

UNAPPROVED MINUTES
MEETING OF AFTON CHARTER COMMISSION
June 15, 2009
7:25 p.m.

Present: John Barclay (present by 7:25), Tony Berg (present by 7:25), Julianne Berg, Bonnie Blackley, Lynn Farley (present by 7:25), Mike Frichol, Rock Gjermo, Jon Kingstad, Carol Wiessner.

Absent: Tom Giannetti, Kenn Kopitzke, Dan Oehlke, Debbie Nelson, Kathleen McGinn

Vice-chair Tony Berg called meeting to order late at 7:25 due to lack of a quorum.

Roll call: those present were indicated as present if present by 7:25 p.m. A quorum was present so the meeting was called to order.

Minutes of June 8, 2009 meeting: Minutes were not available and so not approved.

Treasurer's Report: Treasurer John Barclay had no new information to report from last report since no money had been spent or received. He reported the Charter Commission is eligible to receive additional funds if necessary.

Old Business:

A recompilation of the edits of the draft Charter since the September 8, 2008 meetings was handed out (June 15, 2009 draft) and the Commission recommenced a review of each of the sections of this draft was resumed.

June 15, 2009 Draft

Section 1.01. Name and Boundaries: no changes

Section 1.02: Powers of the City: No changes

Section 1.03: Charter a Public Act: No changes

Section 1.04. Special Laws Superseded and Modified: discussion about opposition to this provision and whether it is legal or is misleading as stating a "possible legal basis" for superseding provisions of the Metropolitan Land Use Planning Act or Metropolitan Waste Water Control Act. After some discussion, it was agreed that the "Comment" should be removed.

Rock Gjermo moved to adopt the language of section 1.04 as phrased. Carol Wiessner seconded. The motion was approved, 6-2, Julianne Berg and Bonnie Blackley voting no.

Section 1.05. Application of General Laws . It was pointed out that this section was substantially identical to section 10.06 (Statutes Not Affected by Charter). John Barclay moved to replace section 1.05 with section 10.06 and move sections 10.07 and 10.08 to

Chapter 1 and be renumbered sections 1.06 and 1.07 respectively. Rock Gjermo seconded. Motion approved: 8-0.

Section 2.01: Form of Government: Carol Wiessner moved change second sentence to read “The **City Council (“council”)** can establish board, commissions, or positions as advisory to the council concerning any municipal matter to examine any subject relating to the city or to perform quasi-judicial functions.”

John Barclay seconded. Motion approved: 8-0.

Section 2.02 Elective officers. John Barclay moved to eliminate the sentences from subdivision 1:

“Each council member serves for a term of four years and until a successor is elected and qualifies. The mayor serves for a term of two years and until a successor is elected and qualifies”

Tony Berg seconded: Motion approved: 8-0.

Section 2.02. Subdivision 3. There was discussion that the dates will possibly not align with the dates of any city election or approval so there was a consensus to bypass this for the time until it could be better to determined how to update it.

Section 2.03. Incompatible Offices. No changes.

Section 2.04, Vacancies in the Council: No changes.

Section 2.05. Salaries. No changes.

Section 2.06. Investigation of City Affairs. Discussion about conforming provision on audits to state law. John Barclay, with a friendly amendment by Tony Berg, moved to amend the second sentence to read as follows:

The council must provide for an audit of the city's accounts at least once a year ~~by the state department in charge of such work or by a certified public accountant~~ **as prescribed by state law.**

Bonnie Blackley seconded the motion.

Motion approved: 8-0.

There was a motion to adjourn at 8:55, seconded. Approved 8-0. Next meeting to be on June 22, 2009 at 7:00.

Respectfully submitted,

s/ Jon Erik Kingstad
Secretary