

**MINUTES
CLAY COUNTY
CHARTER REVIEW COMMISSION
OCTOBER 17, 2005**

The Clay County Charter Review Commission (CRC) met on Monday, October 27, 2005, 7:00 p.m., Meeting Room 1, Tax Collector's Office, Clay County Administration Building. Those in attendance are listed on the attached sign-in sheet. Glenn Oliver and Armando Pineda were both absent.

Rob Bradley made a motion to approve the revised minutes (grammatical changes) of the October 17, 2005 CRC minutes. Roy Lyons seconded the motion, which carried 13-0.

For informational purposes, Chairman Travis Cummings informed the CRC that Armando Pineda had sent him an email advising that he would be missing several CRC meetings for the next couple of months and indicated a possible resignation. Mr. Pineda followed-up, providing a resignation statement that he could not continue serving on the CRC due to conflicts related to his job. His letter of resignation will be placed on the Board's agenda of October 25, 2005 for approval. Commissioner Patrick D. McGovern will appoint a replacement.

The Board of County Commissioners (BCC) Chairman, Commissioner George Bush provided a notice of an up-coming educational workshop sponsored by the Florida Association of Counties for a Charter Government and Home Rule Seminar in Stuart, Florida on November 20, 2005. After reviewing the material, it was unclear if the information was provided as an invitation at the county's expense, or at the expense of the CRC. County Attorney Mark Scruby informed them the seminar notice would be placed on the next BCC meeting agenda, scheduled for Tuesday, October 25, 2005 to request reimbursement approval for expenses to those interested in attending.

Rob Bradley made a motion to discuss the Charter Government and Home Rule Seminar, November 30, 2005, in Stuart, Florida at the next CRC meeting of November 3, 2005. Bill Garrison seconded the motion, which carried 13-0.

Recording Secretary Ann Mitchell informed the commission that she created a CRC link to the county's website at www.claycountygov.com. The first link on the home page is the Charter Review. All minutes, agendas and meetings will be posted.

Regarding elected offices being filled by non-residents of their districts, County Attorney Mark Scruby read from the Florida Statutes Chapter 125, Part 4, County Organization and Intergovernmental Relations, 125.83, as follows: "County charters; general provisions. 1) A county charter may prescribe one of the optional forms of government herein authorized, and shall clearly define the responsibility for legislative and executive functions in accordance with the provisions of this chapter. 2) The county charter shall require all elective offices to be filled only by qualified voters of the county. All appointed offices may be filled by nonresidents of the county; however, the charter may require that upon appointment, such officers shall reside in the

county during their tenure in office. 3) The county charter shall define “vacancy in office” and provide methods for filling such vacancy. 4) The county charter shall provide that the salaries of all county officers shall be provided by ordinance and shall not be lowered during an officer’s term in office. 5) The county charter shall provide a schedule for the transfer of governmental functions into the charter form of government as adopted. “

Mr. Scruby provided the following summary of litigation on county elector’s residencies. He stated that there are two cases right on point. One pre-dates the present constitution (Wilson v. Newell, 223 So.2d 734 (Fla. 1967), and the other coming after the adoption of the present (1968) constitution (State v. Grassi, 492 So.2d 474 (Fla. 4th DCA 1986)). The Wilson case examined a statute that required a county commission candidate to be a resident of the district he or she sought to run in at least 6 months prior to the qualifying date. In Grassi, the statute required a county commission candidate to be a resident of the district at the time of qualifying. In Wilson v. Newell, the Florida Supreme Court found the state unconstitutional because the former constitution already set forth the prerequisite qualifications of the Office, and the statute improperly added to the same. In Grassi, the Fourth District Court of Appeal reached the same conclusion under the present constitution. These cases stand for the firm proposition that the qualifications for county commissioner reside solely and completely within the constitution, and no law adding to the same is constitutional. Clay County has residency requirements now. In the past when Clay County was not a charter county, there were five at-large county commission districts separated as equal in population as practical, with one commissioner residing in each district. Now, Clay County is a single-member district and the same rule applies except the commissioners are elected by the electors who live within their district and must reside in their district. According to general law, the elector can remain a resident of one district; qualify, campaign, and move to another district prior to the election if they want to run for a different district. Referring to the Grassi case, the head note reads that the statute appointed candidate for office for county commissioners shall at the time they qualify be a resident of the district for which he qualifies was found to be unconstitutional. In the present case, the constitution was interpreted as providing only that the candidate for a county commission be a resident of their district at the time of election.

