

**MINUTES
CLAY COUNTY
CHARTER REVIEW COMMISSION
January 23, 2006**

The Clay County Charter Review Commission (CRC) met on Monday, January 23, 2006, 7:00 p.m., at the City of Green Cove Springs Meeting Room, 205 Spring Street, Green Cove Springs, Florida, 32043. Those in attendance are listed on the attached sign-in sheet. Jim Gann was not present.

Chairman Travis Cummings led in the Pledge of Allegiance.

Chairman Cummings introduced the City of Green Cove Springs staff and thanked them for their accommodations. He informed the CRC that Bruce Harvin, Vice Mayor of Keystone Heights appreciated the opportunity to host their meeting of January 5, 2006. Further, the technical assistance from employees at the Clay County School Board did a great job broadcasting the January 18, 2006 Home Rule Charter Seminar. The seminar was informative and approximately 80 people attended. BCC staff will arrange for tape-delay viewing of the seminar over the next few weeks. The seminar is available to the public upon request.

Amendment to page eight, paragraph five of the January 5, 2006 CRC Minutes:

Rob Bradley: I think that all of the CRC members understand that the BCC receives copies of the internal auditor's reports. ~~the work ethic that the commission auditor performs. The internal auditor does make it to the Board floor and you receive copies of his report.~~

Amendment to page eight, paragraph two of the January 5, 2006 CRC Minutes:

~~Stan~~ Ralph Puckhaber: Suggested to table this issue and move on.

Amendment to page nine, paragraph two of the January 5, 2006 CRC Minutes:

Rob Bradley: That would be the first half of the equation; the second half of the equation is how he chooses the topics that he looks at.

Ralph Puckhaber made a motion to approve the January 5, 2006 CRC minutes as amended. Roy Lyons seconded the motion, which carried 13-0.

#3 Guest: Allen Watts (CRC Attorney for Columbia County)

Chairman Travis Cummings introduced Mr. Allen Watts.

Allen Watts: I went to college and to law school and later became a local government junkie. I began working for a firm who represented Orange County and later moved back to Deland where I had gone to school. The firm I worked for at that time represented the city, school district, and the community college. I was a junior associate and acquired a lot of knowledge representing all facets of that county. Later, I became a school board attorney, city attorney and eventually I sat on the Volusia County Charter Review Commission as an alternate in 1976. I was a Chairman of the Legal Advisory Committee in 1986, and a member of the special commission who was

appointed to write the office of the chair of the county council for the Volusia County Charter. I served as the initial CRC attorney and the CRC for Polk County. I served on the CRC for Brevard County and Columbia County. I was council to two failed CRC efforts; Flagler County and St. Johns County.

Government history: A little about where we came from and where we are going in terms of the charter government movement in the State of Florida. Before Florida became a state Andy Jackson was our first territorial governor after the US took over. If you know anything about Jacksonian democracy you know that he was a man deeply suspicious of concentrations of power. He believed in divided government and very strongly in checks and balances and governments of limited powers. We came to follow that model when Florida became a state. The original model for county government had a fiscal court for those of you who are familiar with other jurisdictions that have county courts that are the governing bodies. There were commissioners who sometimes also served as the justice of the peace. They were the executive, legislative, and the judicial branches all rolled into one. People did not need much government in the 1800's. They were more self-sufficient than we are today. The kinds of services the government provided were cruder. Basically, the county government was a representative of the state for law enforcement, for the sheriff, for the court system, and for the collection of taxes. There was not much else that county governments did at that time. In those days people were subject to road duty just as they were subject to jury duty. If you got called for your time on road duty; you had to bring your own pick and shovel and go to work on the county roads. That was the way that services were provided. Even under the Constitution of 1885 up until the year 1900, county commissioners were appointed by the governor they were not elected. Most people believe that we have always had elected officers and that is not the case. It was not an important office and they did not do that much. What has happened to Florida since World War II and you only have to look around the fast growing areas like Clay County and you will understand that where counties used to be; that area of limited service where everybody had to be in one county or another, but they really did not do much. If you really needed some concentrated service level you formed a city. Now the cities are cheek to jaw with each other in many metro areas. The counties are assuming more of a different role, more of a regional role, providing regional resources looking at road networks, transportation networks, mass transit, coordination of utility services, and sometimes providing services to municipalities. Counties have been looking around for different roles to play than simply being another kind of city for the unincorporated area. In Florida, up until the Constitution of 1968, you had to go to the legislature if you were a county or a city if you wanted any specific power or to deal with a local problem. One of the big changes that the legislature wanted to make and the Constitution Commission in 1968 was the ability of charter cities and charter counties to have home rule authority. You did not have to go to the legislature every year to pass a special act to give you this power or that special district, or the millage that you needed for that special legislation. Now you have the power under some fairly generous general laws and under the constitution. If you are a charter county you have any power unless the legislature says that you don't have it. Now it is a matter of local citizens being really empowered. One of the things that the legislature did not say is what form a charter county government had to take. Justice Brandice was on the Supreme Court during the great depression and the years after used to refer to local government as the laboratories of democracy. That is really what local governments have become, particularly the charter counties in Florida. I have worked with a number of these charters and studied most of them; there are really no two alike.

Each of them is designed to fit the circumstances of the particular area where they are geographically, and in its political climate.

Some counties are very effusive about the way they have restructured their government. I know that in Volusia County in 1970 we had come through a long period of disrepute. We had some undo influence in the way that power was administered by some of the constitutional officers, particularly by some of the county commissioners. There were some political rings and there were some anti political rings. Finally there was a good government group of young leaders who had a lot of newspaper support that said you know, we have this provision in the 1968 Constitution that allows us to have a charter county and we know that by constitutional amendment Miami has done this as a charter county and Duval County did a consolidation by constitutional amendment; but no county has set out to declare itself a charter county. With the aid of the Legislative Delegation in 1970 the legislature proposed the first charter for Volusia County in the process repealing the legislation that authorized about 30 special districts and special boards that had arisen over time just by accumulation. We had the port authority, the mosquito control district, this fire district and that zoning district and they simply abolished all of them and said we are going to have one county and it will be called the County of Volusia. We are going to have a county council and we are not going to call it a board of county commissioners, we want to change the name of it. We called it a county council and I don't know if there is another county in the state that does that. They made it seven members. Actually, during the transition we had nine members, but they could not put the existing people out of office until their terms expired. Eventually there was a permanent membership of seven five elected from districts and two at-large. The district members were elected for two year terms just like congressmen they were always running for election. The at-large two council members ran for four year terms and they overlapped, so only one of them was on the ballot. We abolished the office of the sheriff and created a department of public safety with an elected director who is still called the sheriff but his official name is Director of Public Safety/Sheriff. We removed from the Clerk of the Court the power of treasury (the audit function), the record keeper for the Board of County Commissioners and gave it to the county manager and his or her appointed finance director department heads. Abolished the office of the Tax Collector and consolidated it into the finance department made the Property Appraiser a non-partisan elected officer. That was one of the more radical charters and was the earliest charter created under the 1968 Constitution, and one of the more radical in terms of the way they went in and cleaned house.

