

October 2008

Wakulla News – Letter to the Editor

Within a matter of days, citizens from across this great county will have the opportunity and privilege of voting on the structure of their primary local government service provider - Wakulla County government. The question that is on the general election ballot is whether the voters in our community wish to adopt a “charter” form of county government. Essentially, citizens will determine whether they wish to capture the maximum allowable local “home rule” authority allowed under state law and, in so doing, provide a structured mechanism to give your government officials direction on how to meet the unique challenges we face here at home. In this letter, I intend to provide citizens additional factual information on what this charter proposal does (and does not do), as is my responsibility as county administrator. Determining whether these facts are “pros” or “cons” is each of our responsibility and one I know we each take seriously. I will also provide my personal thoughts on the proposal as a fellow citizen of this county and one who has worked on charter issues professionally for nearly a decade. In the end, pass or fail, it is my sole objective that we all become well informed in deciding the structure of our primary local government – a structure that will last for generations to come. Answering such a question is precisely what will occur this November 4<sup>th</sup> and it is a pleasure for me to submit this information intended to aide each of you with your decision-making process.

“What is a county charter and what is the basic need for it?” Simply put, a charter is a “mini-constitution” that provides guidance to your county government officials and can be modified over time by voter approval to meet emerging local needs that may arise later, but can’t be foreseen today. This is very similar to the amendments to the Florida or even United States Constitution that have taken place over many, many years. The charter is the tool that provides a local framework for county government to meet local needs and demands for service.

Each of Florida’s 67 counties has been created by the state of Florida during the past 140 years to provide basic local services (such as law enforcement, courts, roads, tax collection and election services). Different from cities, which each have a local “charter” to guide their local leaders, each county is a political sub-division of the State of Florida and takes significant guidance from the state. For a majority of this time, each of Florida’s counties was largely rural and did not need additional local authority to meet local needs. However, and especially during the last half century, counties like Wakulla County have become the primary local service provider for citizens. Each decade counties tackle new programs and services specifically designed to meet local needs, such as community development, fire and EMS, healthcare, library and parks services. This increased demand over time for locally specific services has increased the need for additional “home rule” authority to let voters guide their elected officials from the grass roots level about the services they desire.

Accordingly, Forty years ago state voters approved a constitutional amendment providing basic home rule authority to all county governments. Most significantly, that action also allowed counties to take up the maximum allowable home rule authority by adopting a charter form of government. Since that time, 19 counties with nearly 80% of the state's population have approved a local charter to meet the unique needs of each county. Similar to the proposal for Wakulla County, each charter must be locally approved by the voters and, as such, contain elements that reflect the priorities of the citizens in each county.

“What are the some of the key attributes of any county charter?” Often, state law differentiates the powers of charter counties and non-chartered counties when conveying the intent or applicability of various laws. In short, the state often confers the most allowable power of self-government upon those counties that have adopted a home rule charter such as what is proposed in Wakulla County. In my opinion, state law also “hamstrings” counties that have NOT passed a charter on some issues, such as equality in CRA creation, which can have a negative impact on the citizens in those counties. Regardless, the following are the key attributes of approving a county charter:

- Enhanced citizen participation in and control of the government process;
- Increased flexibility available to citizens for management of their government;
- Increased accountability of the local government to the people;
- Additional means of solving local problems particularly when a unique set of circumstances exists;
- Establishment of a Charter Review Commission to periodically review the charter and to propose amendments for citizen consideration.
- Increased responsiveness of local government to its citizens.
- Maximization of allowable home rule authority for every citizen to guide their county government's actions from the county level.

“How did Wakulla County's Charter proposal come about and how involved were citizens in that approval process?” Beginning in February of this year, the Board began formally exploring the process for adopting a charter. Numerous workshops, public forums and meetings were held for the constitutional officers, community leaders and interested citizens to attend. These meetings provided background information, analysis of what a charter form of government would mean to Wakulla County, an overview of the process necessary to approve a charter and the key elements included in a charter during which input was sought and included. In April, the Board directed staff and a contracted expert consultant to draft a simple charter that presented Wakulla County Government structure as in current form. Two required public hearings were held on the adoption of the Wakulla County Charter and the ordinance was approved. The ballot question was then sent to the Supervisor of Elections for inclusion on the general election ballot in November. It is critical to underscore that this process builds up to the citizen's vote this general election. Not only were citizens involved in the development of the proposed charter, our county citizens will be the SOLE JUDGE on its passage this November 4<sup>th</sup> or any amendment

thereafter. Remember, a charter is by the people and for the people. Most importantly, it is only approved or modified by the people, as well.

What are the Key Attributes of the Wakulla County Charter Proposal?” The proposed charter includes much of the same government structure that we have today, as that was much of the input from across the community that the Board received in developing this proposal. Citizens said they wanted to retain the ability to elect their same constitutional officers (Sheriff, Clerk of Court, etc.) and they wanted five county commissioners elected in partisan elections. That is ALL preserved in the proposed charter. In fact, very significant thresholds for any future charter amendment attempt (three times higher than any other charter county in the state) were also included, largely as a mechanism to protect the governmental structure that exists today. Accordingly, most of county government will remain the same today as will the relationship between the county and its two cities. The other attributes worth noting are:

- Amendments to the Charter can be proposed directly by the people through a new petition initiative process (will still require voter approval);
- Greater flexibility to initiate county ordinances that meet local needs, and
- Individual county commissioners may be recalled by process for misconduct.
- ZERO additional authority FOR the county administrator.
- ZERO authority taken AWAY from any constitutional officer.

As stated in the previous section, what is derived from the Wakulla County charter proposal is enhanced governmental flexibility and accountability to the citizens alongside an improved structure for input from the citizens to their county government. The charter also embodies the maximization of allowable home rule authority here at the local level. And, under, the adopted charter ordinance, it also strongly protects the structure of county government that is enjoyed today with very high thresholds to protect against the ease of any future change. While I (personally) find these thresholds to be very high and I also seriously doubt any future charter proposal would have such substantial protections for the existing basic governmental structure (should this proposal not succeed), I do strongly support the passage of this charter to bring your local government closer to you and to be most reflective of your priorities.

In summary, I have presented you with a significant amount of information on this subject, to be sure, but this is a very important issue that will be before the citizens for your action. The county wants to insure that it is an informed electorate that makes this very important decision. For additional information on the proposed Wakulla County Charter and other related information on charter governments, applicable Florida Statutes, and a list of other Florida charter counties, please check out your county website at [www.mywakulla.com](http://www.mywakulla.com). On behalf of the entire Board, I encourage you to become educated on this subject and exercise your right to vote this November. In the meantime, it remains my pleasure to serve each citizen of this great county as we constantly strive to increase the quality and efficiency of YOUR county government. Please feel free

to contact me at 926-0919 or at [benpingree@mywakulla.com](mailto:benpingree@mywakulla.com) should you have any questions or if I can be of assistance to you in any way. Thanks!

- Benjamin H. Pingree, MPA  
Wakulla County Administrator