Mr. Scruby again reiterated that Mr. Bob Nabors would be an informative guest to explain the case law of Wilson V. Newell and State v. Grassi in considerable detail. He could also inform them about the other issues they were discussing. Mr. Nabors has indicated to Mr. Scruby that he would review his calendar to see if he had anything scheduled near Clay County and would try to attend one of their meetings. Chairman Cummings informed Mr. Scruby that all of their future meetings will be held on the first Thursday and third Monday of each month at 7:00 p.m., subject to change as needed.

After a lengthy discussion, Rob Bradley made a motion to remove item #13 (discuss residency requirements for those seeking county commission seats) from the CRC issue list. Ralph Puckhaber seconded the motion, which carried, 13-0.

Chairman Cummings explained that the original issue list compiled at the October 3, 2005 meeting had 15 issues. The list used today consists of 13 issues.

Some of the issues from the original 15 list were previously discussed and had some duplicated meanings. One of the issues discussed at length was the requirements, or lack thereof of full-time versus part-time county commissioners. It was apparent from our discussion and the advice of County Attorney Mark Scruby that this issue would not be one that we could pursue. It was removed accordingly. The list today has 13 issues and with the motion to remove item #13; 12 issues are left to discuss.

Bill Garrison stated that he had reviewed all of Florida's county charters. Hillsborough County was the only one that vaguely addressed the issue of commissioner's employment. Mr. Garrison read from their charter the following: "The Board of County Commissioners shall consist of seven (7) commissioners each of whom shall be elected from one of seven districts and each of whom shall be entitled to have other employment which does not prevent the member from having the time to discharge the duties of a commission." Mr. Scruby explained that state law requires that an elected official should not have any conflicts of interest. It would be a violation of the ethic statutes and could prevent them from doing their job.

Mr. Garrison provided a detailed analysis of Florida charter counties. Duval and Miami-Dade County's were excluded because they are not relevant to our charter. The data was compiled from various sources: individual county websites, the Florida Association of Counties website, and research from Florida Statutes.

Regarding agenda item #4, referring to the motion made by Rob Bradley at the October 3, 2005 CRC meeting to engage an individual to compile comparison data on Florida Charter counties; Mr. Bradley withdrew his motion because he was satisfied with the data provided by Bill Garrison.

Ralph Puckhaber commented that the data from Hillsborough County was of interest to him because their term limits are applied to single-member districting and to at-large member districting separately. A lengthy discussion ensued regarding this subject. No action was taken.

Rob Bradley expressed his opinion they should begin working to set up benchmarks so they can stay on schedule. They need to have adequate time to include the three required public hearings. He suggested they set goals to begin the public hearings in May 2006; working to narrow down their issues. There will be approximately 10 CRC meetings before their proposals should be ready to be presenting them to the public, at least by April, 2006. Mr. Bradley suggested that the group begin debating and analyzing the issues on their list in a timely manner, not necessarily rejecting any issue, but addressing them one at a time, discussing them one at a time, and voting on them one at a time. An issue could be added or removed at any time.

Chairman Cummings opened the floor to discuss holding future CRC meetings in various locations of the county.

After discussion, Rob Bradley made a motion to hold some of their future meetings in the following areas of the county: Fleming Island, Orange Park, Keystone Heights, Lake Asbury, Middleburg and Argyle. Roy Lyons seconded the motion, which carried, 13-0.

Chairman Cummings opened the floor to discuss any issue on the list. He commented that the data compiled by Bill Garrison would be beneficial in helping them to decide who they might want to invite as guest speakers. He emphasized that it was important for them to work on building definitive framework to meet their goals.

After a brief discussion, Gordon Jespersion made a motion to discuss adding an ethics code to the charter. Bill Garrison seconded the motion, which carried 13-0.

Ralph Puckhaber commented that he thought some of the issues could be grouped together. For example, issue number one is about expanding the commission from five members to seven members (adding two at-large); issue number five is the expansion of the commission, and issue number seven ties into both of them. If there is support from the group to add the two at-large members, then move on to Roy Lyon's issue and discuss if one of the added commissioners should be a "strong mayor." At that time, if it is the general consensus of the group to move in this direction, then acquire the data necessary to arrange a proposal.

Regarding issue number 12 of the list, (discuss the bottom-line costs that any proposal/revision would be to the county taxpayers), Chairman Cummings explained that this item was for informational purposes to help the group make decisions later based on what the cost would be to add additional staff. There would not be a recommendation for this issue. Regarding issue number seven (discuss eliminating single-member districting in Clay County), he commented that the cycle is not complete, and since it was unanimously voted in by the electors, maybe it should not be addressed until the electors has experienced a couple of cycles. The electors need to decide if they need to change it back. Some counties in the State of Florida voted for single-member districting in their counties and after a couple of election cycles, voted to change them back to at-large.

There has been discussion of the three forms of government allowed in Clay County's charter and Bill Garrison read for the record the three basic forms: 1) the county executive form, 2) the county manager form (current form), and 3) the county chair-administrator plan. It is his opinion that the county chair-administrator plan was more of what he believes our government should use. He recommended that the CRC move in a direction based on one of these three forms of government for our charter.

County Attorney Mark Scruby informed the CRC that they should be aware of the limitations that they can do with the county's charter. The county's charter states that each amendment proposal must have one subject matter and can be construed narrowly. For example, the issue of the elected county manager position which has been discussed by several citizens' groups recently, is not one of the prescribed forms. Another concern is with regard to the many interlocking issues currently on the current issue list. Mr. Scruby explained that he was not sure how they would be able to sensibly come up with a plan to separate all of the issues individually unless each proposal was amended only if another proposal was amended. In the past, a CRC proposed both the separation of the clerk's functions to the county manager, and the creation of the commission auditor's position. The CRC discussed linking them even though they weren't going to be on the same amendment, but decided that one would take affect only if the other was approved. They did not want to have one without the other. Before any issue is appealed, the

group must think about the logistics and practicality of how they want their proposals to be. The amendments will have to be crafted in a manner that would not tangle up in the single subject matter.

Rob Bradley made a motion to remove item seven (7) from the issue list (discussion of eliminating single-member districting in Clay County). Una Cornelius seconded the motion, which carried, 8-5.

The following is discussion from the above motion made by Rob Bradley to remove single-member districting from the issue list.

Bill Garrison stated that he was opposed to eliminating single-member districting from their list and would like to have it proposed as an amendment on the ballot.

Jim Gann stated that if they discussed having five single-member districts with the addition of two at-large members he would feel better.

Roy Lyons commented that he was not in favor of single-member districting. The electors voted to have it and they need to go through an election cycle to see if they want to continue with it. This was changed in other counties and it is his opinion that it will be changed in ours as well. It is not our time to make this decision.

Una Cornelius responded that she totally agreed with Mr. Lyons, and is totally against term-limits and single-member districting. She commented that the electors in Clay County voted for both of these amendments unanimously, and until they have gone through at least one cycle, they should not change it.

Rob Bradley made a motion to remove item number two (2) from the issue list (the review of the term limit provision for the commissioners). Jim Gann seconded the motion, which failed 7-6.

The following is the discussion from the above motion made by Rob Bradley to remove the term-limits for commissioners from the issue list:

Ralph Puckhaber asked Mr. Bradley if he was moving to remove item number two from their list because item number ten deals with the at-large seats if they are added.

