

suggested the CRC consider adopting this form in the charter as provided by the state. The form was discussed at great length, as well as Amendment 3, Section (6), Petition responsibility, “verify the legal requirements of any petition, as to both substantive and procedural matters. Inasmuch as the office of county attorney represents Clay County, it cannot serve as legal advisor to circulator(s) or sponsors of any such petition(s) due to the potential for conflict(s) in professional representation.” Mr. Chambless explained that it was not his intent or desire to require that the petitioner have legal representation to verify the legal requirements of any petition; rather, he is proposing amendments that would in his opinion provide clarity to all of the key points he recommended.

Public Comments Regarding Item #2 of the Current CRC “Issue List”

- Marsha Willoughby, 3812 Creek Hollow Lane, Middleburg: She commented that the citizen’s initiative petition should not be changed because it was already difficult to place an amendment on the ballot. She expressed a concern that there are areas open to interpretation and suggested the CRC retain legal counsel before moving forward on this issue.
- Sandra Goldman, 1833 Ward’s Landing Court: She commended the Supervisor of Elections for his work to clarify and establish clear procedures for the citizen’s initiative petition. She expressed a concern that there would be a significant financial burden to the petitioner to retain an attorney to verify the legal requirements of any petition as indicated in Amendment 3, Section (6). It is her opinion that the perception could be that this was an effort to thwart citizen’s petitions.
- Fred Catchpole, 3812 Creek Hollow Lane, Middleburg: He commented that a constant change of verbiage is a hindrance to the people’s constitutional rights. Every time a word is added or changed, it could be interpreted differently by someone else. We are bogged down with minutia.
- Mike Heemer, 1656 Fairway Ridge Drive, Fleming Island: He commented that there are areas in the charter that can get too complicated and is concerned that if the suggested rules change the documents, our charter could be out of sync with the state. He commented that there should not be a financial burden on a petitioner, nor, a requirement for a legal opinion of a document submitted by a petitioner.
- Jane Padgett, 3678 St. Andrew’s Court, Green Cove Springs: She provided a summation of the citizen’s initiative process that included steps leading to the placement on the ballot and the responsibilities of participants (attached); as well as a list of suggestions regarding the citizen’s initiative process based on the CTLAC’s experiences (attached). It is her opinion that most of the suggestions the supervisor of elections suggested are housekeeping issues and should be handled in his office.

- Linda Crawford, 562 Acornridge Lane, Orange Park: She expressed her concern that the proposed Amendment 3, Section(6), Petition responsibility quoting the actual words, "It is the responsibility of the circulator of the petition to verify the legal requirement to any petition as to both substantive and procedural matters". The supervisor of elections can be commended for his sincerity to streamline the content for clarity; however, it is her opinion that it implies the petitioner would be responsible for legal verification of the substance. It is also her opinion that he may be trying to curtail the grass roots petition initiatives which would be a huge hurdle for this group to overcome.
- Travis Christensen, 2871 Affirmed Court, Green Cove Springs: He commented on the confusion about the verification of the legal requirements of any petition, as to both substantive and procedural matters which can't be interpreted unless there is legal representation. He stated that the supervisor of elections office is doing good things, but there are areas open to interpretation. It is the people's right to petition.

After discussion Mr. Nazworth, Sr. moved to table the discussion of item #3 of the "Issue List" to the March 1, 1010 CRC meeting. Seconded by Mr. David, **and carried 10-0.**

Mr. Kerekes moved to remove the 9:00 pm meeting deadline. Seconded by Mr. David, **and carried 10-0.**

Mr. Nazworth, Sr. moved to retain outside legal counsel who specializes in "governmental law". Seconded by Mr. Kerekes. After discussion, Mr. Nazworth, Sr. moved to **TABLE** this motion and place it on the next CRC agenda for discussion. Seconded by Mr. Kerekes. There were no further votes.

After a lengthy discussion, Mr. Campbell moved to remove item #2 from the 02-10-10 CRC "Issue List", and not move forward with the recommendations that the Supervisor of Elections suggested to amend in the charter. Seconded by Mr. Mickel, **and carried 10-0. Mr. Anzalone later requested that his vote be changed; therefore changing the vote to 9-1, with Mr. Anzalone dissenting.**

The next CRC meeting is Monday, March 1, 2010, 7:00 p.m., 4th floor of the Administration Building, 477 Houston Street, Green Cove Springs.

