

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING OF AUGUST 8, 2006.

WHEREAS, the Seminole County Home Rule Charter provides in Section 4.2B for the appointment of a periodic Charter Review Commission to review and propose any amendments or revisions to the Charter that the Commission determines to be advisable; and

WHEREAS, the Charter Review Commission was timely appointed by the Board of County Commissioners of Seminole County (the "Board") and the Commission has timely submitted its report on July 25, 2006 to the Board; and

WHEREAS, the Charter Review Commission has proposed six (6) amendments or revisions to the Seminole County Home Rule Charter; and

WHEREAS, the sole duty of the Board of County Commissioners of Seminole County, Florida, with regard to such amendments, is to adopt a resolution placing such proposed amendments or revision on the next General Election ballot; and

WHEREAS, the Seminole County Supervisor of Elections is the elected constitutional officer who is the chief election officer of Seminole County and who is responsible for conducting elections in accordance with State law,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, THAT:

1. The six (6) resolutions adopted by the Seminole County Charter Review Commission each proposing an amendment or revision to the Seminole County Charter are incorporated herein as Exhibits A-F.

2. The Seminole County Supervisor of Elections shall place the six (6) ballot questions adopted by the Seminole County Charter Review Commission and attached hereto on the ballot at the General Election on November 7, 2006.

3. The Clerk of the Board of County Commissioners shall cause the notice required by Section 100.342, Florida Statutes (2006), to be published in accordance with law.

4. The Seminole County Attorney's Office shall provide a certified copy of this Resolution to the Clerk of each Seminole County municipality and request that the certified copy be made available to the public for review.

**ADOPTED** this 8<sup>th</sup> day of August, 2006.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
MARYANNE MORSE  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida.

By: \_\_\_\_\_  
CARLTON HENLEY, Chairman

Date: \_\_\_\_\_

Attachments:

- Exhibit A - Charter Review Commission Resolution No. 1
- Exhibit B - Charter Review Commission Resolution No. 2
- Exhibit C - Charter Review Commission Resolution No. 3
- Exhibit D - Charter Review Commission Resolution No. 4
- Exhibit E - Charter Review Commission Resolution No. 5
- Exhibit F - Charter Review Commission Resolution No. 6
- Attachment 1 - Charter Review Commission Ballot Language

RAM/lpk 7/26/06 - Resolution Home Rule Charter-3

EXHIBIT "A"

RESOLUTION NO. 1 PROPOSING CHARTER AMENDMENT

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 REVISING 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:

Shall the Seminole County Charter be revised to require that the salaries of Seminole County Commissioners be set by county ordinance at a public hearing, with increases, if any, 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?

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 13<sup>th</sup> day of July, 2006.

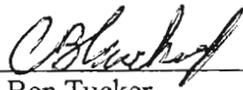
  
\_\_\_\_\_  
By: Ben Tucker  
Chairman, Seminole County  
Charter Review Commission

EXHIBIT "B"

RESOLUTION NO. 2 PROPOSING CHARTER AMENDMENT

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; AND (2) BIDDING BY THE SEMINOLE COUNTY TAX COLLECTOR OR HIS OR HER EMPLOYEES ON TAX CERTIFICATE SALES; 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.

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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 (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.
- C. Enforcement: In addition to other enforcement measures available by general law, the Ordinance may include provisions establishing a board to hear and determine charges, and prescribing penalties within the limits allowed by law. If the Ordinance provides that penalties for violations may include imprisonment, the Board of County Commissioners shall, immediately following adoption of the Ordinance, enter into negotiations to compensate the appropriate prosecuting authority for costs to be associated with prosecuting of any such provisions upon terms acceptable to 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:

**Shall the Seminole County Charter be revised to require a county ethics ordinance (with enforcement, funding and conforming changes) prohibiting:**

(1) County Commissioners accepting non-county compensation for personal communication to influence elected officials of Seminole County municipalities; and (2) Tax Collector or its employees bidding on Seminole County tax certificate sales?