Mr. Bradley's response was yes, in that it would be very amenable to hear discussion that if someone serving a single-member district seat, and when they have completed their term-limits could run for an at-large seat that would not be term-limited. With regards to the current five single-member commissioner appointments, when they have served their two, term-limit terms, they can't run for another office for a full term which is four years.

Bill Garrison commented that he appreciated the efficiency displayed, but would like to be having more in-depth debates on the issues before removing them from the list.

Jim Gann commented that they could be assuming that something will happen, but it may not. He feels that single-member districting and term-limits for commissioners should be discussed further.

Ralph Puckhaber commented that if they discussed issue number ten, then issue number two would be off. Until that is done, he did not want to see the issue removed. He agrees that term limits should remain as they are until a complete cycle has passed. If term-limits is removed from their list; he recommends that the 2009/2010 CRC seriously study this issue.

Roy Lyons commented that the issue should be removed because the voters in this county **unanimously** overwhelmingly voted for it. Whether or not the electors knew what they were voting for or not is not important. They need the opportunity to go through one complete cycle. Mr. Lyons stated that he was not in favor of term-limits.

Bill Garrison responded to Mr. Lyons that while the electors did vote for term-limits he would still like to discuss it further. If they decide to put it on the ballot, the electors would have another chance to make their decision.

Rob Bradley commented that he was concerned about the credibility of this CRC and wants them to be cautious in deciding which proposals they place on the ballot. It is his opinion that the electors overwhelmingly voted.

Una Cornelius commented that they may be removing issues from their list too quickly. If they were going to have some of their meetings held in other areas of the county, it might behoove them to let the citizens know what their issues have been. Citizens may provide their opinions differently today than they did at the time of the election.

Bill Garrison commented that they had plenty of time and should wait before removing term-limits from the list.

Rob Bradley stated that if the general consensus of the public is that term-limits should be revisited, then they could vote to place it back on their list for discussion.

Gordon Jespersen asked Bill Garrison if he wanted to leave the term-limit issue on the list because he wanted to discuss its merits, bad points, or because it is contingent on something else being discussed.

Bill Garrison replied that he is fundamentally opposed to term limits.

Mary Cooperman commented that their responsibility is to not rewrite the county's charter but to enhance or modify areas that they feel are necessary for the good of Clay County.

RECESS 8:18 THROUGH 8:28

Chairman Cummings opened the floor for discussion of the issue list.

Referring to issue number five, Gordon Jespersen asked Mr. Scruby if the CRC recommended adopting one of the other two forms of county government they have been discussing, like the “strong mayor”, whether or not they could do it without creating a chain of amendments.

Mr. Scruby responded that he would provide data at the next meeting with information regarding the landscaping of single subject matter for amendments. It was not an uncommon provision and could be included in just about every charter in the state, as well as every county charter. It is already included in the State Constitution and applies to citizen initiatives for amending the state constitution. The language that appears in the single subject matter rule and the language that appears in our charter for citizen based initiatives and the charter review commission is substantially the same as you see it everywhere else. There is very little difference. With that, the law you see that applies state-wide when the Supreme Court reviews the state-wide initiatives applies to this rule. It would be fair to repute the same interpretation to city and county charters that read substantially the same. I don’t know how else you would do that. Unfortunately, the Supreme Court has been anything but consistent about how they apply that rule. When the facts are read you think you know the answer; and then, you turn the page and you are not sure. This is a very treacherous area to bank on. Many citizens groups get shot down before they go on the ballots and this rule tends to have a narrowing affect for people who are working hard to come up with possible amendments. Several years ago there was a series of amendments placed on the ballot for the Florida Constitution in the Everglade area of Florida. One of the amendments was directed to the sugar cane group, another requiring the implementation of a remediation plan and the third was to create a commission of some sort, all sponsored by the same group. All of the amendments were not linked, so if one of them failed, they all failed. This is what I am not sure about and I will research to find out what the legitimate process is to present an amendment. This could be construed as a change and therefore it could not be done indirectly. You also can’t do it directly. It is of my opinion that the court would probably say that if you try to link all of these together even though they are separated what would happen if one of them failed. So, the question will be, how do you determine which of the amendments to link, and which of them can float alone.