Most of the other counties did not go this far when they started their first charters. Clay County has had one now for 15 years or so and this is their fourth CRC session and you are pretty much in the groove, but the reforms that you see fit to institute maybe have not been quite so compelling. You are not quite in as much political misery as Volusia County was in 1970. There are all kinds of different ways of doing it. The legislative body in some counties is partisan and in others it is non-partisan.

They made the observation to me one day that the reason they wanted to go to a non-partisan is because in our county the political parties have gotten so politically alienated from each other and so extreme, that we want to throw the candidates into a single primary and get the two that are closest to the middle to come out for the run-off. It worked there for a while and then they went back to partisan. I guess just because old habits die hard.

In Volusia County prior to the time the Constitution required it, declared that the school board should be non-partisan by charter amendment. Yes, you can address, in limited ways, the school district with charter amendments. The form of the executive branch in many of the counties that I have worked has varied widely. Most counties in the charter situation have a county manager who works for the legislative body and has all of the executive authority. In some counties the Board of County Commissioners has not wanted to surrender their one-fifth part of the executive authority, so they hired a county administrator who isn't really quite a manager. The final decisions at the executive level are still made by the BCC sitting as a body, sort of that Jacksonian division of authority. Again, the mistrust of any concentrations of authority. Not really the most efficient, but it may be safer in the eyes of some people.

County managers can have any kind of greater or lesser concentrations of authority that you choose. You can have the non-interference clause as you do and are discussing whether you want to consider altering that. There are counties such as Orange County, and certainly Duval County who have a strong mayor system. The mayor is the elected executive of the county. In Orange County, their county mayor also sits as a member of the BCC and presides over that Board, so of all of the counties in the state that is probably the greatest concentration of authority as the chief executive. He has a full-time professional administrator who works with him and runs the county as the chief operating officer. It is a strong mayor form of government.

In Volusia County we amended our charter in 2002 and it became effective in the 2004 elections to do away with the notion that the chair of the county council should be elected by his or her peers. Instead, the people now elect the chair (four year term). It is a weak mayor form of government in that there is still an appointed county manager who is the chief executive officer of the county. The mayor's function or the chairman's function is to preside for four years to make all of the appointments to external committees, to deliver an annual state of the county address, and place items on the agenda in addition to the items that the county manager places on the agenda. So, not many powers, but at least we have a central power figure that we can blame things on. This is something that other counties have begun to take a look at.

Roy Lyons: This weak mayor, he only has legislative powers and has nothing to do with the county manager or the administrator.

Allen Watts: That is correct. It is Volusia County and it is an experiment.

Bill Garrison: When did that change occur?

Allen Watts: The charter amendment was approved in 2002 and the first chairman was elected in 2004. He is currently at the mid-point in his term.

Bill Garrison: How many commissioners sit on the board in Volusia County?

Allen Watts: There are seven. He is one of the two at-large. There is another at-large which we fall into the habit of making the vice-chairman. The other five are single-member districts. The other thing that we did in Volusia County, again you experiment with charters as the years go by, we found that the election of the single-member district councilmen every two years was

tiresome and didn't provide for continuity because six out of the seven were on the ballot and risked being thrown out of office every two years. You really couldn't develop a long-range vision, so we went to four year terms for all of the council members as part of that amendment package in 2002. That also seems to be working fairly well in terms of giving people enough time to learn their jobs without immediately being out running for re-election. We used to call that felicity season anyway and it's easier have it one year out of four than it is one year out of two.

Rob Bradley: We want you to be candid as you can with us and that is why we invited you to come. If you were to make an argument for making this central mayor legislative figure, what would have been the argument in 2002 to have that position?

Allen Watts: I served on that committee, was appointed by the council in 2000 or shortly after the 2000 general election. There was a feeling that the council was relatively powerless with respect to the manager. We had one manager for almost 30 years after we became a charter county. There were some members on the council who said that he would not speak to you until you have been re-elected at least once. So I think there was an effort to get more accountability on the part of the council, more leadership, and more direction. We needed some figure to be the leader. In this first experiment there isn't a whole lot of additional authority actually given to this chairman, but they are expected to lead. This is the person who is called upon when a quote is needed.

Roy Lyons: Did this bring stability to the council?

Allen Watts: I think that the jury is still out on that and there are those of us who had hoped that it would provide more. The Volusia CRC is now in session and there is some consideration as to whether additional powers should be given to the chair, up to and including whether we wanted to go to a strong mayor form. It is one of those constant experiments. We are 35 years down the road and you are 15 years down that road. Columbia County is four years down that road.

Ralph Puckhaber: Are they term limited in Volusia County?

Allen Watts: Yes, the original charter limited a single-member district councilman to three two year terms, then they could and many did, run for one of the at-large seats. Then they could, and some did run for property appraiser or supervisor of elections to finish off their pensions. It worked and we got some good people. You always take what the electors send you and they have fairly good sense. I think that those people who migrated through the county government and ended up one of the quasi constitutional offices did a good job. The term limits were there and they didn't really keep capable people out of public service. Now, they are two four year terms as a single-member district or at-large, then you can migrate to the chairman, or you can run for another office that is available.

Ralph Puckhaber: The council could run for eight years as a district and then run an additional eight years as an at-large?

Allen Watts: Yes they could.

Gordon Jespersion: You mentioned that there were some additional powers given to the chairman. What additional powers were they?

Allen Watts: Mainly to be a bully pulpit as Teddy Roosevelt put it. The chairman gives the state of the county annual report to the county government from the council's point of view; has the ability to place items directly on the agenda for action by the council whether or not the manager wants them on it; makes all of the external appointments of council members to serve on committees like the MPO, Regional Planning Council, etc., all of those external bodies on which they are always looking for representatives of our county. Internal appointments are still made by the council acting collegially to their own committees. External appointments are made by the chairman.

Mary Cooperman: We have been discussing two at-large, and one of those being a mayor. If one of these become they will know nothing. How would that work?

