

CITY COMMISSION WORKSHOP

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Mayor Chastain called the Election workshop to order. Present were Commissioner Janice D. Mortimer, Commissioner Danny Nugent, Commissioner Travis Woods, Commissioner Wilbur Waters, City Clerk Ricky Thompson, City Attorney Dan Sikes, Fire Chief Gary Wise, and Terry Vaughn, Bradford County Supervisor of Election's (BSOE).

Mayor Chastain turned the workshop over to BSOE Terry Vaughn.

Mr. Vaughn stated he was approached by Clerk Thompson and Deputy Clerk Wiggins to discuss the upcoming September 2017 Election. This is a wide election and they ask if a plan could be worked out for the BSOEs Office to administer the elections for the City. During the meeting it was talked that some Charter revisions will need to take place even if the City decides not to enlist his offices help.

Mr. Vaughn has spoken to Attorney Sikes and it was mentioned there might be comprehensive charter revisions that could be placed on the ballot.

He provided a list of items that need to be corrected in the charter.

Paying poll workers \$2.00 for their services provide; only a 30 day notice for referenda language; Section 18 states electronic equipment cannot be used; Specifies election date as the Tuesday 9 weeks the first Tuesday after the first Monday in November. A call for a runoff election exactly 2 weeks following the election makes following mandatory vote by mail deadlines impossible.

The overseas military voter's ballots need to be mailed out 45 days before the election and the civilian's ballots mailed 35 days.

This is a problematic area and Mr. Vaughn suggested moving the election date to earlier time in the year or do away with the runoff elections and candidate would win with most votes.

The way it is now it is impossible to follow State law.

Mr. Vaughn referenced that early voting is very popular and suggested adding it. Maybe not the full 15 days before, maybe just 7 days before.

Mr. Vaughn mentioned the section of the charter that allows candidates to choose the group-not district they run for with no regards for residency requirements by group or district; this will need to be looked at; it only references residency has to be established by the time of the election.

If you want to have the BSOE's Office handle the election you should add what entity shall be in charge of administering the election.

If his office takes over the administration of this election and the commission wishes to move forward we would need to move up the qualifying period.

Currently it is held 50 days prior to election, which places it in July. To follow the State law we will need to bump it up to June. This will give ample time to code the election, print ballots and mail out ballots. He added there are 500 mail out ballots within the city.

When you make a request for a voter by mail ballot you can request it for up to two election cycles.

The voters could request Vote-by-Mail ballots through the BSOE's Office and such ballots shall be retained and secured by that office.

Candidates shall file all paperwork with the BSOE office and shall file Campaign Treasures reports electronically.

The legislature has changed that the treasures report have to be filed monthly when the campaign account is opened. Now you can file electronically and don't have to run to the courthouse.

BSOE shall recruit and train poll workers and provide proper noticing of qualifying period and election, and we could hold a candidate workshop.

We will utilize optical scan tabulation equipment and electronic check in device on Election Day. The election would be held here at City Hall.

BSOE expenses, as far as out time spent, we would not charge the city anything standard, which would be hours between 8:00 AM and 5:00 PM but any overtime expense would be charged in addition to the basic cost.

Mr. Vaughn provided a potential agreement and potential cost which he feels is the worst case scenario.

He was happy to answer questions.

Mayor Chastain asked what was the amount number estimated was?

Mr. Vaughn responded \$5,600 for everything and he believes it will be less.

Clerk Thompson added he had budgeted \$5,000 and the cost will be offset by the qualifying fees collected.

Mr. Vaughn added they will itemize the expenses

Attorney Sikes added he has spoken to Mr. Vaughn and to bring up the statutory issues he needs and getting the approval by the board is virtue by the contract. He and I will put that in the terms of the contract so when the city commission ratifies

the contract with him. The contract will comply with Florida Statutes and separately address the changes for the charter.

Mr. Vaughn added without the contract he would be unable to do it. With the contract we are basically subcontracting BSEO services to the City and any subsequent charter revision we can move forward without the contract.

Mayor Chastain referenced the Charter revisions that need to be corrected. What kind of time line would that be?

Attorney Sikes responded there is need to do the process. There would be a workshop to discuss the issues with the Charter and then do a resolution to propose a referendum to go to the voters. After the vote and the resolution passes it will go back to the Clerk to be conformed to the Charter and then sent to the Secretary of State. It is not difficult it is time consuming.

Mayor Chastain added one of the biggest issues with the Charter is the position of City Manager. It was set up by an Ordinance by the Commission, but never went out to the voters. This would be a good time to address this issue with a citywide election.

Clerk Thompson added to address the issue of City Clerk as well.

Attorney Sikes stated this is why we need a workshop to address the things that need to be changed.

Mayor Chastain referenced that a City Manager Position was created by the Commission and not sent to the voters. Is that what we are doing?

Attorney Sikes responded that was a different issue. What we are dealing with is a constitutional officer and he has certain legal requirements for us to contract him; he has to comply with the statute. In order to engage in his or her services we have to comply with his or her statutes. Those statutes are ad-more force in effect than City Charter does. What happens is the City agrees to have him do it but we the City have a duty to compliance. That does not address the issue of the run off, which brings up an interesting point. Mr. Vaughn is saying if we have a run off there needs to be sufficient time to mail out the ballots for overseas ballots.

Mr. Vaughn added there are thirteen overseas voters in the City currently.

Attorney Sikes continued those persons have the right to vote. The problem is the Charter says 2 weeks for the run off but realistically speaking those 13 voters have the right to make the City comply with State Statutes.

Commissioner Waters referenced it would just be easier to change the Charter to high vote.

Attorney Sikes responded yes but you cannot do that by contract with Mr. Vaughn.

Mayor Chastain asked who would make that decision?

Commissioner Waters responded this board.

Mayor Chastain responded that is what he is saying; he thought the Charter changes were done by vote.

Attorney Sikes responded no, here is what happens for the Charter changes. First the City passes a resolution asking that this matter be put out for publication and voted on by the population with the following proposed changes to the Charter as recommended by the City Commission.

The Commission would then vote on the resolution. After the recommended changes would be published and placed on the ballot for the citizens to vote on it. Just because you approve the changes to the charter doesn't mean the charter changes.

Then it goes on and publish the changes to the charter for the citizens to vote on it. Then a referendum on that the citizens up or down it and the citizens up it the Mayor and City Clerk signs it and takes the changes to be conformed to the Charter and then send to the Secretary of State.

Mr. Vaughn added the Charter language has to deal with a singular subject in a particular issue. You can't box five or six issue into one charger change. He recommended that the Commission support the changes being made to educate the citizen of the changes, help them understand why the changes are needed. If the people don't understand they will vote no.

Attorney Sikes added the Commission can approve the agreement tonight and ratify it at the next meeting for the language that is needed to be placed in it to specify the terms.

Mr. Vaughn added a basic contract can be approved tonight and then an addendum be added.

He also suggested with his office doing or not doing the election there are some Charter changes that need to be done to comply with the State statues.

Mayor Chastain asked for any additional questions or comments. Hearing none he closed the workshop.

Tommy Chastain, Mayor
Commissioner Daniel Nugent
Commissioner Janice D. Mortimer
Commissioner Wilbur L. Waters
Commissioner Travis V. Woods

Attest: _____
Ricky Thompson, City Clerk