Regarding single-member districting, Ralph Puckhaber commented that when single-member districting was originally placed on the ballot he did not think it was a good idea without including the two at-large commissioners. He expressed his opinion that the addition of the at-large seats to the current commission of five single-member districts would add flavor to the panel. It is his opinion that the current board now serving as single-member districts is still serving as at-large members in their heart-of-hearts, because that is how they were elected in to office. When their term expires and the new commissioners take office they will not serve in the same manner; focusing on only their districts and not the rest of the county. At-large seats provide a global, county-wide view. It is his opinion that before the change was made in our county to single-member districting, he could speak with any of the five commissioners, and now some of them probably would not respond to him. Adding the two at-large commissioners would provide better odds of getting a response from a commissioner. Further, the cost of adding two at-large members would be approximately \$100,000 and that amount in his opinion would not be noticed in the county’s \$205 million dollar budget.

Mary Cooperman commented that the BCC are very knowledgeable about the entire county since they were all elected as at-large members. They are very busy and need more help. Mary strongly agrees that two at-large members should be added to the current five single-member board. She is not supportive of single-member districting or term-limits for the commissioners. The electors voted them in and it should go through a cycle before being voted out.

Roy Lyons agreed there should be two at-large members added to the current board. It is his opinion that the two additional commissioners would balance the system. The two at-large seats would provide another perspective for the citizens of this county. He also believes that there should be an executive position in the mix for checks and balances.

Gordon Jespersion stated that he was against single-member districting. He disagrees that in the nit of the economic schematics that the salary for the two additional commissioners would not be a big impact. The CRC should know what the economic impact will be. There are citizens in Clay County working to reduce our commissioner's salaries.

Jim Gann stated that because of the rapid growth of Clay County, the cost for additional positions could be absorbed in the budget. Additional costs for positions could be justified by the increased effectiveness of the government - a small impact to our budget.

Ralph Puckhaber commented that he did agree there would be questions regarding the economic impact of those positions and there would be very little economic impact.

Chairman Cummings commented that the analysis of our charter counties indicated that the salary of commissioners throughout the state is substantially higher than Clay County's. It appears to him that the salary for our commissioners is not out of line.

Rob Bradley stated that he was inclined to support this proposal, but it is important for them to move forward ~~with the economic impact~~ methodically. They must be able to provide supporting documentation to those who do ask the economic questions. From the data composed of charter counties, both Columbia and Leon Counties were of interest, in that they were both similar in size to Clay County, and each has commissioners serving under a different districting structure. Leon County is close to our population and they have five single-member and two at-large districts. Columbia County currently has all single-member districts. He recommended that a representative from each county be invited to visit one of their meetings to explain their day-to-day operation and what the interaction is among the at-large and single-member districts.

Reflecting on the trend and the needs of Clay County, Chairman Cummings stated that his preliminary vote would lean towards adding two at-large seats to the commission. From the group's discussion, many important questions have been brought up for further discussion. The data comparing Florida charter counties indicated that there are several counties with populations much larger than ours that have only five at-large seats. The group must focus on the over-all picture to determine if our county has grown enough to warrant having two additional at-large commissioners and do we have the proper representation now.

Bill Garrison wanted to know what perspective a county attorney could provide.

Roy Lyons questioned the type of information they were seeking and recommended that Representative Joe Pickens would be an informative quest.

Chairman Cummings informed the group Representative Joe Pickens' name was mentioned to him as a potential guest. He would arrange for him to come to one of their meetings. Mr. Pickens' is very knowledgeable about local government and would be able to bring his perspective of how Putnam County handled changing from at-large to single-member districting, back to at-large again.

Rob Bradley agreed that inviting both the Chairman of the Board and the Attorney from Leon and Columbia Counties; as well as Representative Joe Pickens, would provide informative data which would help them make decisions.