Allen Watts: First of all there has to be a transition period. We approved this amendment in 2002. There was two years for the people to sort themselves out that were going to run for the office. As it turned out, the candidates for the first chairman were all members or former members of the council, so they knew what was involved. In one case, the man who finally became the first elected chairman migrated there from a single-member district seat without any interruption from service.

Mary Cooperman: We don't have any repeats coming up in the elections. So it would be new people and I don't have the confidence to give somebody that much authority.

Allen Watts: The way that would work in a typical transition provision is if you put that item on the agenda as a charter amendment it would be voted up or down by the people in 2006. If it were approved, your first election of the chairman would come in 2008. It might or might not be candidates who are already sitting on the board, but that is for the people and their wisdom to choose.

Roy Lyons: Do you have any guidelines for these at-large seats so that we don't get three from the same district?

Allen Watts: Let me tell you how Pinellas County does it (from the work sheet): They have four single-member districts that are divided up by population on equal basis. They have three at-large seats, but you have to live in one of the three at-large districts. So you can have at-large district a, b and c; you are elected by the whole county, but you have to live in a, c; b, c; or c, c. Every voter in Pinellas County gets to vote for four of the seven county commissioners, their district member, plus all three of the at-large members. So there is a feeling connecting this to the majority of the county. That is one way of doing it.

Bill Garrison: How is it handled in Volusia County?

Allen Watts: In Volusia County the at-large seats can come from anywhere. In Volusia county there was something called the Palmetto Curtain which divided the coastal cities from the

interior cities. The interior cities always thought that they got out-voted by the people who lived on the coast, particularly in the at-large county commissioner's elections. That was one of the reasons why they went to the five single-member districts in the original charter. As it has turned out, the at-large seats, probably because of the way that the community has grown, there is less of an imbalance between the east and the west parts of the county. We have an at-large commissioner from West Volusia and the chairman is elected from East Volusia just by chance it was not planned that way. In Pinellas County you would plan where you had to live in order to run for an at-large seat. In Volusia, we did not do that.

Bill Garrison: In Volusia County, they could conceivably be neighbors?

Allen Watts: Yes they could.

Roy Lyons: When you first started this, in order to stagger this was the first election one for two and one for four?

Allen Watts: Actually yes. We had one at-large seat which was expiring in 2004, so that became the chairman's seat. The other at-large was a hold-over in 2004 and she will be running for re-election in 2006.

Roy Lyons: The first one was for the chairman's seat for four years and the other one was for two years.

Allen Watts: She was holding-over for two years, yes. We converted the single-member seats from two years to four years and staggered them so that they are all not elected in the same cycle.

Una Cornelius: Did you always have at-large or did you start out as single-member districts and then you added at-large?

Allen Watts: From 1900 when the governor quit appointing county commissioners, until 1970, there were five commissioners and they were elected at-large. Beginning in 1970, we went to the five single-member council members and the two additional ones elected at-large.

Una Cornelius: So you started at the beginning with single-member and at-large.

Allen Watts: Yes.

Ralph Puckhaber: I want to get back to the elected weak mayor. It sounds like that worked well for Volusia County because of the fact that you could hop from seat to seat. In Clay County's Charter there are term limits that apply to the entire commission, so you would have very limited seat hopping. What if you had someone coming in inexperienced, but wanted to do a good job and really knew very little about the government. Do you really think that person would do as well as someone who has already been serving?

Allen Watts: Fritz did not know it when he accepted the job in Clay County, but the new mayor in Deltona is 27 years old and has never held an office. He is the mayor of the largest city in

Volusia County with a population of about 75,000 people. He is doing fine. That is not why Fritz decided to leave. He lived in the City of Deltona and they have a mayor elected city-wide and six commissioners elected from single-member resident's areas. So it is a six single-member district and one at-large mayor.

George Espada: Are the commissioners full-time or part-time?

Allen Watts: That was a big point of discussion when the original charter was drafted. The original drafters wanted to sort of break a cycle and give the manager the room to operate without a lot of interference from people who had full-time jobs and nothing else to do. So the initial salary for a Volusia County Councilman was at about \$4,000. It was considered a part-time job and they fully expected you to have another job that paid for your living. They modified that a couple of times, most recently they have set the schedule for the county council members at the same as is prescribed by general law by our school board members. It is somewhat less than you would get in a non-chartered county for a population of a half million, which is where Volusia is, but it is still considerably more than \$4,000. I think it is in the high 30's and the chairman gets 20% more.

Chairman Cummings: Tell me again the counties that you have worked with either in the initiation stages or as council for charter counties. There is varying districting schemes for each of them. You eluded that Volusia County who has two at-large members may have an imbalance there; but the two at-large and five single-member districts have been there since 1970 so it is not like they added or changed. I assume the population is about 480,000 and it was about 175,000 in 1970. Do you see that it works any better for a single-member district or the at-large districting, or the compliment of the two like Volusia County has?

Allen Watts: I have worked with Volusia, Brevard, Polk and Columbia Counties and currently working with Seminole County with charter related litigation. Let me offer you this observation. As counties become more urbanized, the cities get closer to each other and pick up more of the front-line services that people tend to expect. You look at Broward County, they are almost completely developed out and almost every area in that county is also within a city. So what is left for a county government to do? They sort of reinvented themselves as a county government. They deal with regional issues: standardizing, development standards for new plats and reviewing comprehensive plans of cities to make sure that they match up with each other at the boundaries and that they also match up with the regional county goals. The county provides facilities like ports and regional transportation systems; both highway and mass transit, busses and trains where they have them. The county becomes more of the regional focuser of all of the cities when you get into an urban setting like that. It does need to reinvent itself at some point along the line.

Chairman Cummings: When they become more urbanized there may be advantages of having the two at-large or the combination of the two, or one or the other.

Allen Watts: In a time when you are really looking at regional government you are going to find, generally speaking, broader vision from at-large members. They look for their support to the whole region and not to small parts of it because you are dealing with issues that affect the whole

region and you need to have the political wisdom to be able to balance out those competing interests within an urbanized area well enough to get yourself re-elected. Whereas if you represent only a single-member district, in that kind of a setting you tend to focus more on the interest of your small one-fifth or one-seventh of the county, and less on the issues that affect others in the county. But as your county grows, it is less important for you to focus on neighborhood, front-line public services pot-holes and so forth. It is more important for the county government to begin to focus on the regional issues that city governments may not be capable of doing because of the inherent conflict of interest between local issues and regional issues.

