

RESOLUTION NO. 06-_____

RESOLUTION OF THE PINELLAS COUNTY CHARTER
REVIEW COMMISSION RELATING TO ITS PUBLIC
MEETINGS

WHEREAS, the Pinellas County Charter Review Commission was first appointed in 2004, reconstituted by a vote of the electorate beginning November 8, 2004, and will continue its existence through December 1, 2006; and

WHEREAS, the membership of the Charter Review Commission consists of thirteen (13) members from the following groups of people: one member from the Legislative Delegation who resides in Pinellas County; one County constitutional officer; one member who is an elected city official; one member who is an elected county commissioner; and nine members from the public at large, none of whom may be an elected official; and

WHEREAS, the Charter Review Commission has been meeting since 2004 to prepare ballot items for consideration by the electorate of Pinellas County relating to charter changes; and

WHEREAS, the Charter Review Commission has proposed seven items for consideration by the general electorate in November 2006; and

WHEREAS, members of the Charter Review Commission are unpaid volunteers, who have put in excess of eight-hundred hours of personal time to the Charter Review Commission process; and

WHEREAS, in order to allow for maximum participation by the membership, the Charter Review Commission has permitted participation by telephone when a quorum of the Charter Review Commission members is physically present at a meeting; and

WHEREAS, various member of the Charter Review Commission appeared by phone at the meetings of May 25, 2005 (Armstrong), February 28, 2005 (Kwall), August 1, 2005 (Burns, Cole), January 9, 2006 (Wilson), and June 19, 2006 (Coats, Kwall), out of a total of thirty-one meetings; and

WHEREAS, the Charter Review Commission agreed at those times to the appropriateness of these appearances; and

WHEREAS, on June 19, 2006, the Charter Review Commission voted to finalize the report to the citizens of Pinellas County as required by the Charter; and

WHEREAS, three members of the Charter Review Commission were unable to attend in person; and

WHEREAS, Senator Jim Sebesta was absent due to eye surgery; and

WHEREAS, Sheriff Jim Coats was unavailable, as he was attending the National Sheriff's Association Convention in Orlando; and

WHEREAS, Louis Kwall was unavailable, as he was attending an environmental forum at Yellowstone National Park; and

WHEREAS, members Coats, Kwall, and Sebesta were offered the opportunity to call in by phone; and

WHEREAS, members Coats and Kwall did call in by phone; and

WHEREAS, the Attorney General has opined in AGO 2003-41 that a member of a Human Rights Board who was physically absent from a board meeting because of a scheduling conflict could participate in the meeting by means of a telephone conference when a quorum of the members of the board is physically present at the meeting, if said board determines that the scheduling conflict constitutes extraordinary circumstances rather than as a routine matter; and

WHEREAS, the Attorney General has opined that such determination should be made in the good judgment of a board; and

WHEREAS, the Pinellas County Charter Review Commission has considered the reasons set forth.

NOW THEREFORE, be it resolved by the Pinellas County Charter Review Commissioners at a duly assembled meeting held on the 28th of August, 2006, as follows:

1. The Pinellas County Charter Review Commission hereby approves in concept the participation in extraordinary circumstances and not as a routine matter of an absent member in the meeting by telephone when a quorum of the Board members is physically present at a meeting.

2. The participation by telephone conference by members Coats and Kwall constitute extraordinary circumstances and not routine matters and should be permitted.

Commissioner _____ offered the foregoing resolution and moved its adoption, which was seconded by Commissioner _____, and upon roll call, the vote was:

_____ AYES:

_____ NAYES:

_____ ABSENT AND NOT VOTING: