

SEMINOLE COUNTY, FLORIDA

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



Meeting Minutes

Thursday, May 16, 2024

6:00 PM

2nd Public Hearing

BCC Chambers

Charter Review Commission

Call to Order/Roll Call

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

Rusty Roberts appeared via Teams remote technology. Angela Fleming joined the meeting at 6:10 p.m.

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.

Pledge of Allegiance

Sean Barth led the Pledge of Allegiance.

Approval of last meeting minutes

1. Minutes from Charter Review Commission Meeting on 5/2/2024 [2024-0665](#)

Motion by John Richardson, seconded by Sean Barth, to approve the May 2, 2024, Charter Review Commission meeting minutes.

All members in attendance voted AYE.

Other Business

2. Review Updated Meeting Schedule [2024-0666](#)

The Updated Meeting Schedule was not discussed.

Ms. Smith provided a synopsis of the Charter's history and purpose.

Unfinished Business from the Prior Meeting

Ms. Smith stated at the prior meeting the question was posed if there is the ability to amend or address changes at the end of the third public hearing, and she requested Attorney Simmons address that question.

Attorney Simmons explained Section 4.2(B)(4) of the Seminole County Home Rule Charter states "The Charter Review Commission shall hold at least three (3) public hearings at intervals of not less than 10 days nor more than 20 days on any proposed Charter amendment or revision, and no Charter amendment or revision shall be submitted to the electorate for adoption unless favorably voted upon by a majority of the entire membership of the Charter Review Commission." He stated the language for that particular section of the Charter appears to derive from Florida Statute 125.63, which deals with the initial commission that is put together. The language of Section 125.63 uses the same terminology about having three hearings at intervals of not less than 10 nor more than 20 days. The statute further says

"At the final hearing, the charter commission shall incorporate any amendments it deems desirable, vote upon a proposed charter, and forward said charter to the Board of County Commissioners for the holding of a referendum election as provided in Section 125.64." That concept is consistent with what he believes the CRC has adopted which is that the purpose of the required hearings is that at the conclusion of those hearings, the CRC would be able to make the appropriate revisions as they deem appropriate. Although that language is not contained in the Charter, the Charter seems to at least replicate the majority of Section 125.63, and it is clear that the language and the concept for revisions is similar to the initial adoption of a charter.

With that said, then what happens is the CRC is able to go through the hearing process listening to the interested electorate, take into consideration the comments that are made, and then at the conclusion of the hearing process be able to make appropriate amendments and revisions that the CRC feel would be appropriate. Robert's Rules of Order, which have been adopted by the CRC as the procedural mechanism for parliamentary process, would provide a mechanism for making changes to the two resolutions that are presently before the CRC.

Ms. Smith confirmed with Attorney Simmons that the statutory regulations allows the CRC to defer conversation and consideration until after the third public hearing.

Attorney Simmons stated with respect to the matters that are before the CRC and the discussions that were held, the issue becomes what would be the process. He believes there is the right that is inherent to deal with all the matters, including the matters that were raised at the last meeting. In regard to the question of whether they adopt a motion to reconsider, there are various rules with respect to motions to reconsider. As to the previously proposed third resolution (supermajority vote to change density and intensity in the rural areas) and how the CRC may want to deal with it, a motion to reconsideration must be made by someone who was a member on the prevailing side, but the seconder need not be made by a member who was on the prevailing side. The effect of the motion would be to suspend any effect of the matter under consideration until it's acted upon, which could be at the end of the hearings. Alternately, there could be a motion to delay consideration of all of the matters until the conclusion of the public hearings. Attorney Simmons opined someone would easily say the purpose of three hearings is to wait until the conclusion to make and incorporate any amendments that seems desirable and then vote upon them and then ultimately decide what it's going to send forward. Otherwise the hearings would not be needed.

There was brief discussion and it was determined the June 6th meeting would be the appropriate meeting to discuss any amendments.

Motion by Scott Culp, seconded by Tom O'Hanlon, to delay adoption and final vote on the resolutions.

All members in attendance voted AYE.

Public Hearings - Legislative

3. Resolution No. 1 Ballot Title: Requiring Supermajority vote by County Commissioners to transfer or change the use of Natural Lands

[2024-0663](#)

4. Resolution No. 2 Ballot Title: Requiring Supermajority vote by County Commissioners to remove lands from the County's Rural Area

[2024-0664](#)

Public Comment

With regard to public participation, the following spoke in support: Lee Patrizzi, Richard Creedon, Virginia Creedon, Mike Martin, Tracey Stebbons, Linda Raden, Pat Southward, Rick Roberts, Patricia Burkett, David Nash, Gary Carney, Wafa Esposito, Cindy Haller, and Fred Milch.

Joseph Kovecses, Jr., Esquire, spoke in opposition.

Lisa Zitani submitted written comment in support.

Public Comment Forms and Written Comment Forms were received and filed.

BCC Commissioner Lee Constantine addressed the CRC and thanked them for their work.

Next scheduled meeting date

The next scheduled public hearing of the Charter Review Commission is on May 30, 2024, at 6:00 p.m.

Adjournment

There being no further business to come before the CRC, the Vice Chairman declared the meeting at 7:00 p.m., this same date.