

SEMINOLE COUNTY, FLORIDA

COUNTY SERVICES BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
32771-1468



Meeting Minutes

Thursday, March 21, 2024

6:00 PM

BCC Chambers

Charter Review Commission

Call to Order/Roll Call

Present	Angela R. Fleming, Colleen Hufford, Emily Tallman, Michelle Smith, John Horan, Deborah Bauer, Nicole Martz, Marilyn E. Crotty, Robin Dehlinger, Russell "Rusty" Roberts, Scott Culp, Carissa Lawhun, and John Richardson
Absent	Tom O' Hanlon, and Sean Barth

Angela Fleming and John Horan attended virtually via Zoom.

Additional Attendees: Special Legal Counsel Senator David Simmons, Assistant County Manager Meloney Koontz, Assistant County Attorney Robby McHugh, and Deputy Clerk Chariti Guevara.

Vice Chairman Michelle Smith chaired the meeting since Chairman John Horan attended virtually.

Pledge of Allegiance

Rusty Roberts led the Pledge of Allegiance.

Approval of last meeting minutes

Minutes for the March 7, 2024 Charter Review Commission Meeting were not finalized and available for review.

Motion by Scott Culp, seconded by Nicole Martz, to table approval of the March 7, 2024, Charter Review Commission Meeting minutes.

All members in attendance voted AYE.

Other Business

1. Review and Consider Possible Charter Amendments [2024-0321](#)
 - a. Review draft wording for a New Section of the Charter to include a requirement of a supermajority of the BCC to allow for the sale, lease, or disposition of county-owned parks, trails, and conservation areas
 - b. Receive an update on SB 1420 and if this bill impacts charter commission lead amendments that may preempt development orders
 - c. Discuss amending Section 5.2 (B) Rural boundary removal by voters with 50% plus 1
 - d. Discuss amending Section 5.2 (C) Density or intensity in rural areas can be changed by a supermajority of the BCC

Ms. Martz requested they change the order of review and address Item B first because SB 1420 may impact a portion of the proposals.

Motion by Nicole Martz, seconded by Deborah Bauer, to change the order of review and address Item B first.

All members in attendance vote AYE.

Attorney Simmons provided an update on SB 1420 and answered questions from the CRC. Discussion followed.

Upon inquiry of Ms. Bauer, Assistant County Attorney Robby McHugh explained per Seminole County Ordinance #2021-38, natural lands inventory is currently zoned with the designation of public lands and institutions. That was done as an effort to be comprehensive to prohibit a rezone of natural lands to a different zoning class unless there was a supermajority vote of the BCC. Mr. McHugh commented, however, it is up to interpretation whether future boards would be bound by that requirement.

Ms. Martz commented the natural lands ordinance was not codified into the land development regulations. She inquired if changing the requirements for a rezoning would be considered changing a land development regulation. The zoning map is part of the Land Development Code (LDC); and when you change the zoning map, you're changing the LDC. They would be preempting the ability to do that with a simple majority by requiring a supermajority. She is concerned there is a legitimate argument that they are changing a land development regulation by making it a supermajority requirement.

Ms. Martz stated proposed language of Charter Section 5.6(a) states natural lands are the properties that are described in a resolution adopted by the BCC. She inquired if that resolution currently exists. Mr. McHugh responded he believes there is an inventory list of natural lands. Ms. Martz requested that be confirmed since this Charter amendment is about what lands are being protected. She inquired if that resolution itself could be amended by a simple majority, thereby you could take all of the natural lands out of that resolution and completely defeat the whole provision by changing the resolution with a simple majority.

Mr. McHugh advised he would do research and come back with more information at the next meeting.

Ms. Bauer suggested it would be helpful to have county staff from natural lands or parks and recreation present to speak to the CRC on what the current definitions are that are being used by staff in regards to these lands. Mr. McHugh advised they would try to have Parks and Recreation Director Rick Durr and Development Services Director Rebecca Hammock present at the next meeting.

Ms. Bauer stated in looking at the ordinance that created the Seminole Forever program, it refers to lands that can be procured by the county using that program. She is concerned about the wording in the proposed language that natural lands limits the scope of the effect of the proposed wording, and she would want to see more clear delineation so that any land that is acquired as part of the Seminole Forever program is protected. Mr. McHugh responded he has discussed that with Attorney Simmons. Seminole Forever absorbs part of the natural lands program. Natural Lands are part of that broader Seminole Forever program, but the natural lands themselves are distinct from other properties that the county holds. If they were to move forward with something like this, they would need to make a slight adjustment to be broader to include other properties.

Ms. Martz inquired if the word "dispose" in the proposed language was broad enough and what exactly it means. She inquired if it is defined in the ordinance, and Mr. McHugh confirmed it is not. Ms. Martz stated it would be a good idea to clarify the word "dispose." Attorney Simmons explained the term "transfer" in legal terminology is far broader than buy, sell, gift, or anything like that. He suggested "dispose or otherwise transfer" and also include in the language "all or any portion" to be broader. Ms. Martz requested adding a definition for dispose in the definition section. Ms. Crotty stated she would like the word "convert" included. Ms. Martz commented if they use the word "convert," they could take the zoning part out. If convert was a part of Paragraph B, instead of tying it to zoning, just converting might resolve the issue of the rezoning question. Ms. Martz stated they could define dispose and convert.

Motion by Scott Culp, seconded by Carissa Lawhun, to postpone making a decision on Items A and B to the next meeting.

All members in attendance voted AYE.

Attorney Simmons provided information on SB 1420 and Charter Sections 5.2 (B) and (C), Items C and D, and answered questions from the CRC. Discussion followed.

Ms. Bauer requested county staff research the Charter amendments to determine which, if any, were the result of proposals made by the County Commission as opposed to citizen initiative and/or the Charter Review Commission.

In regards to Section 5.2(B), Ms. Bauer inquired of Ms. Crotty if she was open to the idea of some other way to protect the rural boundary besides going to the voters. Ms. Crotty responded at a minimum it should be a supermajority vote of the BCC to remove land from the rural boundary, so under Section 5.2(B), she would be open to changing her recommendation to a supermajority vote.

Motion by Deborah Bauer, seconded by Colleen Hufford, to modify the language in Charter Section 5.2(B) to remove "rural boundary removal by the voters with 50% plus one" and add "rural boundary removal will require a supermajority vote of the BCC."

All members in attendance voted AYE.

Motion by Deborah Bauer, seconded by Carissa Lawhun, to table Items C and D pending an update provided by staff at the next meeting.

All members in attendance voted AYE.

Public Comment

There was no public comment.

Next scheduled meeting date

Ms. Koontz stated she would like everyone to understand where they are at on the meetings. They currently have meetings scheduled April 4 and April 17; public hearings, should they

move forward on an amendment, on May 2, 16, and June 6; and then there would be an opportunity for the CRC to come back and meet one time on June 20th and talk about anything they wanted to do and give their final resolutions to the BCC for the July 23rd BCC meeting so they can get them to the Supervisor of Elections in time. They can push the meeting a week and/or they can add meetings. She requested everyone think about that for discussion at the next meeting.

The next meeting is scheduled for April 7, 2024, at 6:00 p.m.

Adjournment

Motion by John Richardson, seconded by Scott Culp, to adjourn the meeting.

All members in attendance voted AYE.

There being no further business to come before the CRC, the Vice Chairman declared the meeting adjourned at 7:39 p.m., this same date.