

**MINUTES  
CLAY COUNTY  
CHARTER REVIEW COMMISSION  
April 17, 2006**

The Clay County Charter Review Commission (CRC) met on ~~Monday~~ **Thursday**, April 17, 2006, 7:00 p.m., at the BCC Meeting Room, fourth floor of the Administration Building, 477 Houston Street, Green Cove Springs, Florida, 32043. Those in attendance are listed on the attached sign-in sheet. Rob Bradley, George Espada and Taunya Reese were not in attendance.

Una Cornelius led in the Pledge of Allegiance.

There are 11 members present at this time; Michael Q. Rogers arrived later.

**Mary Cooperman made a motion to approve the April 6, 2006 minutes. Roy Lyons seconded the motion, which carried 11-0. Michael Rogers arrived later in the meeting.**

Una Cornelius: Page 15, under the Time Certain Public Comments with Jane Padgett speaking: "There have been several citizens here requesting that you consider one thing or another and to my knowledge the only thing that you have ended up considering and having any of them coming from citizens; they come from your initial list that you had from the first time that you have met."

Una Cornelius: I only know of one person that has brought us anything. Is there anyone else that has brought something to us that we haven't considered? I remember Tom Platt brought up the lobbyist issue. I wanted to bring this up because if people read our CRC minutes four years from now, they may say that we did not consider things that were brought to them. I only know of one thing, not several, so I think that should be clarified. I went back through our minutes to refresh my memory and could not find anything else that a citizen had brought to our attention and brought before this CRC.

After a brief discussion, it was the general consensus that Tom Platt was the only citizen who brought up an issue for the CRC to consider. The CRC will wait until Ms. Padgett was present at one of their meetings to clarify her comment.

**Agenda item number three: "Approval of draft proposal of an Ethics Code amendment to the charter with the amended language discussed that would include the School Board Members and the Superintendent of the School Board."**

**DRAFT**

Date: April 14, 2006

COBB & COLE

040460-001 : CWATT/TVEIL : 00487847.WPD; 1

**PROPOSAL**

**CODE OF ETHICS FOR COUNTY OFFICERS AND EMPLOYEES**

Ballot question:

SHALL THE CHARTER OF CLAY COUNTY BE REVISED TO REQUIRE THE BOARD OF COUNTY COMMISSIONERS TO ENACT A CODE OF ETHICS FOR ALL ELECTED AND APPOINTED COUNTY OFFICERS AND THEIR EMPLOYEES?

**AMENDMENT .**

**Section 1.**

Section 2.2 of the Clay County Charter is amended to insert a new Paragraph E, as follows:

**E. Code of Ethics.** Before January 1, 2008, the Board of County Commissioners shall enact by ordinance a Code of Ethics. The Code of Ethics shall prescribe standards of conduct for members of the Board, the County Manager, the County Attorney, the County Auditor, all other elected or appointed County Officers, and their deputies and employees. The Code of Ethics shall supplement and not contradict or supersede any statutory or administrative standards of conduct which apply to any such officer or employee. The Code of Ethics may include, but is not limited to, provisions defining offenses, establishing an ethics board to hear and determine charges, and prescribing penalties within the limits allowed by law. The Code shall not conflict with the power of the Governor to suspend county officers or of the Senate to remove them from office, or the power of the people to recall them from office.

Chairman Cummings: Allen Watts' did a great job of summarizing and researching their directives. A DRAFT proposal was presented to the CRC for their review. The "Ballot Question" was read for the record as follows:" SHALL THE CHARTER OF CLAY COUNT BE REVISED TO REQUIRE THE BOARD OF COUNT COMMISSIONERS TO ENANCT A CODE OF ETHICS FOR ALL ELECTED AND APPOINTED COUNTY OFFICERS AND THEIR EMPLOYEES."

