by Tax Collector or its employees bidding on tax certificate sales; (3) employees of "Officials" (meaning County Commissioners, Property Appraiser, Tax Collector, Clerk, Sheriff and Supervisor of Elections) from working on any Official's campaign for compensation; providing for conforming changes, enforcement and funding? accepting compensation to work (including off duty hours) on campaigns for Official's offices?

YES \_\_\_\_\_

NO \_\_\_\_\_

**Question 3 Ballot Title-**

Prohibitions on gifts to Officials in certain circumstances and Official's influencing matters for private gain

**Question 3 Ballot Summary**

Shall the Seminole County Charter be revised to require a county ordinance which prohibits: "Officials" (meaning County Commissioners, Property Appraiser, Tax Collector, Clerk, Sheriff and Supervisor of Elections) or their Relatives from: (1) accepting gifts intended to influence them or gift donors special treatment on matters before said Officials; and (2) attempting to influence matters coming before them for private gain; providing for conforming changes, enforcement and funding?

YES \_\_\_\_\_  
NO \_\_\_\_\_

**Question 4 Ballot Title-**

Requiring disclosure of ownership interests for county land use applications

**Question 4 Ballot Summary**

Shall the Seminole County Charter be revised to require a county ordinance which requires disclosure of true ownership interests in real property that is the subject of rezoning, comprehensive plan amendment, special exception or variance application requests in unincorporated Seminole County and disclosure of true parties in interest of any corporation, trust, partnership or other entity referenced in said application; providing for conforming changes, enforcement (including rescission of land use approvals for violations) and funding?

YES \_\_\_\_\_  
NO \_\_\_\_\_

**Question 5 Ballot Title-**

Transfer of Clerk's function as auditor and custodian of county funds

**Question 5 Ballot Summary**

Shall the Seminole County Charter be revised to transfer: (1) the Clerk's current constitutional functions as auditor of county funds, to a newly created County Auditor, qualified in governmental accounting, answering to the County Commission, authorized to conduct audits and access county employers and information, and required to provide written reports to the County Commission; and (2) the Clerk's constitutional functions as custodian of county funds to the county manager; providing for conforming changes?

YES \_\_\_\_\_  
NO \_\_\_\_\_

**Question 6 Ballot Title-**

Creation of a Volunteer Advisory Audit Committee

**Question 6 Ballot Summary**

Shall the Seminole County Charter be revised to require an ordinance creating and funding a volunteer advisory audit committee to broaden the coverage and effectiveness of internal audit of public funds function; ensure prompt consideration of audit findings and corrective action; providing terms, conforming changes, method of appointment (two by County Commission, remaining five each at option of Sheriff, Tax Collector, Property Appraiser, Supervisor of Elections and Clerk, with default appointment by County Commission)?

YES \_\_\_\_\_  
NO \_\_\_\_\_

**Question 7 Ballot Title-**

Constitutional Officers subject to internal audit for certain county funds

**Question 7 Ballot Summary**

Shall the Seminole County Charter be revised to require that the Constitutional Officers (meaning Sheriff, Property Appraiser, Tax Collector, Clerk and Supervisor of Elections) be subject to internal audit, to the same extent, and by any person or entity designated in any other section of the Charter to conduct internal audits of Seminole County government with respect to county funds appropriated by the County Commission or not subject to separate audit; providing conforming changes?

YES \_\_\_\_\_

NO \_\_\_\_\_



**SEMINOLE COUNTY  
CHARTER REVIEW COMMISSION  
PUBLIC HEARING TO BE HELD  
REGARDING POSSIBLE CHARTER  
AMENDMENTS  
JULY 13, 2006 AT 7:00 P.M.**

Notice is hereby given that at on Thursday, July 13, 2006, at 7:00 pm, as soon thereafter as possible, the Charter Review Commission will be conducting a public hearing at the Seminole County Services Building, 1101 East First Street, BCC Chambers, Sanford, Florida for the purpose of obtaining suggestions from the public regarding the following possible amendments to the Seminole County Home Rule Charter

(1) Amending Section 2.2c of the Charter to include changes that provide that salaries of County Commissioners shall be set by ordinance and salaries shall not exceed the percentage change in the US Consumer Price Index; (2) Adding a new provision that, as of October 1, 2007, creates a volunteer advisory Audit Committee which reports directly to the Board of County Commissioners, whose duties will include serving as an oversight board to enhance the effectiveness of internal audit functions with respect to the collection and expenditure of public funds and ensure prompt consideration of audit findings and implementation of corrective action when appropriate; setting forth the specifics of membership qualifications, committee composition and terms of said Audit Committee; (3) Creating a new provision that requires, as of October 1, 2007, the duties of the Clerk of Circuit Court which relate to auditor of county funds be transferred to a newly created Auditor position; setting forth qualification requirements and specific powers and duties of the Auditor, who will report directly to the Board of County Commissioners and have responsibilities that include conducting financial, compliance, efficiency and performance audits of the County government and officials, and allowing the Auditor access to employees, documents and all types of records and related information; further requiring that the functions and duties now prescribed by the constitution and laws of Florida to the Clerk of the Circuit Court which relate to the Clerk's duties as custodian of County funds shall be transferred to the County Manager as of October 1, 2007; (4) requiring that the Constitutional Officers likewise be subject to internal audit by the person designated with such responsibility by the Charter; (5) Creating new provisions related to ethics of the Board of County Commissioners and of Seminole County (the "Board") and Constitutional Officers (referred to collectively as "Officials") which require that the Board adopt an ordinance by January 1, 2008 including provisions prohibiting lobbying by County Commissioners, prohibiting gifts to Officials or their relatives in certain circumstances, prohibiting the Seminole County Tax Collector or his or her employees from bidding in tax

certificates sales, prohibiting said Officials' employees from rendering services for compensation to another such Official who may be running for public office, prohibiting Officials from attempting to influence the outcome of any matter coming before their agency which could inure to said Official's private benefit, requiring complete disclosure of the names of all parties with ownership interest in properties that are the subject of certain land use approval applications in Seminole County; requiring that the Board provide for enforcement mechanisms (and listing numerous enforcement options), and otherwise pay for investigation and other costs associated with enforcement; (6) providing for effective date, intent, referendum and other terms and provisions too numerous to mention herein.

Citizens are encouraged to provide comments to the Charter Review Commission either prior to or at the Public Hearing. Written materials may be mailed to Charter Review Commission, c/o Sharon Peters, Executive Assistant, County Services Building, Room 3004, 1101 East First Street, Sanford, Florida 32771, where copies of said draft proposed amendments may also be inspected by the public. Copies of said draft amendments are also available in the Clerk's office in the County Services Building. Citizens having questions regarding this public hearing may telephone Sharon Peters 407-665-7211. For additional information regarding this notice, please contact the County Manager's office at 407-665-7211. Persons with disabilities needing assistance to participate in any of these proceedings should contact the Human Resources Department ADA Coordinator 48 hours in advance of this hearing at 407-665-7941. Persons are advised that if they decide to appeal any decisions made at this hearing, they will need a record of the proceedings, and for such purpose they may need to ensure a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (Florida Statutes, Section 286.0105).

CHARTER REVIEW COMMISSION  
SEMINOLE COUNTY, FLORIDA

**PUBLISH:** **JULY 3, 2006**  
**Account No.: 037543004**