Chairman Cummings: If you look at Volusia County who has seven commissioners and has 484,000 people, but only 23% is unincorporated which means that the county government is providing less service. Clay County is 90% incorporated. As you look at that it provides more insight that there is such a variety which you have mentioned, each county has a different flavor. There are seven single-member districts in Palm Beach County that has 1.2 million people and is 45% unincorporated. Leon County has seven commissioners, has 263,000 people and is 36% unincorporated.

Allen Watts: It is important. When Volusia became a charter county in 1970 the population was reversed, it was mostly unincorporated. Two things have driven people toward the cities in Volusia County, one is annexation and the other is that two of the major urbanized but unincorporated areas chartered themselves as brand new cities and I work for both of them as their first city attorney.

One was Debarry, which had a multi-billion dollar power plant on his tax base and it was very easy to become a fiscally sound city and the other was Deltona, which Fritz came from. Deltona overnight became the second largest city in the county and now is the largest city in the county larger than Daytona Beach. That moved Volusia County from the ranks of heavily unincorporated to predominately incorporated, and that presents some challenges. Different counties do it different ways as far as how you finance your services in the unincorporated area. We have this thing in the Constitution that says that if you live in a city you don't have to pay double taxes; paying the city for one service and then also paying the county for the same service. There was a lot of litigation back in the 1970's after the Constitution was adopted about whether the county was charging the city taxpayers too much and whether they needed to back off with the double taxation. One of the ways of addressing that is to create these municipal service taxing units and they can charge service fees and ad-valorem taxes, etc. for services in the unincorporated area. I don't think you do this way in Clay County, but in many of these counties, that incorporated area has a separate district run by the county, but charges for solid waste, county fire protection and in some cases for water and sewer, front-line municipal type services provided for in the unincorporated area. What is happening and what is driving more people toward the cities is that the tax level in that unincorporated area is rising if you are in one of those special service districts that is unincorporated. When you add together all of those special service districts you find that you are paying almost as much in taxes as you would pay in a city. There are fewer disincentives financially to go ahead and annex to a city. What that does then, is it makes the tax base in that unincorporated area shrink to all of a sudden you are trying to pay for the sheriff's road patrol in a tax district unincorporated, but consists mainly of farms

and forests. It disappears under green belt and homestead caps and you don't have any way to finance it. That is one of the challenges that you begin to run into with these counties that are shifting to a more urban basis, and yet they are still expected to provide all of these services in the unincorporated areas.

#4 Guest: Dale Williams, Columbia County Manager

Chairman Travis Cummings introduced Mr. Dale Williams.

Dale Williams: I appreciate the CRC inviting me to their meeting. I am a native North Floridian, born and raised in Columbia County. I am not from Georgia or Texas. I have had many opportunities to visit Clay County, including its cities. As a boy I used to fish and hunt in this area. I told Travis when we met earlier that I simply could not believe that in the last few years how much Clay County has changed. It is incredible what the county is experiencing in terms of growth. I don't know what your growth rate is, but it is certainly more than Columbia County.

I have been very fortunate to have been the Columbia County Manager for the past 24 years. I like to tell people when they ask me that my secret to my longevity in Columbia County is simply that I have been blessed.

The state says that Columbia County's population is about 60,000. That is not true, it is more like 75,000. We know this because of how many residential meters the utility companies have issued, as well as through our non-ad valorem assessment program. Columbia County is half the size of Clay County; we have one municipality, and one town. The municipality is the City of Lake City and its population is somewhere between 11,000 and 12,000. The Town of Fort White is about 520 people. There are only two incorporated areas that we have to deal with. Quite frankly, from a managerial standpoint it does make things easier because it is very difficult for managers who have numerous municipalities. That is one burden that I don't have like my counterparts. Columbia County is 61 miles from the northern border to the southern border; we are somewhat narrow, only about 30 miles across. Our county starts at the Georgia line to Alachua County. We are bordered on our west by Suwannee County and on our east by Baker County. We have a lot of geographical features. Our topography is cursed. We have a lot of sink holes and a lot of areas which simply allow ground waters to flow directly to the aquifer. For the past several years, along with our growth, which is about 6 percent a year for the past couple years and prior to that was probably in the neighborhood of two to three percent, we had to deal with the ecological consequences that came with that growth. We have some areas in Columbia County which the state, through the Department of Community Affairs prefers that we do not allow any type of development at all. But as you all know, Florida is a private property right state and we don't necessarily hold that as an obtainable goal, but it certainly draws attention to it. It makes us have to consider what we are doing, particularly from the planning standpoint.

Three years ago January started the fourth year of our charter. Unlike a lot of counties, the charter initiative in Columbia County started out as politics. There was a local citizens group who had some issues with the county commission and basically was able to force a charter commission to be formed. The county commission simply agreed to do it and did not make them do a citizen's petition and go through the legislative process. They allowed this group to actually appoint or name some of the members to the CRC to be appointed so it would be a fair and equal representation. Our CRC has fifteen members like that of Clay County. That is how the CRC got

started and when Allen Watts got involved. We also hired a consultant who sort of acted hands-on, leading the commission through the process.

The document that we ended up with is under its first review by the CRC. Whatever they decide to propose ultimately will end up on the November 2006 ballot. They have six or seven issues they are discussing, and how many of those issues will be placed on the ballot, I am not sure. Our charter basically preserved the five single member district county commissioners. You need to understand that single member districts were the political format in Columbia County before the charter. The reason that we had them is because of a law suit.

In the early 1980's Columbia County, the Columbia County Commission, and the Columbia county School Board, as well as some surrounding counties, was sued by the NAACP. Basically, the basis of the suit was that you could not get fair and equal minority representation with an at-large vote. It was a legal issue and it went to the US District Court. They concurred, and entered into an order creating single-member districts for the Columbia County Commission and the Columbia County School Board. This is where we have been since.

There are certain citizens of our population who would like to see that returned but the political opinions that we receive is that it is not something that you can just do on a ballot, it is best if you take it back through the court system to see if the findings of the court at that time still holds true, and if not you will expect the court to reverse it. Otherwise, if you do it by ballot it is still subject to a challenge and may become more of a mess than it is worth.

I have heard that your CRC is discussing if you should have five, seven, or more commissioners. I am a manager and I have to work with those people and five is plenty. I qualify upfront. I am a manager and I have to work with them. You have five different personalities, at least in my case. I do. You have the other two at-large, and I understand where the logic comes from to do that, but I am speaking as a manager. I will leave it at that.

The constitutional officers were left alone. The only thing that really changed was that they became non-partisan. We had partisan elections for both commissioners and constitutional officers prior to the charter that was changed. We do have a citizen's initiative in our charter. The citizen initiative is based on ten percent of the electorate. We did have a preemption provision in our charter that dealt with when county ordinances should sort of trump municipal ordinances. I think in the end we were able to identify about seven issues that deal with things like determining the level of service standards on roads, because many county roads go through the municipalities. Things like environmental laws, obviously, if the unincorporated area needs to be under a no burn order, it should hold true in the city. Also, public nudity; we wanted to make sure that was included because the same standard should hold true. There were seven issues that were agreed upon with the City of Lake City's participation that basically said that the county law trumps the city law. Unless the city wants to make it more restrictive, and at the time they could, but they could not make it less restrictive.

The duties of the county manager were defined. I will tell you that my contract at the time the charter passed basically reads exactly like the charter. It is almost as if they took what my duties and responsibilities were and added them to the charter. The reason that it reads that way is they

primarily come out of the statue anyway. I did not always have that authority; it was given to me in bits and pieces. I certainly did not come to Columbia County as an experienced manager, administrator, or coordinator. Some of the things I knew and some I had to learn. I think that some of that comes with a little bit of trust between staff and its elected board.

I don't know what they may propose in terms of changes. There is not as much of a true political element today as there was a few years ago. There is some dissatisfaction, but most of what you hear the public asking the CRC to do in Columbia County they can't do because it basically would be inconsistent with general law. So there are a lot of people that come to the CRC meetings in Columbia County and they want to control certain expenditures of the BCC and where they appropriate funds, etc. That is when we depend on counsel to say that as much as your reasoning may be good, it is inconsistent with general law. The CRC simply can't do that. A lot of the issues have been brought before that commission; and a lot of the members on the CRC supported the issues, but it is just not going to affect the charter in the end because of the inconsistency.

The floor opened for questions.

Bill Garrison: You commented that you have been a county manager for 24 years. Would you comment on the relationship you had with the county commission and your role as the leader of the county as an appointed county manager.

Dale Williams: As many county managers as there may be, they are all different. I see myself differently than an elected official. I believe that commissioners are elected to do a certain job and I try to help them accomplish that job within the proper framework and tools, the right way. I do not in any way argue publicly with a commissioner. I will be the first to tell you, I have had some arguments with them behind closed doors. You are not going to see me do that in public. Even if the commissioner disagrees with me in terms of policy as to what I think; to me their opinion, as long as it is legal, trumps mine. I see myself as being there to assist and foster them with their goals and ideas. Now do I make recommendations all of the time. Gladly make them when the commission doesn't want to. I tend to believe that some managers view themselves differently than I do. I am glad when the paper wants to talk to one of my commissioners. I get tired of talking to the press and I ask them if they would rather speak to the chairman. As you can imagine, over the past 24 years I have served with a lot people. I have respect for everyone that I have served with. I have not always got a long with some of them. Some of them have come in the door and immediately and said that I had to go. I don't know too many managers that have to deal with that, it is part of the job.

Roy Lyons: Your job is dependent on whether or not you get along with the commissioners. Do you feel as though you are under the gun in any way; and do you feel that a super-majority vote is needed to fire the county manager? I am looking for the autonomy for our county manager to do his job without having to worry about getting fired if he gets in some kind of conflict with the commissioners.

Dale Williams: We discussed this issue in the original charter. Understand that at that time I had been with Columbia County for over 20 years. I told them to not make it difficult. Frankly, if

three of them don't want me there, I don't want to be there. I am just being honest. The job is too hard and it is too difficult if you have three commissioners that don't want to work with you. On the other hand, maybe you should have a super-majority actually agree to hire the individual for that position. You would be surprised how many votes are three/two, or they are not super-majority. Then, from the beginning, the manager is questioned by those who did not support him, as if they did not give their approval from the beginning.

Allen Watts: I think that Dale has it right. It may overly empower a minority to say that it requires a super-majority vote to fire a county manager. Volusia County has it the other way; it takes five to hire and four to fire.

Rob Bradley: Four to fire with there being seven, so it is not a super-majority.

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Chairman Cummings: Bill Garrison arrived they have 14 of 15 represented.

Agenda #5:

Rob Bradley made a motion to direct County Attorney Mark Scruby to prepare a draft of a proposed amendment to the Clay County Charter which inserts the last sentence of the Brevard County non-interference clause after the second sentence of the Clay County non-interference clause. Gordon Jespersen seconded the motion. Discussion ensued.

Ralph Puckhaber: I can clearly read what is in our charter. He requested that Rob Bradley read the sentence again.

Rob Bradley: This is how the sentence would read if it is presented as a charter amendment:
"County commissioners may communicate with employees, officers or agents under the direct or indirect supervision of the county manager or county attorney for the purpose of inquiry or information. Except for the purposes of inquiry or information a county commissioner shall not give directions to or interfere with any employee, officer or agent under the direct or indirect supervision of the county manager or the county attorney. Such action shall be malfeasance within the meaning of Article IV, Section 7-a of the State Constitution. Nothing contained herein shall prevent a county commissioner from referring a citizen complaint or request to the county manager or the county attorney."

Ralph Puckhaber: Why wouldn't we want to consider adding the commission auditor to this too? I think that this clause was written before the county auditor's position existed.

Rob Bradley: I would agree with that without objection. I amend my motion to include the commission auditor where it's stated county manager or county attorney.

Ralph Puckhaber: You would replace county manager and county attorney with: county manager or county attorney or commission auditor.

Roy Lyons: Isn't this what we discussed at our last meeting.

Chairman Cummings: Without Mr. Scruby present, does this violate the subject matter? I know it is the same subject, but what about the positions?

Una Cornelius: Are you saying that a commissioner can't go to the county attorney to ask questions.

Rob Bradley: Our existing non-interference clause, like all non-interference clauses stand for the proposition that if they want to deal with administration, they deal with the county manager, or they deal with the county attorney; as Ralph Puckhaber stated, they deal with the commission auditor.

Ralph Puckhaber: There are three people who work directly with the commissioners.

Rob Bradley: The point is that the commission auditor's position was not in place when the non-interference clause was drafted. Without objection, I amend my motion to also include a phrase that says county manger or county attorney or commission auditor.

Chairman Cummings: Are we referring to the department heads or employees that work under the county manger. Is that what the current non-interference clause is about?

