

**MINUTES**  
**2009/2010 CHARTER REVIEW COMMISSION**  
**Monday, April 12, 2010**  
**6:30 p.m., BCC Meeting Room**

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, 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 Mark J. Easterling, Sr.

OLD BUSINESS

Discuss Issue #10: Term limits for school board members

Attorney Bruce Bickner of the Clay County School Board stated that it was his opinion term limits for the school board members and the superintendant of schools cannot be imposed by the county commission, by the body of the CRC, or by the voters of Clay County through a charter amendment. It is an unconstitutional infringement between two bodies of government. The powers described under Article VIII, 1(d), Constitution of the State of Florida sets forth who the officers are and it does not include school board members or the superintendent of schools. Mr. Reischmann, Esq., concurred with Mr. Bickner's opinions and comments.

After discussion, Mr. Mickel moved to have no further discussion on issue #10, "term limits for school board members and the superintendant of schools", based on the opinions and comments made by Mr. Bickner, Esq. and Mr. Reischmann, Esq. Mr. David seconded the motion, **which carried 10-1, with Mr. Nazworth, Sr. dissenting.**

## Discuss Issue #8: Does the County need a charter form of government

### PUBLIC COMMENTS

- Marsha Willoughby, 3812 Creek Hollow Lane, Middleburg, requested that the CRC leave the Charter alone.
- David Johnson, 2301 Plainfield Avenue, Orange Park, asked to keep the Charter intact.
- Jane Padgett, PO Box 65847, Orange Park, responded to previous comments made by the Chamber of Commerce regarding the citizen's initiative process.
- Travis Christensen, 2871 Affirmed Court, Green Cove Springs, commented that Charter forms of government allow citizen participation. Our Charter should remain the way it is.

Mr. Swartz arrived at 7:15 p.m.

After discussion, Mr. Nazworth moved that Clay County's charter form of government remain as it is. Mr. Rinker seconded the motion, **which carried 12-0.**

### RECESS

## Discuss citizen's initiative ordinance amendment

### PUBLIC COMMENTS

- Marsha Willoughby, 3812 Creek Hollow Lane, Middleburg, commented that the current citizen's petition initiative is working and there should not be any further changes to restrict citizens. Leave the Charter alone.

Mr. Kerekes moved to place the issue of the citizen's petition initiative on the CRC agenda of April 19, 2010 for further discussion. There was no second.

After discussion, Madam Chair moved to rescind the motion pending and leave the citizen's petition initiatives as they are in the Charter. Mr. Mickel seconded the motion, which **carried 8-4, with Mr. Swartz, Mr. Anzalone, Mr. David, and Mr. Kerekes dissenting.**

### CRC COMMENTS

- Mr. David apologized to Mr. Pfenning for previous comments.
- Mr. Pfenning apologized to Mr. David for previous comments.
- Mr. Anzalone inquired about the status of the letter to the BCC regarding alcohol sales on Sunday.
- Mr. David commented that there should be an improvement to procedures for members serving on a CRC.

- Ms. Mohorich commented that they should discuss the issue regarding alcohol sales on Sunday again once they receive an opinion from Mr. Brown.
- Mr. Pfenning commented that rules for policies and procedures are in order and suggested that the BCC come up with a procedure manual for all future CRC members to follow.
- Mr. Nazworth, Sr. commented on the CRC vacancy.

There being no further business, the meeting adjourned at 8:30 p.m.

---

**Madam Chair Ann B. Wiggins**

---

**Ann Mitchell, Recording Secretary**