

**MINUTES  
CLAY COUNTY, FLORIDA  
2009/2010 CHARTER REVIEW COMMISSION  
MARCH 15, 2010**

CALL TO ORDER

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

INVOCATION

Bryan Campbell

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., Joseph Anzalone, Bryan Campbell, Keith R. David, Michael Kerekes, David Mickel, Helen M. Mohorich, Thomas Nazworth, Sr., Stanley F. Pfenning, Bob Rinker, Walter H. Rountree, and Rod D. Swartz.

The following were absent: Frank F. Andrea and Joe Mobley.

APPROVAL OF MINUTES

Mr. Campbell moved to approve the amended minutes of the regular CRC Meeting of March 1, 2010 with the following correction to paragraph four on page five: ~~and carried 11-1, with Stan Pfenning dissenting to,~~ **and carried 12-0.** Mr. David seconded the motion, which **carried 10-1, with Mr. Pfenning dissenting.** (Mr. Kerekes and Mr. Swartz arrived after the approval of minutes.

OLD BUSINESS

After a lengthy discussion, Mr. Campbell moved to begin the process of retaining outside legal counsel to assist the CRC with legal issues and that the CRC: 1) Determine the qualifications for outside legal counsel; 2) The process in which the CRC would retain outside legal counsel; 3) The timeline to retain outside legal counsel; 4) Rules of Engagement for the CRC with the legal counsel; and, 5) Approval of the legal counsel selection by the CRC. Mr. Nazworth, Sr. seconded the motion, and **carried 8-4, with Vice Chair Easterling, Sr., Mr. Mickel, Mr. Rinker, and Mr. Rountree dissenting.**

Vice Chair Easterling, Sr. moved to create a task force committee to proceed with obtaining outside legal counsel and bring back a report to the CRC for discussion, to

include Mr. Kerekes and Mr. Nazworth, Sr. Ms. Mohorich seconded the motion. After discussion, Mr. Easterling, Sr. withdrew his motion.

After further discussion, a task force was established to proceed with obtaining information as to the scope of the mechanics to retain outside legal counsel for the CRC. Included on this task force are CRC members Mr. Campbell, Mr. David, Mr. Kerekes, Mr. Pfenning, and Mr. Nazworth, Sr. The task force will meet Tuesday, March 23, 2010, 6:30 p.m., Conference Room B, fourth floor of the Administration Building.

Mr. Swartz arrived at 8:26 p.m. (13 members present).

#### ISSUE LIST ITEM #1

- Discuss 2005-2006 Clay County CRC Final Report; Re: Discussion of the modification proposal for the citizen's initiative to make the requirements consistent with county population as opposed to relative to voters that came out in the previous years.

#### PUBLIC COMMENTS FOR ITEM # 1

- Durwood Smith, 3116 Moody Avenue, Orange Park: Commented that the current citizen's initiative process works well and there is no need to change it.
- Marsha Willoughby, 3812 Creek Hollow Lane, Middleburg: Commented that the current citizen's initiative process is working well and to leave it alone; it is already difficult to obtain signatures.

After hearing public comments a lengthy discussion ensued regarding various signature percentage requirements for citizen's initiatives within the five commissioner districts, as well as the consistency of percentage numbers of registered voters versus those who voted in the previous election.

After further discussion, Mr. Campbell moved to propose a formal charter amendment to the citizen's initiative requirements to seven (7) percent of the registered voters as of the date of the previous election, with two (2) percent of that seven (7) percent coming from each of the five single-member districts. Mr. David seconded, and **carried 8-5, with Mr. Kerekes, Mr. Nazworth, Sr., Mr. Pfenning, Mr. Rinker, and Mr. Swartz dissenting.**

It was the consensus Mr. Campbell would assist County Attorney Mark Scruby drafting the proposed amendment to Section 4.2: Home Rule Charter Amendments, A. Amendments Proposed by Petition, and bring it back to the CRC for approval before it is presented at the three (3) public hearings.