Allen Watts: The CRC directed me to prepare a provision that would require the Board of County Commissioners by ordinance, to adopt a code of ethics. I took the liberty of specifying a date of one year to accomplish this task, "E. Code of Ethics. Before January 1, 2008, the Board of County Commissioners shall enact by ordinance a Code of Ethics. The Code of Ethics shall prescribe standards of conduct for members of the Board, the County Manager, the County Attorney, the County Auditor, all other elected or appointed County Officers, and their deputies and employees." To make it plain that we are not relieving anyone from their pre-existing duties under existing statutory responsibilities, specifically Chapter 112 of the Florida Statutes: "The Code of Ethics shall supplement and not contradict or supersede any statutory or administrative standards of conduct which apply to any such officer or employee. The Code of Ethics may include, but is not limited to, provisions defining offenses, establishing and ethics board to hear and determine charges, and prescribing penalties within the limits allowed by law. The Code shall not conflict with the power of the Governor to suspend county officers of the Senate to remove them from office, or the power of the people to recall them from office." So, whatever lower level penalties may be established by the Code of Ethics does not prevent the ultimate punishment which is removal from office by the Governor, subject to trial by the Senate, or recall, and there is an existing provision in the Charter for recall of both the Board of County Commissioners and the elected constitutional officers. I used the term county officers, elected or appointed and their deputies and their employees because of the way that term has been construed under Article IV of the State Constitution which deals with the Governors power to remove county officers. The Supreme Court has held that that power extends to school board members who are also to be considered county officers under that definition. If you are

concerned that needs to be set out more explicitly, we could put in a sentence that said, “For the purposes of this paragraph county officers shall have the same meaning as this term has under the Governors power of removal in Article IV of the Constitution.” That is simply redundant. The ballot question is obviously less than 75 words and the Chairman just read it. The Ballot Title I proposed “CODE OF ETHICS FOR COUNTY OFFICERS AND EMPLOYEE”, again, well under the 15 word statutory limit. I would be glad to respond to any questions on this draft.

Chairman Cummings: Before January 1, 2008, if you had the date of January 1, 2007 that would not give the Board enough time to enact the ordinance and that is why you provided the date of January 1, 2008. Could the date be June or July of 2007?

Allen Watts: It can be anything you want it to be.

Gordon Jespersen: I was going to make the same comment, perhaps we could use June 30, of 2007, that would give them six months after the amendment takes effect to come up with an Ethics Code.

Allen Watts: It can be anything you want. These drafts will have some housekeeping questions like effective dates. As we line up your work you will want to know if this becomes effective upon adoption by the people if it should be effective on January 1, or should it have some other delayed effective date; those are some housekeeping questions that I will go over with you when we have all of the measures ready for our resolution to pass on to the Board of County Commissioners.

Mary Cooperman: How will the school board know that this applies to them?

Allen Watts: We just said it in the discussions of this review commission. The Supreme Court has construed school board members to be county officers under the Governor’s power to remove county officers in Article IV of the Constitution. A county officer is anyone who is elected on a county-wide basis, but you have some county officers who are appointed. The Charter of Clay County for example, creates a chief executive officer who is the County Manager, who is appointed; and the county attorney, and the county auditor. So, you can’t just say anyone who is elected county-wide because that wouldn’t be an accurate description. The best description that I could come up with is simply the term “county officers” and state during this presentation, the county officers in the mind of me, as the draftsman, as I present it to you means the same thing that the Supreme Court held it to me in the case involving his power of removal. I will tell you a little about that case; the Constitution gives to the governor the power to suspend a county officer for any of the seven deadly sins; misfeasance, malfeasance, nonfeasance, habitual intemperance, commission of a felony, and incompetence; those are most of the essential constitutional grounds, and they are the same grounds that the people may use for recall through a petition under the recall statutes. The question arose in this context, there is a statute that allows the Governor to suspend any other public official for what would only be a misdemeanor, but for a county officer it requires a felony. There was a school board member in a county in West Central Florida who was charged and eventually found guilty of a misdemeanor violation under the Sunshine Law. The Governor put the question to the Supreme Court, “Do I have the power to suspend a school board member for a misdemeanor, or are they a county

officer under the Constitution, meaning I can only suspend them for a commission of a felony”? The Supreme Court answered they are county officers, and therefore you may only suspend them for a commission of a felony. So, that is the case law that defines what a county officer is.

Mary Cooperman: I think that the school board members would not know that this would apply to them.

Allen Watts: You could certainly add the sentence I mentioned, but it would be redundant. It can't hurt other than it makes people read more words. What I said was, "For the purposes of this paragraph county officer shall have the same meaning as this term as other Governor's power of removal in Article IV of the Constitution." That brings with it the Supreme Court's interpretation. I don't want my interpretation to apply; I want the Supreme Court's interpretation to apply; that is my job to try and find the words that have been interpreted by the courts and other settings. If it is unclear, or too subtle; then a sentence like that could be added. I understand what you are saying about sometimes school boards don't see themselves as a part of county-level government; they are called districts rather than counties although each county is a school district. There question was settled in a couple of cases involving the power of a charter to declare school boards to be non-partisan, and to be elected on a non-partisan basis. The Constitution has since been amended since the Palm Beach County Charter and the Volusia County Charter were both construed to allow school board members to be non-partisan because they were charter counties. There are a lot of things about school boards that have to be uniform, that have to be prescribed at the state level and charters really can't touch them because that would be inconsistent with general law, but there are aspects in which the Charter can address school board members, the method of election partisan or non-partisan was one of those and the Constitution has since caught up with that, and I think the other would be a proposal such as this. If you go back and look at the original Jacksonville, Duval County consolidated charter as it was drafted in 1967, the local people wrote that and the Legislature put it in form with a special act and it was presented and approved by referendum. It brought the school board and its employees within the purview of the Code of Ethics of a consolidated city and county.

Michael Q. Rogers arrived; 12 members present.

Bill Garrison: Does the school board members fall under the State of Florida Code of Ethics?

Allen Watts: Yes.

Bill Garrison: I am all for ethics in life. I don't feel like we need to legislate ethics here. Personally, I kind of feel like this is a feel-good thing in light of what has been going on. We are going to tell the county commission to draft an ethics code so we are going to say the fox watching the hen-house write the rules that govern you to make them stronger than what already exists at the state level. I personally feel that is an unnecessary thing to be honest with you.

Ralph Puckhaber: I just wanted to echo Mary's concern from a different perspective. When people read this charter, they don't have all the legal background and explanations that we get and they might interpret this differently. I think that what Mary is trying to say is that it has to be written for legal purposes, but at the same time it has to be written so that people can read it and

make some understanding of it as well. Perhaps the reference that you cited Mr. Watts' for this would give them somewhere to go. Another point, a housekeeping issue, there is a Section 2.2 of the Charter to a new paragraph E; I think that you meant it to say J. maybe, because we already have a paragraph E.

Allen Watts: Actually, I meant E., and one of the housekeeping details in Section 2 that relates to everything that follows. E., seemed to be the place for it to fit in the logic of it. This is a draft and if you approve it, then I will come back with a full resolution that has Section 2, and it will have a separability clause, it will have an effective date clause; the kinds of things that you usually see in ordinances.

Roy Lyons: Mr. Garrison, you may be right, this may just be a feel-good kind of thing, but one of the things that we should attempt or try to do is to build the confidence in the county with the commissioners and the government. Something like this will give a good feeling for the people in the county.

Chairman Cummings: Mr. Jesperson, you brought up the date of June 30, 2007, any feelings among the group that would support this and the Code of Ethics?

Roy Lyons: It has been my experience that no matter what experience you use it will be two weeks before that date when everybody starts to scramble. I don't have a problem with Mr. Jesperson's recommendation. It sounds fine, June 30<sup>th</sup>, July 1<sup>st</sup>.

Chairman Cummings: If there is no discussion on this we need a motion on the floor to approve the Ethics Code and make any changes if necessary.

**Gordon Jesperson made a motion to approve the "Ethics Code" language previously discussed with the amendment of January 1, 2008 to June 30, 2007; and with the following additional sentence," For the purposes of this paragraph county officers shall have the same meaning as this term has under the Governor's power of removal in Article IV of the Constitution." Ralph Puckhaber seconded the motion, which carried 11-1, Bill Garrison dissenting.**

**Agenda item number four: "Discussion of proposed amendment draft for "citizen's Initiative" to be considered for the public hearings." (A. Watts)**

Chairman Cummings: Allen Watts' provided information regarding the current provision for charter amendment by petition from several selected charters that include: Volusia, Orange and Seminole Counties.

Allen Watts: In the memorandum addressing the language from the Orange County Charter there is a clerical correction; the underlined language should be under paragraph A of the charter. I referred to it correctly in the text. What the Orange County Charter says is for a charter amendment it needs to be signed by ten percent of the county electors and a majority of the commission districts as of January 1 of the year in which the petition is initiated. So, Orange County gives you a couple of twists there, they are different from the draft that Mr. Scruby

prepared. One of them is that they use January 1 of the year in which the petition is initiated as the benchmark and the other is that they use ten percent of the county electors in a majority of the commission districts. They have, I believe, six districts in Orange County, plus the Chair who is elected at large.

Chairman Cummings: I sent an email to the CRC to clarify the direction and past minutes reflected that purpose. If you turn to the first initiative language it says, "To revise the initiative process for proposing charter amendments so as to change the signature requirements from ten percent of the electors who cast ballots in the last general election to ten percent of the electors qualified to vote in the last general election." I believe that past direction has been for that to be changed to seven percent of the electors qualified to vote. Until this gets sent to a public hearing you are welcome to debate that. I think that the rest of what we requested from Mr. Watts' was clarified it just got a little confusing and I can see why as we talked about breaking up by district on what the percentages will be from each one. I wanted to point that out. If there are any motions or decisions for this to take to our public hearings we need to make sure that there is a change there if it is the wish of the CRC. Any discussion?

Allen Watts: What I did was take Mr. Scruby's language that he drafted from the November 3, 2005 Working Draft 1-A and I did not pick up the change from ten percent to seven percent.

Chairman Cummings: That is what we instructed Mr. Scruby to do and that amendment recommendation was on the floor until we eliminated it. Then we decided it would be seven percent based on the electors qualified to vote. What we probably need to discuss tonight is which of these models are preferred for what comes from each district, if that is the vote of the commission.

Bill Garrison: The seven percent is the proposed number right now?

Chairman Cummings: Yes, seven percent for the total amount of signatures, right.

Roy Lyons: One of the things that we talked about was seven percent from each district; seven percent of the total, that was the intent.

Bill Garrison: If you don't mind Mr. Chairman I would like to give you a little analysis of some of the numbers I have been working on. I used 16 different charters; of the 16 charters that I had access to the average across the board is 7.5 percent, and it ranges as low as four to as high as ten percent. Leon County has the highest, most restrictive, if you want to use that term; ten percent of the qualified electors with ten percent from each district out of seven districts which is five single members and two at large. Three of the 16 required you get the votes from all of the districts, six of them from some of the districts and seven of them are like a county-wide at large and there is no requirement of the number of districts. I am personally for the seven percent that is fine. I definitely think it should come from each district. I would support each district.

Chairman Cummings: We got to the seven percent based on the electors qualified to vote. We felt that we didn't want to make it hard and that more signatures would need to be obtained but

would be consistent with how many there are now. Ralph's study shows that it may be a little less than it was at the last election.

Ralph Puckhaber: I figured that seven percent was roughly what has been required in the past under the old language. I want to say again that when I proposed this, my intention was never to make this any more difficult than it is today. With some of the discussion that we have had and so much of it is from different districts and that kind of thing, I think that adds a burden to citizen's who want to get an initiative. I think in principal it is the right thing to do, but in reality it's the wrong thing to do. I absolutely support seven percent, but I support it only county-wide. As I said from the beginning, my purpose in this was to get rid of the up and down nature of the number of signatures required from election to election, and try to level that out a little bit. Anything else other than doing that makes it more difficult than it is today. Today, there is not district requirements in the charter, there was in the beginning, but it was taken out because it was considered to be too difficult.

