

**MINUTES
CLAY COUNTY, FLORIDA
2009/2010 CHARTER REVIEW COMMISSION
FEBRUARY 1, 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.

INVOCATION Keith R. David

PLEDGE OF ALLEGIANCE

All members recited the Pledge of Allegiance.

ROLL CALL

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

The following were absent: Frank F. Andrea, Joseph Anzalone, Joe Mobley, and Walter H. Rountree.

Madam Chair Wiggins apologized to Mr. Durwood Smith for interrupting his public comments at the January 4, 2010 CRC meeting.

APPROVAL OF MINUTES

Ms. Mohorich moved to approve the minutes of the regular CRC Meeting of January 4, 2010. Seconded by Mr. David, **and carried 10-1, with Mr. Pfenning dissenting.**

OLD BUSINESS

- Mr. Pfenning provided a presentation regarding the submission of a CRC news article. After discussion, Mr. Campbell moved to not adopt the news article. Seconded by Mr. Nazworth, Sr., **and carried 10-1, with Mr. Pfenning dissenting.**

NEW BUSINESS

- Mr. Pfenning moved to adopt Robert's Rules of Order for the remainder of the CRC session. **There being no second, the motion died.**
- Mr. Pfenning provided a presentation regarding the 2009/2010 Charter Review Commission Public Meeting Notice Publication Policy and Procedure. After discussion, Mr. Pfenning moved to adopt a rule for consistent public meeting notices for publication using the Clay Today Newspaper for all future CRC public meeting notices. **There being no second, the motion died.**

CRC COMMENTS

- Mr. David: Expressed his concern regarding emails sent out by CRC member Mr. Pfenning. Madam Chair read for the record (attached) the highlighted section of an email sent to County Attorney Mark Scruby. Mr. David commented that this email, as well as others, does not represent the CRC as a group and suggested they should stop.
- Mr. Campbell: Stated that Mr. Pfenning was spending a lot of time addressing personal issues and asked that he focus on those regarding the charter.
- Mr. Nazworth, Sr.: Stated the CRC was not doing anything related to the charter and expressed his concern that nothing was going to get done unless they worked as a group.
- Mr. Easterling, Sr.: Expressed his concern that the CRC needed to get something accomplished. He asked for Mr. Pfenning's resignation.
- Mr. Rinker: Commented that after a motion, there should be a second, then discussion; pointing out that a couple of motions included the discussion with the motion. He suggested placing items #2 and #3 of their "Issue List" on their next agenda for discussion.
- Mr. Pfenning: Commented that he is committed and cares about the county and everybody's time; he wants to do the best that he can and hopes they can get past their disagreement on issues and difference of opinions. He stated that he would not resign.

Mr. Scruby informed the CRC that they were at a point to begin shaping their issues into the framework necessary to bring potential proposed amendments to fruition. It was a good time to decide what their issues are, offering his assistance to help them draft proper language necessary for them to present to the public for comment at their three (3) required public hearings that should be held at intervals of not less than ten (10) days or more than twenty (20) days on any proposed charter amendment or revision. The public will have the opportunity to comment at each of the public hearings on their proposed draft amendments, and based on their input, the CRC would have the opportunity to discuss and make any changes to the final amendment if necessary.

After discussion, it was the consensus that Mr. Scruby research to see if the charter can address term limits for the school board members and the superintendant of schools..

Ms. Mohorich moved to eliminate the consideration of constitutional officers under the charter from the CRC "Issue List". Seconded by Mr. Rinker, **and carried 10-1, with Mr. Pfenning dissenting.**

After discussion, it was the consensus to add the following items to the CRC "Issue List":

- Reservation of the power of the electorate
- Term limits for school board members and the superintendant of schools

After discussion, it was the consensus to discuss items #2 and #3 on their "Issue List" at the next CRC meeting.

Mr. Rinker moved to request that the County Manager provide a sworn officer for security at all regular meetings of the CRC. Seconded by Mr. Pfenning, **and carried 11-0.**


Mr. Campbell moved to hold the next CRC meeting on Thursday, February 18, 2010, 7:00 p.m. in the BCC Meeting Room. Seconded by Mr. Easterling, Sr., **and carried 9-2, with Mr. Pfenning and Mr. Rinker opposing.**

PUBLIC COMMENTS

- Jane Padgett, 3678 St. Andrew's Court, Green Cove Springs: Commended Mr. Pfenning for his defense of citizen's right to speak at the last CRC meeting. Ms. Padgett stated that she contacted the First Amendment Foundation and informed the CRC that the First Amendment Foundation stated that the court interpreted our open government laws to mean that citizens get to not only attend, but to participate in meetings as well. Ms. Padgett cited several case law opinions.

Mr. Rinker moved to adjourn. Seconded by Mr. Campbell, **and carried 11-0.**

The meeting adjourned at 8:28 pm.



Madam Chair Ann B. Wiggins



Ann Mitchell, Recording Secretary

REVISED AGENDA
2009/2010 CHARTER REVIEW COMMISSION
Monday, February 1, 2010
7:00 pm, BCC Meeting Room

CALL TO ORDER

APPROVAL OF MINUTES January 4, 2010

OLD BUSINESS

- CRC News Article (Stanley F. Pfenning)

NEW BUSINESS

- Rule Action for adoption of Rules of Procedure for the remainder of the 2009/2010 Charter Review Commission Session (Stanley F. Pfenning)
- Presentation regarding the 2009/2010 Charter Review Commission Public Meeting Notice Publication Policy and Procedure (Stanley F. Pfenning)

CRC COMMENTS

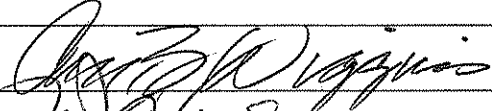
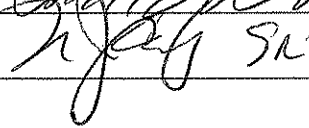
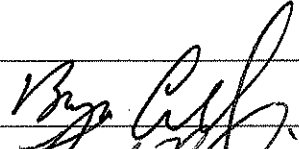

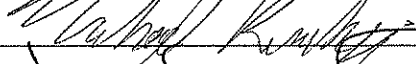
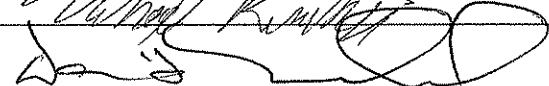
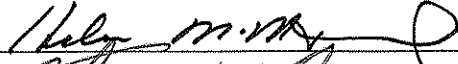
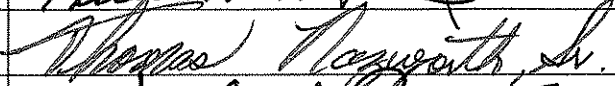
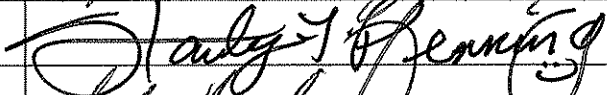

PUBLIC COMMENTS

ADJOURN

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

February 1, 2010

7:00 pm

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