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.

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 13<sup>th</sup> day of July, 2006.

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

RESOLUTION NO. 3 PROPOSING CHARTER AMENDMENT

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 as an owner (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 if such violation is asserted within the time allowed for appeal of the ordinance.
  
- B. Enforcement: In addition to other enforcement measures available by general law, the Ordinance may include provisions establishing a board to hear and determine charges, and prescribing penalties within the limits allowed by law. If the Ordinance provides that penalties for violations may include imprisonment, the Board of County Commissioners shall, immediately following adoption of the Ordinance, enter into negotiations to compensate the appropriate prosecuting authority for costs to be associated with prosecuting of any such provisions upon terms acceptable to such prosecuting authority. The Board of County Commissioners shall also fund any necessary investigation costs and other enforcement costs associated with the Ordinance.

C. 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:

**Shall the Seminole County Charter be revised to require a county ethics 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, including disclosure of true parties in interest of any corporation, trust, partnership or other entity referenced in said application; providing conforming changes, enforcement (including rescission of land use approvals for violations) and funding?**

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 13<sup>th</sup> day of July, 2006.

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

EXHIBIT "D"

RESOLUTION NO. 4 PROPOSING CHARTER AMENDMENT

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.

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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:

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 employees and information, and required to provide written reports to the County Commission; and (2) the Clerk's current constitutional functions as custodian of county funds to the County Manager; providing for conforming changes?

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.

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 13<sup>th</sup> day of July, 2006.

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

EXHIBIT "E"

RESOLUTION NO. 5 PROPOSING CHARTER AMENDMENT

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.

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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:

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)?

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 13<sup>th</sup> day of July, 2006.

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

**EXHIBIT "F"**

**RESOLUTION NO. 6 PROPOSING CHARTER AMENDMENT**

**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 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:

**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?**

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 13<sup>th</sup> day of July, 2006.



By: Ben Tucker  
Chairman, Seminole County  
Charter Review Commission

**Question 1 Ballot Title-**

Revising 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 at a public hearing, with increases, if any, 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-**

Ethics Ordinance regulating Commissioner lobbying and tax collector bidding on tax certificate sales

**Question 2 Ballot Summary**

Shall the Seminole County Charter be revised to require a county ethics ordinance (with enforcement, funding and conforming changes) prohibiting: (1) County Commissioners accepting non-county compensation for personal communication to influence elected officials of Seminole County municipalities; and (2) Tax Collector or its employees bidding on Seminole County tax certificate sales?

YES \_\_\_\_\_

NO \_\_\_\_\_

**Question 3 Ballot Title-**

Ethics Ordinance requiring disclosure of ownership interests for county land use applications

**Question 3 Ballot Summary**

Shall the Seminole County Charter be revised to require a county ethics 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, including disclosure of true parties in interest of any corporation, trust, partnership or other entity referenced in said application; providing conforming changes, enforcement (including rescission of land use approvals for violations) and funding?

YES \_\_\_\_\_

NO \_\_\_\_\_

**Question 4 Ballot Title-**

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

**Question 4 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 employees and information, and required to provide written reports to the County Commission; and (2) the Clerk's current constitutional functions as custodian of county funds to the County Manager; providing for conforming changes?

YES \_\_\_\_\_

NO \_\_\_\_\_

**Question 5 Ballot Title-**

Creation of a Volunteer Advisory Audit Committee

### Question 5 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 6 Ballot Title-

Constitutional Officers subject to internal audit for certain county funds

### Question 6 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 \_\_\_\_\_

APPROVED BY THE 2006 SEMINOLE COUNTY CHARTER REVIEW COMMISSION ON THIS 13<sup>th</sup> DAY OF JULY 2006.

  
\_\_\_\_\_  
BEN TUCKER, CHAIRMAN

Prepared by:  
  
\_\_\_\_\_  
ALISON M. YURKO  
COMMISSION COUNSEL