Roy Lyons: It isn't more difficult, we are looking for something that will include the whole county, and if we want the whole county involved in this initiative then the whole county should be represented on these signatures. If we just have seven percent they can go to one place in the county and get all of the signatures that they need. It is very possible that people in Keystone Heights, Middleburg and part of Orange Park know nothing about this. To add seven percent of the total you just take a number like seven thousand; if a hundred thousand people vote, seven percent would be seven thousand, and seven percent of that would be 490 signatures in Keystone and Middleburg. That would include these people in this process; they would not be blocked out of this process. We do have these districts; they are single member districts, they were voted in as single member districts, and the entire county should be involved in that. 490 signatures out of those areas is not a tremendous burden.

Bill Garrison: I read this from the minutes of our last meeting and I think that is incorrect. I don't think it is seven percent of the seven percent.

Roy Lyons: That is my intent, to have seven percent of seven percent not seven percent of the total. You could get 490 out of five districts; that is 2,000, and the other 5,000 could come from Wal Mart in Fleming Island.

Bill Garrison: For me, that is almost negligible, it is almost like what is the point.

Roy Lyons: The people down there are involved in it. There is a real good chance you could get one of these initiatives going, have it all signed and gone through the process before any of the people in other areas knew about it.

Bill Garrison: I appreciate what Ralph said, 100 percent. I am with Roy in the sense that I think it should be a requirement to get some signatures from each district, particularly in light of the fact that there are now single member districts in the county, and not at large. Seven percent of seven percent I don't quite agree with. You should make it the same thing; if it is seven percent, the intent; correct me if I am wrong is let's say seven percent, then seven percent of the registered voters from district four would have to sign the initiative.

Allen Watts: If you assume for simplicity that there are 100,000 voters and each of five districts has 20,000 voters, seven percent of the voters in a district would be 1,400 voters.

Ralph Puckhaber: Seven percent of the voters in the county would be five times seven.

Bill Garrison: That is correct; you get an even number of votes or signatures. I can compromise on the majority of the districts; three of five.

Mary Cooperman: If the amendment is approved to go to three districts and two at large this would only be binding this time around. In Orange Park you have to go door to door to get 500 signatures, period. You couldn't stand somewhere and get many people at any time. There should not be a handicap with this.

Roy Lyons: You are not going to get all of the signatures in one day; you put some people in various places throughout the county to get the signatures. It should not be easy to do this.

Michael Q. Rogers: I would add that I certainly understand and am convinced with Ralph's perspective, and absolutely opposed to making this process more complex and more difficult. I see a citizen's initiative as a tool for checks and balances, for the things that will be coming down; in fact, there is a need for citizen's initiatives and there is also a need to engage them in constructive dialog to see what there issues are. Again, this is from a different perspective, so I am not supporting making it more difficult, but a citizen's initiative would be good all around at a reasonable percentage. Another point I would like to make is that it feels like to me on some of these issues that we really want people to be involved, we want them to be educated; we want them to be on the up and up and know what is going on in the community. Other issues work out to our advantage it seems that people are aware of what is going on, so just to reiterate where I am coming from.

Chairman Cummings: It seems to be support and I don't know what magnitude until we call for a vote approving a move for a charter amendment recommendation for the public hearing. The seven percent does not put any restrictions or requirements by districts for a certain amount. Then there is another one that would, if the majority of the membership feels that both of those models should be recommended to go to the public hearings; and then of course can occur too. We have discussed this issue a lot and out of respect for the members I think that this has definitely been something that they wanted to discuss. I am for going to the public hearing. My personal view is that it is not a pressing issue with me no matter what we do. Part of me says that if we are going to do it, I would like to have a certain percentage coming from each district, a limited percent, but not much. I am kind of like Ralph and think that it may be practical and reasonable, but it may not be the right thing to do. I think that where we are and what we have discussed, we have reasons to feel that we have discussed a lot of these issues before the public hearings and clearly, such as the ethics code, the non-interference clause, the at large; particularly the chair, we have seen some positives there to at least get it to a public hearing. But with this and the consistency issue that Ralph has brought up, I don't know that we have anybody come to public hearings that say that it should be made more difficult, make it less difficult, I think it is already hard right now. I also think that going on the ballot with seven percent if the voter will understand; some of them will think that we are making it a little bit easier, so there

could be some people who don't support it because they think it is lower than ten percent. I was thinking about that; not to say that I support making it easier or harder, or what qualified electors mean, or what registered voters mean, or those that turn out; I don't know how those will be received. Those are my comments and I will support this because we have discussed this a lot, and there seems to be a consensus to hear some sort of a recommendation of this at the public for more input and then we can decide the final vote.

