



CHARTER REVIEW COMMITTEE MINUTES

**TUESDAY, OCTOBER 21, 2025 – 5:30 P.M.
PIERSON TOWN CENTER**

1. CALL MEETING TO ORDER – Chairman Paul George

Chairman Paul George called the meeting to order at 5:30 P.M. and asked Deputy Clerk Ryan Smith to take the roll call.

2. ROLL CALL

PRESENT:

Chairman Paul George
Vice Chairman Rick Davis
Committeewoman Sue Elliott
Committeeman Jeremy Steadman
Committeewoman Deanna Bennett

Town Attorney Scott Simpson was also in attendance. Town Clerk Yvonne Braddock was absent.

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Chairman Rick Davis gave the invocation, which was followed by the Pledge of Allegiance.

4. APPROVAL OF MINUTES

a. Meeting October 7, 2025

Committeewoman Sue Elliott made a motion to approve the above listed minutes as written; seconded by Vice Chairman Rick Davis. All agreed; motion carries.

5. NEW BUSINESS

a. Discussion regarding additional edits and changes

Town Attorney Scott Simpson summarized the recommended changes. Mr. Simpson suggested removing the list of powers of the Town in Section 3 because he said the first paragraph was all-encompassing. Mr. Simpson said he was concerned that listing powers might be limiting or confusing.

Mr. Simpson said he looked at various charters to see how other municipalities conducted elections, filled vacancies, and dealt with forfeiture of office. Mr. Simpson gave an

overview of potential additions, including:

- Nonpartisan elections
- Conducting elections per the election laws of the State of Florida
- Holding elections in even-numbered years with the Town's primary and general elections to be held on the same dates as the state primary and general elections
- Elected mayor or council members take office during the first regular Council Meeting after certification of the general election, regardless of whether the elected official wins during the primary or the general election. Election certifications are done by the Volusia County Supervisor of Elections.

Vice Chairman Davis asked if "council member" and "commissioner" could be used interchangeably in the text of the charter. Mr. Simpson said it should be changed so it is uniform. Deputy Clerk Ryan Smith said he would make the necessary changes to the added text.

Mr. Simpson said no primary would be held if there were less than three candidates for an open mayor or council member seat. If there are more than two qualified candidates, the Town Clerk shall include the nominees in the primary election. If a candidate receives 50% plus 1 of the total votes cast in the primary, that candidate is declared the winner during the primary and will not go on to the general election. The Committee discussed how tie votes are settled; Mr. Simpson said it is left to the Town's discretion.

Mr. Simpson discussed forfeiture of office and municipal recall. Mr. Simpson said that State law outlines the grounds in which an elected official can be recalled, which is an election process. Performance-based removal of an elected official from office through recall is designed for the people. A forfeiture process allows the Council to remove an elected official for provisions not specifically outlined in a recall, such as failing to meet residency requirements or violating the charter. Mr. Simpson said adding a forfeiture process to the charter was not required, but it would make the removal of an elected official possible only through a citizens-initiated recall or an election every four years.

Committeewoman Deanna Bennett asked who would determine if an election official had forfeited their office. Mr. Simpson said the charter would have to outline the forfeiture process if the Town chose to include it. Mr. Simpson said he could research forfeiture provisions from other cities to get more examples.

Committeeman Jeremy Steadman asked about behavior in meetings. Mr. Simpson cited valid reasons for recall per State law. Mr. Simpson said recall provisions were pretty broad, and he felt forfeiture should be somewhat limited. Mr. Simpson reiterated that the Town did not need to include forfeiture, or it could be narrowed down to only a few provisions.

Vice Chairman Rick Davis said it was his opinion that the four forfeiture provisions contained in the draft should stay there. Mr. Simpson said he would look up other examples of cities' forfeiture provisions for the next meeting so that the Committee could review them.

88 Mr. Simpson suggested adding a forfeiture provision: “Fails to meet and maintain all
89 qualifications to hold office in the Town.”
90
91 Committeewoman Deanna Bennett said she felt the provisions should be added in case
92 someone abandons their post or refuses to attend meetings. Mr. Simpson said 99% of people
93 are reasonable, but there is always a chance that an elected official could push the limits.
94 The Committee discussed it and felt that the provision was necessary to prevent that
95 scenario from happening.
96
97 Vice Chairman Rick Davis questioned the section which stated that forfeiture required a
98 unanimous vote. The Committee discussed whether the vote for forfeiture should be
99 unanimous among the remaining four Council Members, or require a majority of three
100 votes. Mr. Davis and Mrs. Bennett felt it should be a majority; Mrs. Bennett said that is how
101 other decisions were made by the Council.
102
103 Vice Chairman Davis noted that in Article I, Section 7 should be re-numbered to become
104 Section 6 due to the removal of the previous Section 6.
105
106 Mr. Simpson discussed vacancies. Mr. Simpson said if the vacancy occurs at least two
107 weeks before the beginning of qualifying for the upcoming election, the vacancy would be
108 filled in that upcoming election. If the vacancy occurs closer to the election, inside of the
109 two weeks, it would be filled by appointment until the next regularly-scheduled election.
110
111 Vice Chairman Davis asked about re-wording the section regarding the mayor having
112 general supervision over all Town affairs, except the actions of the Town Council. Mr.
113 Simpson said he wasn’t sure why “except the actions of the Town Council” was inserted.
114 Vice Chairman Davis and Deputy Clerk Ryan Smith said they read the statement as
115 preventing the mayor from having control over decisions made by the Council. The
116 Committee discussed the wording that should be inserted. Mr. Simpson suggested “The
117 mayor shall not have the authority to take actions inconsistent with the actions of the Town
118 Council.”
119
120 Mr. Simpson said the sections for Town Council, Town Depository, and Powers of the
121 Council could be removed because all those powers fall under Home Rule Powers Act
122 which is referenced in the beginning of the charter.
123
124 Mr. Simpson discussed the Special Meetings section which states three hours’ written notice
125 is required to call a special meeting. Mr. Simpson said the Sunshine Law requires 24 hours’
126 notice.
127
128 Committeeman Jeremy Steadman said the charter stated that special meetings could be
129 called by two Council Members and asked whether that would indicate that two Council
130 Members had had a conversation. Mr. Simpson said usually a special meeting would be
131 scheduled by staff who would find at least two Council Members to call the meeting.
132
133 Committeewoman Deanna Bennett asked if the notice to each Council Member must be
134 acknowledged, or if a voicemail, email, etc. is considered notice. Mr. Simpson said the

135 notice had to be given to both the Council Members and the public, per Sunshine Law. Mr.
136 Simpson said his recommendation was to always give 24 hours' notice unless it was a life-
137 or-death scenario. Mr. Simpson suggested the wording "with reasonable notice as required
138 by law."

139
140 b. Set date and time for next meeting

141
142 The Committee agreed to meet again in two weeks and set a meeting date for Tuesday,
143 November 4, 2025 at 5:30pm.

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145 **6. ADJOURNED**

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147 **Hearing no further business, meeting adjourned at 6:24 P.M.**

148
149 Minutes prepared by: Minutes approved by:

150
151
152
153 Ryan Smith, Deputy Clerk Paul George, Chairman