

Section 2.20: Composition and Term of Office

The Board of County Commissioners shall consist of three (3) members. The Commissioners shall be nominated from each of three districts and elected by the county at large for a term of four years as provided in this charter.

Section 5.25: Hearing Examiner System

A hearing examiner system shall be established for consideration of land and shoreline development issues. The qualifications, powers and duties of, and procedures to be employed by the hearing examiner, shall be established by the Board of County Commissioners. The Board of County Commissioners may, in its discretion, authorize the hearing examiner to conduct any other non-legislative hearing permitted or mandated by state or local law, including those permitted or mandated pursuant to this charter, notwithstanding anything in this Charter to the contrary.

(Amendment proposed by the Charter Review Commission and amended by the voters November 7, 1995.)

Section 6.10: Administrator

The Commissioners shall appoint an Administrator, selected on the basis of his or her executive experience and professional administrative qualifications, to carry out the administrative responsibilities of the County. He or she need not, at the time his employment commences, be a resident of the county or state. No member of the Board of County Commissioners shall, during the time for which he or she was elected, be chosen Administrator. The Commissioners shall, by ordinance, establish his or her contract or terms of employment, including compensation. In the case of absence or disability of the Administrator, the Commissioners may delegate some qualified person to perform the duties of the office during such absence or disability. Employment of an Administrator shall not be construed as changing the relationship of the Commissioners or other elected officials to their constituents, nor the relationship of the Commissioners to other elected officials.

(Amendment proposed by the Charter Review Commission and amended by the voters November 7, 1989. Amendment proposed by the Charter Review Commission and amended by the voters November 5, 2002.)

Section 6.20: Duties and Responsibilities

The Administrator shall be directly responsible to the Commissioners and he or she shall serve the Commissioners and the County by making recommendations concerning the affairs of the County as may be necessary; keeping the Commissioners advised as to the needs of the County and making recommendations when appropriate; preparing and submitting the proposed annual budget to the Commissioners; supervising, performing, and delegating other responsibilities as may be prescribed by this Charter or be required of him or her by ordinance or resolution of the Commissioners. The Administrator and any other officer or officers of the County are authorized to exercise and perform any of their duties or responsibilities through any of their respective subordinates.

(Amendment proposed by the Charter Review Commission and amended by the voters November 7, 1989. Amendment proposed by the Charter Review Commission and amended by the voters November 5, 2002.)

Section 7.20: Independent Candidates

Only the independent candidate who receives the highest number of votes cast for independent candidates in the primary election for that office, shall have his or her name placed

on the general election ballot under the heading "independent."
(Amendment proposed by the Charter Review Commission and amended by the voters November 7, 1989. Amendment proposed by the Charter Review Commission and amended by the voters November 8, 1994.)

Section 7.40: County Commissioner District Boundaries

Districts shall be drawn in compliance with the following criteria which are listed in order of descending priority. Districts shall: be approximately equal in population so that the population of the largest does not exceed that of the smallest by more than five (5) percent; have boundaries that run generally north-south; be geographically compact and continuous; and be composed of whole voting precincts to the maximum extent possible. Each district shall be assigned a number 1 to 3.

By January 31, 1991, and by January 31st of each tenth (10th) year thereafter, a Districting Commission shall be appointed. Each member of the Board of Commissioners shall appoint one (1) member. A member of the Board of Commissioners shall not serve on the Districting Commission. The central committee of each major political party, as such party is defined by state law, shall each appoint one (1) member to the Districting Commission.

Members of the Districting Commission shall serve without compensation, but will be reimbursed for expenses. The Districting Commission shall meet within fifteen (15) days after appointment and develop procedures for the employment of a Districting Master who shall be qualified by training, education and experience to draw a districting plan. The Districting Master shall be hired by March 15. Immediately thereafter, the Districting Commission shall schedule public hearings to provide input on preliminary districting proposals being developed by the Districting Master. The Districting Master shall meet with the Districting Commission to consider recommendations for changes by the Districting Commission members. The Districting Master shall submit the final draft of the districting plan to the Districting Commission for consideration of adoption.

The Districting Commission shall hold a public hearing on the final draft of the districting plan submitted by the Districting Master. The Districting Commission shall approve a final plan by majority plus one (1) vote no later than eight (8) months after receipt of the most recent federal decennial census information from the state redistricting commission.

(Amendment proposed by the Charter Review Commission and amended by the voters November 7, 1989. Amendment proposed by the Charter Review Commission and amended by the voters November 5, 2002.)

Section 7.50: Vacancies

An elective office shall become vacant on the death, resignation or removal of the officer, or for other causes. Vacancies in elective office shall be filled at the next November election, unless the vacancy occurs after the day for filing declarations of candidacy, in which case the vacancy shall be filled at the next succeeding November election. The person elected shall take office upon certification of the results of the election and shall serve until the time when the term of the elective office would have expired had no vacancy occurred. Until a successor has been elected and certified, a majority of the Board of Commissioners shall fill the vacancy by appointment. The Commissioners shall fill a vacancy from a list of three people submitted by the county central committee of the party which the official in office immediately prior to the vacancy represented. In the event that the official in office immediately prior to the vacancy was an "independent candidate" as provided by charter, the vacancy shall be filled by the Commissioners as they deem appropriate.