Mary Cooperman: From my own personal observation the people who start initiatives are not young and it is more difficult for people with a few years on them than not. Young people are not interested enough to do initiatives so when you get older you are thankful and you want things to change and you see the wrong in something. I think that is what prompts people to do initiatives. It is harder on them and I know that should not enter into the picture, but over the years it has been my observation and I feel for them.

Roy Lyons: This is a way to change our constitution and the people who want to change it; it should not be a very easy thing to do. Our entire county should be involved in this and it does not have to be an overwhelming number of people; seven percent of the people. If this is a legitimate issue you can pick 1,400 signatures up and be done in a day and a half at a local shopping center. There are districts out there; change comes from young people, not old. Change in the constitution comes from young people, not old. Revolutions are by young people, not old.

Chairman Cummings: Roy, what I have heard from the group is that they do agree that it should be more difficult and that is why I kind of worry a little bit if it gets from ten percent to seven percent even though it is not changing the number of signatures to much, that it may have a lot of people who think it is doing the reverse and making it easier.

Roy Lyons: Ten percent ups it a little bit, and seven percent keeps it right where it is, so it isn't more difficult, it isn't more; but we want to include the whole county, the whole electorate in this.

Ralph Puckhaber made a motion to drop the citizen's initiative completely. Chairman Cummings seconded the motion.

Ralph Puckhaber: I just wanted to put this out there, put it to bed, or move it forward. I think that there is wasted political capital on this issue; we have more important things to talk about.

Michael Q. Rogers: Do you think that this is something that you can add to the memorandum that we will put together for the next CRC to tackle? I think that it is important, and I continue to hear the more difficult piece, but I think that we are, and were going down a more constructive path dealing with the numbers and the landscape of how it is aligned, and it is a very important issue. I have heard us take that into consideration, I am not sure Mr. Chairman that we have enough time to really do the best job that we can.

Bill Garrison: Everyone has stated their opinions and a compromise is reached so that we can move forward with something that is beneficial to the county. The only other county that ties their initiatives to a previous election is Hillsborough County. Everybody bases it on registered

voters or qualified electors; whatever term you want to use. I support this and I was hoping that you were going to make a motion and we would go ahead and vote dropping the idea of multiple districts. The only thing that could ease our mind is the fact that it is a county wide election so when it goes to the ballot everybody in the county gets to vote on it.

Roy Lyons: It shouldn't go back to the people that voted; that gives us up and down again.

Una Cornelius: There is a motion on the floor and we have to vote for it.

Bill Gann: Why don't we take these two issues to the public hearings; one is a county-wide and one is a district?

Una Cornelius: I think it is too confusing to do that. If we are going to put something before the voters, let's be concise and have a decision upfront. I think it should be brought up consistently year after year. As for killing it completely, I am totally against that.

Michael Q. Rogers: We should be able to support and articulate it; I don't feel comfortable that we are not able to do that as a united body now because there are so many moving parts.

Bill Garrison: It may be one of those things that it is not a unanimous vote.

Roy Lyons: We should not kill this issue right now.

Ralph Puckhaber: Withdrew his motion.

**Ralph Puckhaber made a motion to take "Proposal 2, Working Draft 1-A" to the public hearings for the purpose to revise the current initiative process for proposing charter amendments so as to change the signature requirements from seven percent of the electors who cast ballots in the last general election to seven percent of the electors qualified to vote in the last general election, with no district requirements. Also, approving the "Ballot Title and Question, "CHARTER AMENDMENT REFERENDUM NO. \_\_\_\_: REVISING REQUIREMENTS FOR PROPOSING CHARTER AMENDMENTS BY INITIATIVE". Bill Garrison seconded the motion, which carried 7-5, with Gordon Jespersen, Roy Lyons, Travis Cummings, Jim Gann and Michael Q. Rogers dissenting.**

Allen Watts: I presented you Mr. Scruby's Draft 1-A from the November 3, 2005 meeting, which was labeled Proposal 2; and then I presented a 2A, 2B and a 2C as three ideas. We are going back to Mr. Scruby's with the exception of that ten percent and we will change that to seven percent.