Rob Bradley: The current non-interference clause refers to every person in county government who works under the direction of either the county manager or the county attorney. The county attorney has two people working under him.

Chairman Cummings: Currently the commission auditor does not have anyone working under him.

Rob Bradley: Correct. He is a one-man shop and overtime that position will evolve to more. If he does in fact hire an assistant commission auditor; which the charter says he has the ability to do, then you would want to give the person he or she hires the same protection that all other county employees have.

Ralph Puckhaber: By adding that language we make it clear that to interfere with the non-interference clause is an act of malfeasance.

Rob Bradley: Malfeasance is an act that could result in the removal of the commissioners by the governor or recall process.

Bill Garrison: I am not familiar with Mr. Scruby's concerns. I understood that originally we discussed strengthening the clause considerably. To me it has strengthened some, but not to the extent that Brevard County and some of the other counties have including Columbia County. I would like to read Columbia County's opening sentence to this clause which sets the tone for me. Columbia County: "Except for the purpose of inquiry and information, members of the Board of County Commissioners are expressly prohibited from interfering with the performance of the duties of any employee of the county, etc." It is the same language in Brevard County's clause. Our clause reads: "County Commissioners may communicate with employees, officers

and agents”. It seems to me that we are sending a different tone. I must have missed Mr. Scruby’s comments on this issue. What is his concern Rob? What is it that he thinks we are doing by making it that strong?

Rob Bradley: I have a copy of Mr. Scruby’s comments from the December 29, 2005 memo he forwarded to the CRC. What he stated in the memo is as follows:

“From attending the meeting I recall that the focus of the discussions was on defining violations as malfeasance. The original motion was simply to include the Brevard malfeasance language in the Clay County clause. This would have involved nothing more elaborate than inserting the last sentence to the Brevard clause after the second sentence to the Clay County clause. The motion was withdraw and another motion was offered and approved unanimously to substitute the Brevard version in its entirety with the Clay County version. In preparing the draft I realized that in replacing the Clay version with the Brevard version, much more was being changed than simply including malfeasance language. The five significant changes beyond the malfeasance language as I noted them would be: 1) to eliminate completely the first sentence of the Clay version with no corresponding replacement, 2) to make the Clay clause applicable to the “Board of County Commissioners and committees of commissioners,” rather than to each of the county commissioners as currently provided, 3) to eliminate from the Clay version entirely the language prohibiting commissioners from “giving directions to county personnel with no corresponding replacement”, 4) to eliminate completely the third sentence of the Clay version with no corresponding replacement, 5) within the Clay version, to eliminate entirely the county attorney staff from the scope of the non-interference limitations. Because these changes seem broader in scope than discussed, it asked the Charter Review Commission to look closely at the draft proposal to ensure that it reflects the member’s intent.

Rob Bradley: I used his comments to formulate this motion.

Bill Garrison: I obviously want to do what is legally correct. I don’t understand the idea that if you change or replace something, why do we have to take it out and then put it back in. I don’t quite understand that. I would like to see strong wording in the opening sentence of this clause that the commissioners are not to be interfering. To me, it is just too soft. The county commissioners may communicate.

Roy Lyons: I don’t know why we couldn’t start this with the second sentence. Except for the purpose of inquiry or information, county commissioners shall not give direction or interfere with any employee, officer or agent under the direct or indirect supervision of the county manager or county attorney. Ours begin with: “Except for the purpose of inquiry or information”, which gives them the ability to get information.

Michael Q. Rogers: That is like nailing them to the wall because one can rationalize why that person is approaching an employee of the county. In their mind and their judgment is for the purpose of information and not just inquiring. I do see both sides of this. I would like to also see stronger language, but more importantly, I would want to know that there are checks and balances when and if this occurs to make this particular policy a living policy. In other words, it is active and not just words on a piece of paper. I am for certainly obtaining the right language

presented and would like to spend a little more time on the checks and balances to make sure it works.

Roy Lyons: What gives us the authority would be the county manager enforcing it.

Michael Q. Rogers: I have other questions after we nail this down that would give me a higher level of comfort.

Rob Bradley: He would not enforce it.

Michael: Who would not?

Rob Bradley: The county manger.

Roy Lyons: He would insist that the commissioners work through him.

Chairman Cummings: Do you, Dale or Allen have any comments on this issues of interference or non-interference?

Dale Williams: You read the non-interference language with Columbia County's Charter. First of all what I did was go with the educational process, not just with department heads, but all county employees. We had several sessions that included employees and reviewed the charter with them. It was explained and is still part of our continuing education program for policies of all types. Simply put, what I train my employees to do is to understand what the difference is. All they have to say to an elected official who they feel is asking them to do something that maybe they shouldn't do is, "boss that is fine, have Dale call me and tell me to do it". I don't want any of my employees to get confrontational with elected officials and I am very fortunate that I don't have commissioners who I believe would put my employees in that position. Maybe it will happen one day, but the commissioners respect their role and they respect the employee's role. We do educate our employees and particularly the department heads. I do warn them that if they go out on a limb one day and do something because a commissioner asked them to do it directly, that it may work out fine, but if it doesn't, where are you going to be in the process when it is over.

Chairman Cummings: I know that the way you characterize it is if a commissioner calls the public works director and tells him that there is a pot-hole on a particular street that is fine. But, if the commissioner tells them how to do it and when to do it, etc. then it is overstepping boundaries.

Dale Williams: Regarding public works complaints. We try to have a system and they are logged. Commissioners are elected by the public and I personally believe they have to be accountable to the public to some degree and to simply say that you can't discuss or talk to a county employee seems to me to be wrong. So if a constituent calls them instead of calling me or public works director and tells them there is a pot hole; I see nothing wrong with that commissioner calling public works and saying that there was call and the address and what it is about. If he goes further, and says I want it fixed by 5:00 p.m. that is a problem. What that

employee is trained to do is to say, “we will have to reschedule the calendar, have Dale call me to approve it please.

Ralph Puckhaber: I understand the situation in Columbia County. That is what got us into trouble here in Clay County. Fritz Behring pointed out at our last meeting that he does not want that to happen. It has been part of our problem.

Chairman Cummings: Fritz was concerned about the efficiency of the departments handling complaints and getting them logged. He is aware of it. In the case that you did not have a system to log complaints or probably do it, you would not be aware of it.

Dale Williams: To show you how important that is our system was established three years ago when the charter was voted in. It won't work without the system.

Allen Watts: I think that the emphasis in both the Brevard CRC and the Columbia CRC was on what is prohibited rather than what is allowed. They wanted to say here are the consequences if you cross over that line.

