

Meeting Minutes
Afton Charter Commission
May 29, 2008

PRESENT: John Barclay, Anthony Berg, Julianne Berg, Bonnie Blackley, Lynn Farley, Thomas Giannetti (7:10 p.m.), Rock Gjermo, Kathleen McGinn, and Carol Wiessner (7:15 p.m.).

1. CALL TO ORDER: Chair McGinn called the meeting to order at 7:08 p.m.

2. ROLL CALL: Blackley performed roll call.

3. APPROVAL OF MINUTES: Barclay moved to approve the minutes of 5/15/08 as written. Seconded by McGinn. Motion passed (7-0).

4. TREASURER REPORT: No report.

5. OLD BUSINESS:

A. Distribute web site inquiries and responses - McGinn reported that there were no inquiries.

B. Review Referendum and Recall section drafts of Charter

- **Referendum election timing issue-** A. Berg reported that the only remaining problem is the way Sec. 6.07 is currently drafted. It states that if 40% of the people sign a petition there will be a special election. If fewer than 40% and more than 20% sign a petition, it won't go to a special election, but rather wait until the next general election. He stated that it may possibly create a disincentive to have a special election if more people sign the petition. Discussion followed to include "Special Election" and "Emergency Ordinance" definitions, special election notice requirements and dates, mail forwarding, special election requirements, absentee ballots, city/county/individual responsibility, acceptable ratios, and comparisons to "Initiative". It was generally agreed that 25% should be the threshold to require a referendum. Sec. 6.06 and 6.09(d) were briefly reviewed.

- **Recall criteria validation issue/current wording on how council fills vacancies** - Discussion included how many signatures are required per ward (30%), elimination of "misfeasance", addition of felony conviction, special election criteria (45/60/90 days after petition is certified). Blackley will research further on current ordinances of how the city council fills vacancies. Discussion included time period for recall, deadlock, appointments by CC, and special elections. Further discussion continued to the next meeting.

C. Miscellaneous items

- **"entity"?, bulk mailing costs, paper** – A. Berg reported that he had left a message for Judge Schurer and received a message back, but had not communicated directly with him concerning the commissions' entity status with regard to a checking account. He was advised that we are not a corporation or

entity in that sense, but rather a branch of the city. He reported that the Judge recommended we approach the city for assistance or that we could have an agent of the commission apply, along with supporting documents. Barclay stated that he would go to US Bank and apply as an agent. McGinn reported that Snyder had researched the cost of a bulk mail permit and associated costs, which appear to be significant. Barclay agreed to approach the City Council for the \$1,500.00 per diem to cover expenses, any excess of which will be returned to the City.

6. NEW BUSINESS:

A. Draft Budget and Bonding sections of Charter - Not discussed.

B. Distribute draft of informational public mailing and discuss- McGinn provided her first edit of Kopitzke's draft of a possible public mailing notice and asked the commission to review and provide input prior to the next meeting. She will send out Kopitzke's original draft as well.

C. Woodbury Bulletin Article (4/23/08) - A. Berg read the article printed in the Bulletin concerning the City's request for an Attorney General opinion on whether they could opt out of the Met Council and the quote by Councilwoman Nolz. Discussion followed and McGinn provided a draft of a rebuttal letter to Nolz to be signed by McGinn. Objections and revisions were discussed.

7. WRAP UP:

A. Next 2 meeting dates - June 12 and June 26.

McGinn stated that a commission member has missed four consecutive meetings and that she intends to bring action to have him removed from the commission if he does not appear at the next meeting or give satisfactory explanation.

B. Agenda Items - Not discussed.

C. Assignments - A. Berg will provide agreed upon revisions to the charter draft. Barclay will contact the City with a request for \$1,500.00 in expense money. McGinn will provide original draft by Kopitzke.

8. SUBMISSIONS:

- Revised charter draft by A. Berg
- Edited draft (Kopitzke/McGinn) to public concerning charter
- 4/23/08 Woodbury Bulletin Article
- Draft letter by McGinn to Councilwoman Nolz

9. ADJOURN: Motion to adjourn by Wiessner. Seconded by Barclay. Motion passed (9-0). Meeting adjourned at 9:05 p.m.

Respectfully submitted,
Pat Snyder, Secretary