Jim Gann made a motion to take Proposal 2-A to the public hearing stage with a lower percentage to be determined after the public hearing state with a percentage from each district. Jim Gann withdrew his motion.

After a brief discussion, the following motion was made.

Jim Gann made a motion to take Proposal 2A to the public hearing stage, "SHALL THE INITIATIVE PROCESS FOR PROPOSING CHARTER AMENDMENTS TO THE CLAY COUNTY CHARTER TO BE REVISED SO AS TO CHANGE THE SIGNATURE REQUIREMENTS FROM TEN PERCENT OF THE ELECTORS WHO CAST BALLOTS IN THE LAST GENERAL ELECTION TO AT LEAST 4% OF THE ELECTORS QUALIFIED TO VOTE IN THE LAST GENERAL ELECTION FROM EACH COMMISSION DISTRICT OF TE COUNTY". Motion died without a second.

Bill Garrison: I am agreeing with Mr. Rogers and anybody else that has made a comment that we need to have a single proposal if we take this to a public hearing. I am willing to compromise the issues of districts to achieve ultimately, the original goal of a standard straight line for the number of signatures required to get an initiative on the ballot. We have that motion passed, is that correct?

Gordon Jespersion: Mr. Garrison stated that we need to just have one proposal to put forth at the public hearings; didn't a few weeks ago we vote to have two proposals regarding whether or not we have a chair for the commissioners?

Chairman Cummings: Yes, it can be done; you can bring as many proposals as you want.

Time Certain 8:00 p.m.

The floor was opened for public comments. None present.

Chairman Cummings: There is a 7/5 vote to change ten percent to seven percent of the electors with no district requirements.

Mary Cooperman: If we can't make up our minds, how are we going to bring this before the public; it is confusing.

Chairman Cummings: There is a majority vote to send it to the pubic hearings, but there was a motion earlier to strike it out for consideration altogether and it was withdrawn. There appeared to be enough interest amongst the group to at least send it to a public hearing.

Roy Lyons: Mary, when things go before the public when you get into the election process there are two things in the race right off of the bat; each of them is going to get 40% of the vote and it is just a matter of the people deciding. When this is published they will be talking about it all over the place and people will be making up their own minds. Give more credit to the public; they will do it.

Chairman Cummings: Mr. Watts', when this goes to the public hearings and there is feedback and discussion amongst the group, and someone decides that they would like to take this same recommendation and impose some sort of district requirements on it, would that be a material change that would require an additional public hearing?

Allen Watts: I don't think so.

Una Cornelius: Chairman Cummings, have we voted if we were going to take both of these to the public hearings?

Chairman Cummings: Just the one; Mr. Watts' will be drafting 1A and changing the second ten percent mentioned in that paragraph to seven percent. That will be forwarded as a charter amendment recommendation to be discussed or heard at the public hearings.

**Other Discussion:**

Chairman Cummings: There is a sub-committee meeting tomorrow, April 18, 2006 at 10:00 am., Orange Park Town Hall. These meetings are open to the public and they are invited to attend. Gordon Jespersen and Rob Bradley have both volunteered to work on this sub-committee for the purpose of providing a report from this CRC session with recommendations for non-charter issues. This will be the first of several meetings. It is a good decision on our part to be providing this information to the public. All CRC members are encouraged to participate.