Bill Garrison: That is exactly what I am after. In light of what the county just went through and how the current clause is worded, I think that we need to eliminate the first sentence.

Rob Bradley: Withdraw all pending motions previously discussed regarding agenda number five.

Rob Bradley made a motion to direct staff to prepare proposed charter language for public hearing that reads as follows: Except for the purposes of inquiry or information the county commissioner shall not give directions to or interfere with any employee, officer or agent under the direct or indirect supervision of the county manager or county attorney or commission auditor. Such action shall be malfeasance within the meaning of Article IV, Section 7a of the State Constitution. Nothing contained herein shall prevent a county commissioner from referring a citizen complaint or request to the county manager or county attorney or commission auditor. Roy Lyons seconded the motion, which carried 14-0.

Chairman Cummings: This will go once the draft is reviewed and accepted by the county attorney will now move as a proposed amendment for the public hearing portion of our CRC process, and will now be the second item that we will present at the three public hearings to gather public input.

Agenda Item six:

Discussion of Commissioner Rutledge's recommendations regarding reports from the commission auditor.

Rob Bradley: At their last CRC regular meeting in Keystone Heights, Commissioner Rutledge made impromptu comments regarding the actual process that occurs when the commission auditor report is produced. He recommended “that the commission auditor report directly to the full Board, rather than through the Budget, Finance and Personnel Committee (BFP)”. His

impressions were that audit reports were the auditor work that goes to the BFP Chairman and those reports could receive a full hearing at the BCC level, but because they are placed on the Consent Agenda that doesn't always happen. I thought that this was an interesting point and something that we did not realize as a commission. It was certainly something that probably contributed to the problems that the county is currently facing. One of our jobs could be to make recommendations to the BCC regarding non-charter changes. They obviously are not binding and would not appear on the ballot; but based on our work, we might come across some matters that we may think are worthy for their consideration, and it could be done in a formal manner. I would like to place this item as a recommendation that the commission auditor report go directly to the full Board rather than through the BFP. At our final meeting, I would like to include this as a possible report to the Board.

Roy Lyons: That is a good idea. They could make this an ordinance or as an administrative change. It does not have to be in the charter.

Ralph Puckhaber: There are a couple of other issues that I thought we might do in the same way but we have not addressed them yet. They would become a public record so the BCC will see it and it could not be thrown in a desk drawer. Everyone will be aware that we made that recommendation.

Chairman Cummings: I hope that the BCC recognizes that we have obtained expert advice to make our decisions. We have previously discussed adopting an ethics code and that would not be something that we could do in our charter, but we could make a recommendation to the Board to do it. I can see that we may have several non-charter recommendations come out of our session. We continue to emphasize that we don't want to place just anything in the charter; we don't want to be careless with any charter amendment. Through our process we will have more findings that will hopefully hold value to the BCC, this issue being one of them. As Mr. Bradley mentioned, if you read something in the public record, the full Board hears it and it is not lost in the Consent Agenda. This is something that holds the BCC more accountable as the oversight committee.

Mary Cooperman: The BFP is very powerful. Whatever comes out of it is a public record. No one knows where the backup information of BFP items on the agenda is located.

Rob Bradley: When I first became the Town of Orange Park's attorney, I used to get annoyed that our charter requires our external auditor to read his management letter every year into the public record. We would sit up there and listen to it for about 20 minutes as it was read into the record. Now, I understand why this is part of our charter. Wouldn't it have been something if the 2003 public works audit was read for the record? Something as simple as that could have made the difference. I am not suggesting that we make this part of our charter, but I do think there needs to be a direct linkage between the final report of the commission auditor and the BCC. We have been told over again that they are the oversight committee. Then they should be the oversight committee. The report should go straight from the commission auditor to the BCC and handled in a public manner.

Chairman Cummings: What we will do to address not only on this issue but any others that we decide should be recommendations, is to open the floor for discussion and vote on them as we do with all of our other business. We will begin to make a list and this will be the first one to add.

Roy Lyons: Commissioner Rutledge is aware of these problems and some of the things that were going on. One of the things that he initiated was have the committee meetings televised.

Agenda item 7:

Discussion to set dates for the required three public hearings of proposed amendments to the Charter.

Chairman Cummings: At the last meeting many of the members thought that our schedule was too aggressive for the hearings. As the chairman, I do feel that if we don't schedule the hearings at tonight's meeting we should plan on scheduling those dates. We should be shaping up our goals and getting to the public hearing stage. A brief discussion ensued.

Rob Bradley made a motion to set the three required public hearings for proposed amendments for the charter on March 20, 2006, April 6, 2006 and April 17, 2006. Ralph Puckhaber seconded the motion, motion carried 14-0.

Chairman Cummings: I think that the group needs to be aware that we could possibly meet after the public hearing dates for further business on our normal meeting dates as needed.

The next meeting is Thursday, February 2, 2006, at the Orange Park Town Hall, 7:00 p.m. The next meeting will be held on Thursday, February 16, 2006 at the Orange Park Town Hall, 7:00 p.m.

Public comments and questions:

Jane Padgett:

1. Mr. Watts, in your opinion, what is the role of the county attorney in terms of counseling the commissioners when they are not following the charter? Does he have any responsibilities in this area?

Allen Watts: Everyone is presumed to know the law. It really depends on the relationship between the attorney and the Board. Most attorneys operate under the premise that a closed mouth gathers no foot; they prefer to sit unless they are asked a specific question. Most don't volunteer to their employer; you just went across the line. It could get you removed from office.

2. You had mentioned in the beginning that charter counties have a lot of flexibility and powers in that we kind of have the standard measure that if it is not specifically prohibited by Florida law, that they have some powers there. Last week at the seminar, Ginger Delegal said virtually the same thing. From reading the minutes of the last CRC meeting - Fritz Behring was at that meeting and he indicated that there was a difference of opinion between he and the county attorney. He wanted to do some things and he wants to have a strong county manager. I think that a lot of people want him to be too. The county attorney instructed him that unless the charter

specifically gives him certain powers he does not have those powers. I wonder if this is a conflict in the way that we look at charter counties.

Allen Watts: Without re-reading the Clay County Charter which I have in front of me, all of the power the Constitution allows resides in the county government somewhere. Normally, any power that is not specifically given somewhere resides with the Board of County Commissioners. However when the charter describes the role of the county manager as a chief executive officer, then there are inherent powers that go with that job. I am not necessarily disagreeing with the county attorney because I don't know what his advice or context was.

