

**MINUTES
CLAY COUNTY, FLORIDA
2009/2010 CHARTER REVIEW COMMISSION
JANUARY 4, 2010**

CALL TO ORDER

The Charter Review Commission (CRC) met in the BCC Meeting Room, 4th Floor of the Administration Building, 477 Houston Street, Green Cove Springs, on the above stated date.

ROLL CALL

The following were present: Madam Chair Ann B. Wiggins, Vice Chair Mark J. Easterling, Sr., Joseph Anzalone, Bryan Campbell, Keith R. David, Michael Kerekes, David Mickel, Helen M. Mohorich, Thomas Nazworth, Sr., Stanley F. Pfenning, Bob Rinker, and Walter H. Rountree.

The following were absent: Frank F. Andrea, Joe Mobley, and Rod D. Swartz.

APPROVAL OF MINUTES

After discussion, Bryan Campbell moved, seconded by Michael Kerekes, **and carried 12-0, to approve the minutes of the regular CRC Meeting of December 7, 2009** with the following correction to line one of page five: ~~Stanley F. Phenning~~ to Stanley F. Pfenning.

Mr. Pfenning rescinded his previous written motion to amend the approved minutes of the November 4, 2009 CRC meeting he submitted at the December 7, 2009 CRC meeting.

County Attorney Mark Scruby explained the Government in Sunshine Law at length.

GUEST SPEAKERS

Presentations were given by the following guest speakers and the CRC members were given an opportunity to ask questions.

County Manager Fritz A. Behring explained Clay County's form of charter government adopted in 1991 and described some of its modifications over the years. The Home Rule Charter as it is today works well and he does not believe there are any weaknesses; he has no recommendation to change the current charter. The Volusia County form of charter government was studied by previous CRC's which brought up the issue to modify or change the form or methodology of constitutional officers in Clay

County, departmentalizing them under the Board of County Commissioners (BCC). The county's constitutional officers and the BCC have a good working relationship. Mr. Behring expressed his opinion that there is no need to address this issue.

Sheriff Rick Beseler explained the importance of a CRC study based on his own experience; he served on the City of Green Cove Springs CRC ten years ago. Mr. Beseler provided background and statistical information regarding the sheriff's office operating budget, and the functions of his agency. Mr. Beseler feels that our current form of government has served the county well; all of the changes over the years have brought efficiency, openness, and our government's productivity today is the result of those changes. Clay County has become more accessible and efficient. Constitutional officers should remain independent of the BCC; nothing has occurred to consider a change in the structure of our charter. A CRC is responsible for reviewing their charter form of government and their task is to determine if anything needs to be changed, but it does not necessarily mean that something must be changed. At times, it would be a success for a CRC to make no changes, or to make procedural changes to update a charter that may help its government run more efficiently. A copy of the Sheriff's Office 2008 Annual Report was provided to the CRC.

RECESS

Remote access and live broadcasting communication was discussed at length. The CRC sub-committee, consisting of members Joe Anzalone, Bryan Campbell, and Bob Rinker, concluded that it was not feasible for the CRC to do live broadcasting or any other communication outside of this facility. The sub-committee proposed the following recommendations: 1) accept email questions or comments from the general public during the CRC meetings between the hours of 7:00 p.m. and 9:00 p.m.; 2) accept telephone calls with questions or comments from the general public during the CRC meetings between the hours of 7:00 p.m. and 9:00 p.m., 3) additional BCC staff to be provided to assist them during their CRC meetings to accommodate the incoming emails and telephone calls. County Manager Fritz Behring explained that the county was in a financial situation like many other counties in the state where we don't want to spend money if we don't have to; however, the CRC can be accommodated through a contingency fund should this body feel a need for outside legal counsel. He would also provide additional staff to assist them if needed.

After discussion, Bob Rinker moved, seconded by Bryan Campbell, **and failed 5 – 7, to implement the recommendations made by the sub-committee regarding remote access and live broadcasting communication to the citizens.**

TABLED the discussion of the CRC News Article to the next meeting.

Ms. Mohorich submitted a proposed amendment to Section 1.5.C Referendum related to legalized gambling in the State of Florida to include on the "issue list" for further discussion (attached). The sole purpose of this proposal is to ensure that if/when the State of Florida legalizes gambling, that citizens of Clay County will have the right to vote for or against legalized gambling in Clay County.