**Ralph Puckhaber made a motion to approve the invoice for services rendered to Cobb & Cole in the amount of \$4,892.50. Roy Lyons seconded the motion, which carried 12-0.**

**Brenda Rau made a motion to take to their public hearings citizen's initiative Proposal 2A to read as follows: "Shall the initiative process for proposing charter amendments to the Clay County Charter be revised so as to change the signature requirements from ten percent of the electors who cast ballots in the last general election to at least seven percent of the electors qualified to vote in the last general election with at least four percent coming from each commission district of the county." Jim Gann seconded the motion, which carried 11-1, Mary Cooperman dissenting.**

Karen Lake provided a one-page summary of different educational strategies that the CRC may want to consider educating the community about any charter amendment recommendations to the BCC that will be placed on the November ballot. There are many things, not necessarily from an advocacy roll, but more of an education format that takes place in a variety of ways in which you can inform the public. Whether this report is done through the media, or something that could be communicated that could explain our process and how we made our decisions and how this could improve our charter government. There are many different scenarios for our education strategy. This is the time during our process to be thinking about this and what the cost would be, etc. This certainly isn't a definitive answer to what we need to do, but I did put some ideas together just to throw it out there to establish conversation. We had briefly spoken at our last meeting that we might develop a speaker's bureau and that would be a list of people on this commission who would be willing to go out and speak to Rotary or Kiwanis Clubs; anywhere we were asked to explain our amendments. My suggestion if we do this would be to establish something that is consistent, message from person to person, suggest putting together a document that had some talking points about the amendments we plan to propose. Ms. Lake went through the entire summary page and the different scenarios that could be considered. After a brief discussion, it was the general consensus to digest this for a while because it was an important issue to think about and they would make it an agenda item at one of their upcoming meetings.

Chairman Cummings informed Ms. Lake that she did a very thorough job and came up with great ideas.

The public hearing dates are scheduled for May 4, 2006, May 15, 2006, and June 1, 2006 at 7:00 p.m. These meetings are for the public to be heard.

Una Cornelius: Why are we not holding the public hearings throughout the county?

Roy Lyons: I would like for us to have one in Orange Park, Green Cove Springs and Keystone Heights.

Chairman Cummings: I will work on scheduling the hearings in other areas in the county. One will be in the Tax Collectors Meeting Room, one in Orange Park and one in Middleburg.

May 15, 2006 will be in the BCC Meeting Room, and you will be notified of the other two locations when I have set them.

Gordon Jesperson: Requested that they receive the proposals to be heard at the public hearings in advance of the first public hearing.

Chairman Cummings: Mr. Watts', when we are having a public hearing are we required to provide a copy to the public, or do we simply go over it?

Allen Watts: Typically, you would provide copies in the meeting room for anybody who wants to pick one up and follow along with the hearing. It is not a problem to assemble the documents that you have approved for the public hearing. I will put those in a resolution form as if you were going to present them to the Board of County Commissioners.

The six proposed charter amendment recommendations for the public hearings are:

1. Discussion of modification of existing non-interference clause.
2. Discussion of an ethics code to be enacted for all elected and appointed county officers and their employees.
3. Discussion of three single member and two at large districts **without** an elected Chair.
4. Discussion of three single member and two at large districts **with** an elected Chair.
5. Discussion of a citizen's initiative amendment proposal to the Charter for the purpose to revise the signature requirements from ten percent of the electors who cast ballots in the last general election to seven percent of the electors qualified to vote in the last general election, with no district requirements.
6. Discussion of citizen's initiative amendment proposal to the Charter (as mentioned above) with at least 4% of the electors qualified to vote in the last general election from each commission district of the county.

Michael Q. Rogers: At our last meeting we brought up an issue with regards to education, and I think that Karen has done a magnificent job with her strategy within the parameters of the CRC. I have had subsequent conversations where I have learned that maybe a DVD would be a more appropriate tool that could be circulated among new county residents to get them up to speed on

Clay County's Charter form of government. I don't want that to die, I think that is important. When we meet again, I would like to discuss this again. I am interested in educating the citizens of Clay County across the board about our Charter government.

Chairman Cummings: In our non-charter recommendations, Ms. Cornelius suggested that all of the employees should be educated on the charter, particularly the non-interference clause.

Opened the floor for public comments; no response.

There being no further business the meeting adjourned at 8:55 p.m.

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**Chairman Travis Cummings**

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**Recording Secretary, Ann Mitchell**