### ISSUE LIST DISCUSSION ITEM #3

- Consideration of a proposed referendum related to legalized gambling in the State of Florida.

The sole purpose of this proposal is to ensure that if/when the State of Florida legalizes gambling, the individual residents of Clay County will have without question or delay the right to vote for or against legalized gambling in Clay County.

After discussion, Ms. Mohorich moved, seconded by Mr. Rinker, to amend Section 1.5: Casino Gambling, C. Referendum, and **carried 8-5 with Vice Chair Easterling, Sr., Mr. Kerekes, Mr. Mickel, Mr. Nazworth, Sr., and Mr. Pfenning dissenting**, as follows:

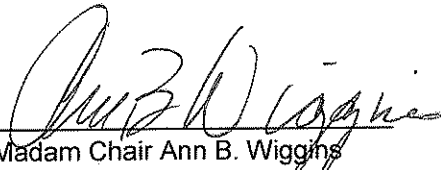
"If and when casino gambling becomes lawful under the Constitution and Laws of Florida, the Board of County Commissioners ~~may~~ must offer at the first practicable ~~to the electorate at any~~ primary, special, or general election, ~~and upon petition from the governing body of a municipality in the County, the Board~~ the question of whether casino gambling shall be authorized in the County. Upon approval of the question at referendum, the County and any municipality may thereafter allow casino gambling to the extent lawful under the Constitution and Laws of the State of Florida, and at the option of the Board of County Commissioners, this section may then be deleted from this Charter. If the question is disapproved at the referendum, it may be offered to the electorate again from time to time, but in no case more frequently than once in any period of 24 months".

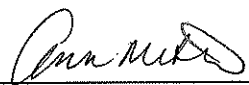
It was the consensus that Ms. Mohorich would assist County Attorney Mark Scruby drafting the proposed amendment to Section 1.5.Casino Gambling, C. Referendum and bring it back to the CRC for approval before it is presented at the three (3) public hearings.

### PUBLIC COMMENTS

Durwood Smith, 3116 Moody Avenue, Orange Park: Commented about government in general.

There being no further business, the meeting adjourned at 10:05 p.m.

  
Madam Chair Ann B. Wiggins

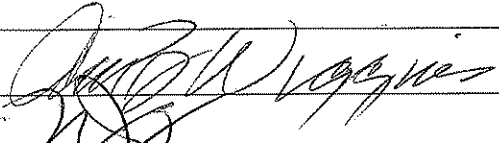
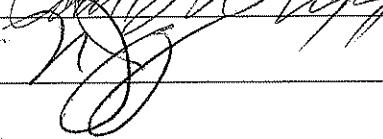

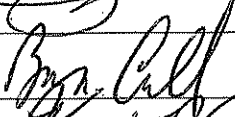
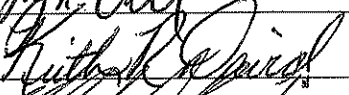
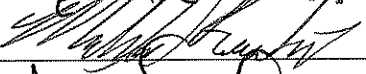
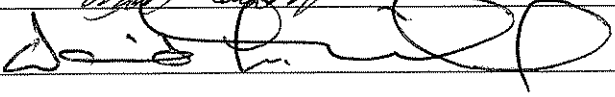
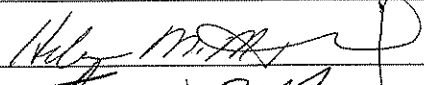
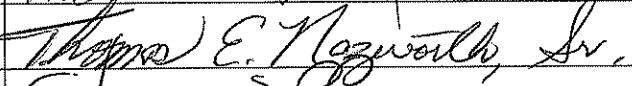
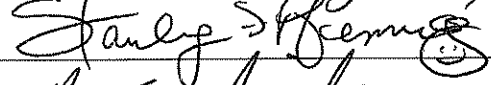

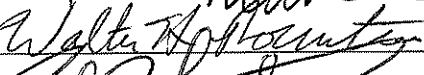
  
Ann Mitchell, Recording Secretary



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

**March 15, 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	
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