Madam Chair submitted an email received from Travis Christensen regarding Sunday alcohol sales in Clay County and requested that it be included on the "issue list" for further discussion (attached).

Regarding straw ballots approved by the electorates, Mr. Pfenning requested consideration to require the BCC to hold two public hearings when straw ballots are approved be included on the "issue list" for further discussion.

County Attorney Mark Scruby provided history for the establishment of the Charter Review Commission.

Public Comments

- Ronnie Robinson, 464 Lake Asbury Drive, Green Cove Springs: Commented on the vote regarding the straw ballot issue of alcohol sales.
- Durwood Smith, 3116 Moody Avenue, Orange Park: Commented that he was 100% opposed to extending alcohol sales in Clay County and feels it should not be placed on the ballot for the people to vote on with the recommendation of the Charter Review Commission. Madam Chair stated that she appreciated Mr. Smith's feelings about alcohol sales, but it was not the time or place to voice his opinion, but rather later, when the CRC discusses the issue further.

Walter H. Rountree moved, seconded by Bob Rinker, **and carried 11 – 0 to adjourn**; Mr. Pfenning left before the vote. The meeting adjourned at 9:00 p.m.



Madam Chair Ann B. Wiggins



Recording Secretary, Ann Mitchell

AGENDA
2009/2010
CHARTER REVIEW COMMISSION (CRC)
Monday, January 4, 2010
7:00 pm, BCC Meeting Room

Call to order

Approval of December 7, 2009 CRC Minutes

Approval of Amendment of previously approved minutes of November 4, 2009 presented at the December 7, 2009 CRC meeting

Guest Speakers

- 7:15 pm Fritz A. Behring, County Manager
- 7:45 pm Rick Beseler, Sheriff

Remote Access Report

Joe Anzalone

CRC News Article

Stanley F. Pfenning

CRC Issue List

CRC Comments

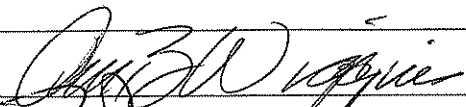
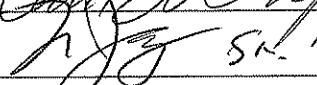
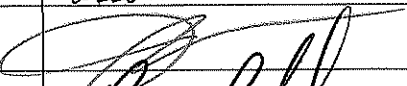
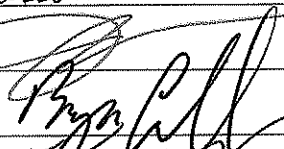
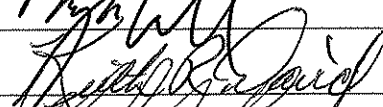
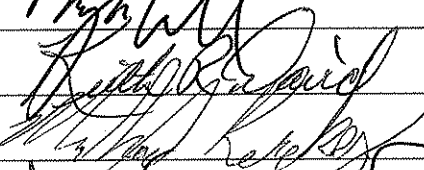
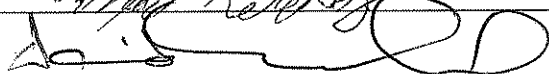
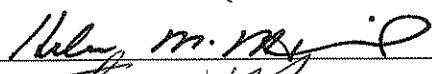
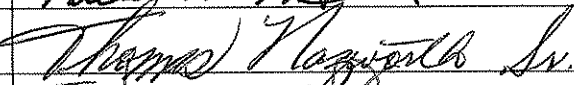


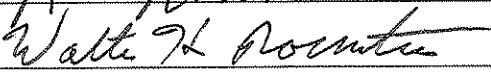
Public Comments

Adjourn

**2009/2010 Charter Review Commission
Sign-in Log
BCC Meeting Room**

January 4, 2010

7:00 pm

| NAME | SIGNATURE |
|-------------------------------------|--|
| Ann B. Wiggins, Chair |  |
| Mark J. Easterling, Sr., Vice Chair |  |
| Frank F. Andrea | absent |
| Joseph Anzalone |  |
| Bryan Campbell |  |
| Keith R. David |  |
| Michael Kerekes |  |
| David Mickel |  |
| Joe Mobley | Out of TOWN (AM) |
| Helen M. Mohorich |  |
| Thomas Nazworth Sr. |  |
| Stanley F. Pfenning |  |
| Bob Rinker |  |
| Walter H. Rountree |  |
| Rod D. Swartz | absent (ill) AM |
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