Gordon Jespersen suggested that if all of the above mentioned guests come to the same meeting it would be a great opportunity for a panel discussion.

Rob Bradley made a motion to invite a panel of five guests to one of their future meetings including Representative Joe Pickens, and the Chairman of the Board of County Commissioners and County Attorney from both Columbia and Leon Counties. Gordon Jespersen seconded the motion, which carried 13-0.

Una Cornelius suggested that if all five of the above mentioned guests could not attend the same meeting for a panel discussion, invite those who could not attend to another meeting.

Chairman Cummings stated travel expenses incurred by invited guests will be submitted to the County Manager for approval and will be arranging for them to attend one of their upcoming meetings.

Regarding issue number three, Ralph Puckhaber explained that he included this issue because he felt that they should consider changing the charter's citizen initiative requirements to be more reasonable percentage for the voters to place an amendment on the ballot. The original Home Rule Charter required a percentage of all registered voters' signatures to place an amendment on the ballot. The charter was amended by a CRC group to require only a percentage of the electors in the previous general election. He does not agree with the current requirements because in a presidential election year, the number of citizens who vote is higher than the non-presidential year. Basically, there is a window of opportunity where citizens can pick and chose.

Gordon Jespersen requested that issue number five be reserved for discussion until County Attorney Mark Scruby has provided more information on the subject.

Chairman Cummings commented that waiting for Mr. Scruby's data to discuss issue number five was a good idea. More information would be helpful to make a better decision.

Bill Garrison pointed out that Volusia County has an appointed County Manager. The Council Chairman is simply the Chairman of the County Commission or the County Council. Elected commissioner or appointed manager – it doesn't change, in his opinion.

Roy Lyons expressed his opinion that they were discussing issues in no particular order, moving in too many directions. He recommended that they follow their issue list one at a time.

Chairman Cummings responded that they were working from the issue list and many of the issues has been discussed. It is important that they work on their guest list and where their future meeting locations will be held.

Gordon Jespersen recommended that they chose a few of the issues on the list and place them on the next agenda for discussion.

Rob Bradley made a motion to invite Commission Auditor Mike Price to the meeting of November 3, 2005; and, to include item number four (4) of the issue list (Review the commission auditor's responsibilities and if this position can have multiple assistants) to the agenda for that meeting. Motion seconded by Roy Lyons, which carried 13-0.

Ralph Puckhaber made a motion to include item number three (3) of the issue list (Review the citizen initiatives articles of the Home Rule Charter), on the November 3, 2005 agenda for discussion. Motion seconded by Gordon Jespersen, which carried 13-0.

Jim Gann made a motion to include item number 11 on the next agenda. No second, motion died.

Bill Garrison made a motion to remove item number 11 (Discuss the effectiveness of a growth management council) from the issue list. Motion seconded by Jim Gann, which carried 13-0.

Rob Bradley made a motion to remove item number 12 from the issue list (Discuss the bottom-line costs that any proposal/revision would be to the county taxpayers). Motion seconded by Brenda Rau, which carried 13-0.

Rob Bradley made a motion to remove item number nine (9) from the issue list (Discuss appointed constitutional officers being appointed versus elected). Motion seconded by Roy Lyons, which carried 12-1.

Mary Cooperman stated that appointed versus elected constitutional officers was an issue that she brought up at the last CRC session. She believes constitutional officers should be required to have higher qualifications to serve. The Clerk of the Court and the Sheriff both has college degrees; the remaining constitutional officers have high school educations. Her concern is that constitutional officers have a lot of control when they come in and take over – they can bring in their own staff and dismiss those who may have been working in the office for years. It is her opinion that changing elected officers to appointed officers would help to eliminate the control.

Roy Lyons asked if requiring qualifications for constitutional officers was unconstitutional. Chairman Cummings stated that they still need to discuss issue number eight (the educational requirements and/or any other qualifications for an appointed county manger). They have already discussed issue number six (review the county manager's responsibilities including the number of department heads under his supervision). He asked County Attorney Mark Scruby where the CRC stood regarding a charter amendment with this issue. Further, he commented that he did agree with Mary Cooperman that the level of qualifications for constitutional officers should be higher.