Mr. Campbell requested that all items on their updated "Issue List" be placed on the March 1, 2010 agenda so they can be "briefly" reviewed so everyone will have an understanding by the end of that meeting what they will be moving forward with.

After discussion, it was the consensus that the CRC was behind schedule and agreed to discuss scheduling more meetings at their March 1, 2010 meeting.

After discussion, Mr. Kerekes recommended adding to their "Issue List", "Discussion if the county needs a charter form of government".

Mr. Campbell recommended adding to their "Issue List", "Consideration for registered voters in Clay County to have the right to reduce, suspend or rescind impact fees".

Mr. David recommended adding to their "Issue List", "Discussion regarding the removal of the auditing functions from the Clerk of the Court".

It was the consensus to invite Commission Auditor Mike Price as a guest to answer auditing function questions.

PUBLIC COMMENTS

- Jane Padgett, 3678 St. Andrew's Court, Green Cove Springs: Following up on her comments from the last CRC meeting, she read an email exchange between Mr. Pfenning and Mr. Scruby. Commented that citizens have a constitutional right to appear and be heard. She requested clarification from Mr. Scruby regarding the email.
- Durwood Smith, 3116 Moody Avenue, Orange Park: He commented on his constitutional rights and suggested the CRC hire an outside attorney and to not make it any harder to get petitions signed and amendments on the ballot. The charter is working now and should be left alone. Commended the CRC for doing what they think is the right thing to do.

Mr. Pfenning provided the toll free 1-850-245-1040 information line to the Attorney General's Office Tallahassee if the CRC has any questions or concerns.

The meeting adjourned at 9:49 pm.


Madam Chair Ann B. Wiggins


Ann Mitchell, Recording Secretary

AGENDA
2009/2010 CHARTER REVIEW COMMISSION
Thursday, February 18, 2010
7:00 p.m., BCC Meeting Room

CALL TO ORDER

APPROVAL OF MINUTES February 1, 2010

NEW BUSINESS

- **Report from County Attorney Mark Scruby**
Re: Can the charter address term limits for school board members and the superintendant of schools.
- Determine which of the issues on the CRC "Issue List" will not be addressed.

OLD BUSINESS

- **Discuss #2 on the Issue List**
(Supervisor of Elections, Chris H. Chambless suggestion for the CRC to consider amending Section 2.2(I)(2) and Section 4.2(A)(3) of the Clay County Home Rule Charter).
- **Discuss #3 on the Issue List**
(Consider CRC sessions convening longer than four (4) years).

ANNOUNCE THE NEXT MEETING DATE AND TIME

CRC COMMENTS


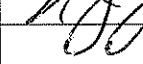
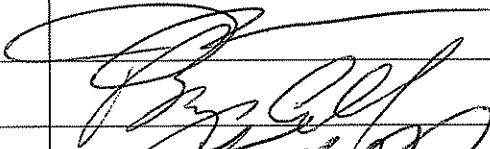
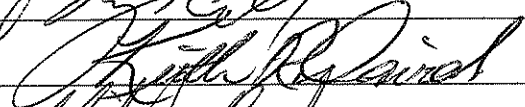
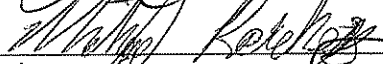
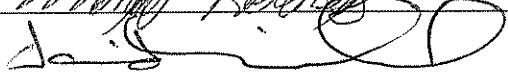
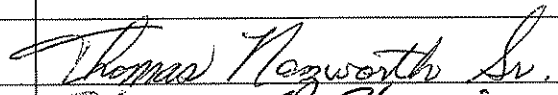
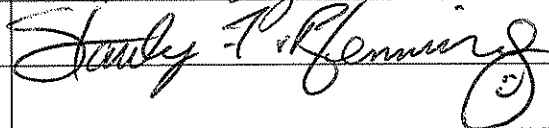
PUBLIC COMMENTS

ADJOURNMENT

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

February 18, 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	