Jane Padgett: As I understand it, unless it is specifically given to you in the charter, you can't do it. I felt that this was contradictory.

Una Cornelius: He just said that they had a difference of an opinion and they were working on it.

Chairman Cummings: We discussed this with the county manager at that meeting and I think that if he feels that he needs an assistant county manager because of the 14 departments that he is responsible for he has the right to restructure the departments. He feels that there are inherent powers in the charter for him to do this. Mr. Scruby called me before that meeting to inform me he would not be able to attend. We discussed this issue and he stated that he was satisfied with the charter allowing Mr. Behring to make the changes that he is proposing. He thanked Ms. Padgett for bringing this issue and because it was a concern of many. This issue was on their agenda and was pulled.

Mr. Bradley: I pulled this agenda item because after discussing it with County Attorney Mark Scruby I understood it more and it made a lot of sense.

What we are talking about here is that we have a county manager who has 14 department heads. Let's say the county manager whoever it may be, decides that he thought it was good practice to have eight departments rather than 14. The question then becomes, does he have the power to unilaterally restructure county government to make those 14 departments to eight even though we have an Administrative Code that states we have 14 departments. There is a provision in our charter that gives the BCC the right to consider an appeal if the county manager dismisses one of those department heads. Does the county manager have the power to dismantle the departments, reorganize, and budget the money the way he pleases just because he is the chief executive officer? That would not be a government that I would be supportive of. From a practical, political, and legal standpoint, there should be an agreement between the county manager and the majority of the BCC as to the general structure and priorities of our government. I think that what we have is ok. Mr. Behring is proposing to restructure of our government so that there will not be 14 department heads. From what I have heard it sounds like a good idea. I don't know.

I think that it is very appropriate that doesn't just do it, but that he takes it to the BCC and sells it. This is what we need to do. It is the way the government should work. If they don't go along with him then fire the BCC if you think that the county manager is right and they are wrong. If they come back and say I think we should massage this a little bit, then vote for them. There has

to be a team effort. The political process has to work so that one side isn't incredibly powerful and the other side has no power.

Jane Padgett: The question was too broad. I was confused and I did not know.

Rob Bradley: I had the same confusion and completely understand where you are coming from. Now that I have reflected and thought about it, it has occurred to me that everything is fine. This commission doesn't need to do anything with this issue because we want our county manager to take it to the Board so they can buy-in on any restructuring that he proposes and everybody will be on the same page.

Jane Padgett:

3. Asked Dale Williams about their county's citizen's initiative and require ten percent of the registered voters to get a petition on the ballot.

Have you ever had a citizen's initiative in your county?

Dale Williams: No.

Jane Padgett: Could it possibly be because you have basically pushed them out?

Dale Williams: You have the right to a citizen's initiative and the easy way for you to do it is to bring it to your county commission and explain the need for it, and hope that they will go ahead and take the ball and run with it.

Case and point for the CRC. Columbia County was one of the first counties that extended the distance from certain locations for sexual predators and sexual offenders. That was clearly a citizen's initiative. A sexual offender moved into a neighborhood creating controversy among the citizens and they brought the issue to the Board. If the Board had said no, then citizens had the right to do a citizen's initiative.

Jane Padgett: That works with the Board only if it is a popular issue. Of course we all want sexual predators to be identified. We go to the Board all of the time and never receive an answer.

We went to the CRC four years ago and one of our recommendations was single-member districts. It was not discussed and we went through the citizen initiative process. I just wanted to know if you have ever had a citizen's initiative with those astringent requirements because we are also considering that here.

Dale Williams: The only thing that I can add is that there were two people who brought up term limits. The county commission advised them that they could either do the citizen initiative, or what they preferred; and that was to simply hold their request and take it up with the CRC. They felt like the CRC at that time could hear it quicker than they could do the initiative.

Jane Padgett: We tried both of them and it has not worked.

Jane Padgett: Does your county have an elected county attorney?

Dale Williams: Yes we do.

Jane Padgett: Would you please explain why you have an elected county attorney.

Dale Williams: Our elected county attorney was done by a special act of the legislature in the 1950's. Columbia County voters on several occasions had the opportunity to change it and they have opted not to. Again, it is one of those things where you are fortunate. Every elected attorney in Columbia County that I have had the pleasure of working with has been excellent. There have been no issues regarding this.

Jane Padgett: I am actually thinking it is a good idea and we are considering it.

Dale Williams: It has been argued that it is a good idea because the county attorney answers to the public.

Dale Williams: Final Comments

Based on some of the conversation this evening, and referring to audits.

Have you noticed that a public audit is thick? The State of Florida requires this and believe it or not, Florida law is not consistent between municipalities and county governments about audit standards. For example: County governments are required to budget no more than 95% of their estimated revenue. Cities or municipalities are not. You can ask someone very well versed to read an audit from a municipality and absolutely misread one that was done on a county. I have seen it happen. My point is that there is nothing in Columbia County's Charter what so ever that refers to audits; but there are some things that are spoken to in law in generally accepted accounting principals. I think that any responsible government needs to insist on them. First, whoever your external auditor is, you need to insist that they do an entrance interview when they are chosen. Very few people do it anymore. A county manager or a county administrator has an obligation to disclose any known inconsistencies or problems that they may have had, it is there job. When the external auditor does their entrance interview the county manager is supposed to let them know about their weaknesses. Make them do it.

Second, they should do an audit exit interview. I spend a better part of 2/3 of a day when we do an exit interview with the external auditor. I need to know what is in it and most importantly, if I have a disagreement. This would be the time to take it up. Columbia County has no requirement for this but all of our audits have been presented publicly. Our management letters have always not only been read aloud, but they have actually been enclosed in the copies. You will notice that a lot of offices and cities are bad about this; they present the audit and management letters in envelopes and then they go on the desk. I think that the auditor general requires the management letter prior to submission, has the letter bounded. It used to not be a requirement. I think that it is important that entrance and exit interviews from the external auditor are critical – it is good business to present it publicly.

As far as reorganizing government, every manager wants to reorganize their government. But when you have an Administrative Code, and I understand that Clay County does, it is adopted by the Board and the county manager should go to the Board and present his plan as to why he wants to change it.

Final Comments from Allen Watts:

It has been my experience that people who are involved in county charter government tend to care more and be more attentive to the quality of their government. Thank you for allowing me to play a small role in your effort.

There being no further business the meeting adjourned at 9:50 p.m.

Chairman Travis Cummings

Recording Secretary, Ann Mitchell