Responding to Chairman Cummings, County Attorney Mark Scruby explained that they would have to abolish the constitutional officer's position as it is currently established. Then, they would have to provide a function to be taken over by another position, or by a created position. In some county's, a tax collector serves as a department within the county, which is an appointed position. If you retain a constitutional officer in a constitutional seat, then he didn't think they could do qualifications and limitations. That can be done through the charter. You can abolish all of the traditional constitutional positions and then re-establish their function in another format.

After discussion, and motions were made to remove items number 7, 9, 11, 12, and 13 from the issue list; and a motion to add an issue regarding an ethics code in the charter, nine (9) issues remain. This list will be forwarded via email prior to the meeting of November 3, 2005.

Updated issue list!

1. Discuss expanding the five-member Board of County Commissioners (BCC) to seven members; with two at-large commissioners
2. Review the term-limit provision of the BCC
3. Review the citizen initiatives articles of the Home Rule Charter
4. Review the Commission Auditor's responsibilities and if this position can have multiple assistants
5. Discuss a mayoral form of government.
 - a. Discuss an elected mayor (a strong leadership figure) who would be one of the two at-large seats should the expansion to seven members be one of the revisions.
6. Review the county manager's responsibilities including the number of department heads under his supervision.
7. Discuss the educational requirements and/or any other qualifications for an appointed county manager and department heads.
8. Discuss term-limited commissioners being eligible to run for at-large seats if the BCC is expanded.
9. Discussion of adding an ethics code to the charter.

Chairman Cummings informed the CRC that Bill Fruth, a nationally renowned speaker on economics will be speaking on Wednesday, October 19, 2005, 6:30 p.m. at Clay High School, and on Thursday, at the Thrasher Horne Center at 6:30 p.m. Both sessions are free to the public.

Public Comments:

Tom Platt a private citizen and professor at a local community college informed the CRC that he was not representing any group or organization. If this group decides to leave the single-member districting the way it is based on the fact that the amendment had not cycled through an entire term, and the citizens needed to decide if it should be changed back to at-large districting, that time may or may not occur.

If this group adds two at-large districts to the now five single-members districts, will you have reduced any incentive for the people to do away with single-member districting? Secondly, if the two at-large districts are added to the existing five single-member districts and the citizens vote to change the five districts back to at-large districts, the question to ask is, “Does the county need seven commissioners?”

Mr. Platt stated that he would like the CRC to consider that the Clay County Charter incorporate a requirement for lobbyist to work on a paid, or pro-bono basis to represent interest of those seeking to influence county policies. They should register as lobbyist so the interest they represent are explicit. Every action taken by the BCC is public business, requiring full disclosure and full public knowledge and awareness. In the spirit of the Sunshine Law, rules, requirements and restrictions should be applied by lobbyist and all of those who try to influence the Board’s actions and decisions that would financially benefit themselves, or the interest they represent. This policy exists at the state level and in several county levels throughout the state; but not in Clay County. A lot of people are surprised to know that Governor Bush must register as a lobbyist when he seeks to influence funding. He is a registered lobbyist. Orange County has a registration policy in their Administrative Code requiring the registration of lobbyist. Their position is that by requiring lobbyist to register and make explicit the interest they represent in their dealings with the Board, the Board can then make a step in the direction in restoring public confidence with the integrity of their decisions whether it is in the area of land use, environmental, solid waste, or purchasing. Using the Orange County website he provided some data for the CRC.

Chairman Cummings informed the CRC that their next meeting is scheduled for Thursday, November 3, 2005, in the Tax Collector’s Meeting Room. The November 21, 2005 meeting will be held at the Orange Park Town Hall, 7:00 p.m. After this meeting, they will arrange to meet in other areas of the county.

The meeting adjourned at 9:30 p.m.

Travis Cummings, Chairman

Ann Mitchell, Recording Secretary