(As proposed by the County Commissioners and amended by the voters, November 4, 1980.)

Section 8.20: Initiative – General Provisions

The first power reserved to the people is the initiative. Any ordinance or amendment to an ordinance may be proposed to the commissioners by the people by filing with the Auditor an initiative petition. Provided, that no ordinance shall be initiated providing for the compensation or working conditions of county employees, authorizing and repealing of taxes, appropriating money, adopting the annual budget or capital program, redistricting the county commissioner districts, or passing an emergency ordinance.

Section 8.70: Referendum by the People

The second power reserved to the people is the referendum. Except as provided herein, an enacted ordinance may be subjected to a referendum by the voters of the county by filing with the Auditor a registered petition bearing the signatures of qualified voters equal in number but not less than ten (10) per cent of the total votes cast at the last gubernatorial election immediately preceding the date of the registration of the petition. The petition shall be presented to the Auditor for registration within ten (10) days after the ordinance is passed by the Commissioners and shall be filed not more than 60 days following registration. Upon presentation to the Auditor of a proper petition for registration, the ordinance referred to shall be suspended and without force of law, until the Auditor shall determine that petitions with sufficient signatures have not been filed within the allotted time or until the voters ratify and approve the ordinance. The filing of a referendum petition against one or more items, sections or parts of an ordinance shall not delay the remainder of the ordinance from taking effect. Upon verifying the sufficiency of the signatures, the Auditor shall transmit the petition to the Commissioners at a regular meeting not more than twenty (20) days after filing of the petition and the Commissioners shall place the proposed ordinance before the voters at the next November or special election provided that at least 105 days shall have elapsed between the introduction of the proposed ordinance and the election.

Section 11.10: Charter Review Commission

11.10.10: Election and Period of Office

Commencing with the state-wide general election in November 2001 and every five (5) years thereafter, the Commissioners shall cause an election of a Charter Review Commission, hereinafter referred to as the Commission. The Commission shall consist of fifteen members, five from each county commissioner district. Each member of the Commission shall be a resident of the commissioner district which he or she represents. There shall be no filing fee. There shall be no primary. Persons filing will be elected by district. The member of the Commission who receives the greatest number of votes shall convene the Commission within thirty (30) days of election results being verified by the Auditor's Office. The term of office shall be one year from the date of the election. The Commission need not meet continuously, but may meet at such time and in such places as it deems appropriate upon given public notice.

(Amendment proposed by County Commissioners; amended by the voters November 3, 1981. Amendment as proposed by the Charter Review Commission; amended by the voters November 8, 1983. Amendment as proposed by the Charter Review Commission, amended by the voters November 8, 1994.)

11.10.20: Vacancy

Any vacancy on the Commission shall be filled by the remaining members of the Commission within thirty days, **provided** that, within fourteen days of the declaration of a vacancy, notice shall be given to the residents of the district in which the vacancy occurs in such manner as the Commission in its discretion seems advisable. Selection of the person to fill the vacancy shall be from those residing in the district in which there is a vacancy by simple majority vote of the Commission.

11.10.30: Procedures

The Commission shall review the charter to determine its adequacy and suitability to the needs of the County and may propose amendments. The Commission may also make recommendations to the County Commissioners and publish information and/or findings. Members of the Commission shall serve without salary, but shall be reimbursed for reasonable out-of-pocket expenses. The County Commissioners shall provide to the Commission reasonable funds, facilities and services appropriate to an elected county agency. Provisions for expenditures shall be made in the budget. Expenditures of the Commission shall be budgeted for their scheduled term of office.

11.20.30: Amendments by the Public

The public may propose amendments to the charter as provided by filing with the Auditor an initiative petition bearing the signatures of registered voters of the county equal in number to but not less than twenty (20) per cent of the numbers of voters who voted in the last gubernatorial election. Signatures shall be filed not more than 120 days following registration of the petition by the Auditor.

11.20.50: Repeal of the Charter by the People

Six years after the adoption of the charter the public may initiate repeal of the charter by filing an initiative petition bearing the signatures of registered voters of the county equal in number to not less than 35 per cent of the number of voters who voted for the office of governor in the last statewide election, the signatures to be gathered within 180 days of registration of the petition by the Auditor. A proposal to repeal the charter must include provisions for transition.

Section 13.30: Terms of Office, Year of Election of County Commissioners

Commissioners shall be elected for a term of four years. Those Commissioners in office when this charter becomes effective shall remain in office until the Commissioners provided for herein are elected at the statewide general election in November and have qualified. The Commissioner from District One shall be elected in 1979 and every four years thereafter; the Commissioner from District Two shall be elected in 1980 and every four years thereafter; and the Commissioner from District Three shall be elected in 1978 and every four years thereafter.