

**MINUTES
CLAY COUNTY
CHARTER REVIEW COMMISSION
June 1, 2006**

The Clay County Charter Review Commission (CRC) met on Thursday, June 1, 2006, 7:00 p.m., at the Weigel Senior Center, 3916 Section Street, Middleburg, Florida, 32068. Those in attendance are listed on the attached sign-in sheet. Brenda Rau was not in attendance.

Glenn Oliver led in the Pledge of Allegiance.

Bill Garrison made a motion to approve the May 15, 2006 minutes. Roy Lyons seconded the motion, which carried 13-0. Michael Q. Rogers was not present at this time.

Chairman Cummings made a motion to submit an email as an attachment for the record. Gordon Jespersion seconded the motion, which carried 13-0.

Chairman Cummings: There are seven (7) proposals; seven (7) public hearings will be opened and; and citizens will have five (5) minutes to comment only on the proposal that is open for the floor at the time.

PROPOSAL 1

NON-INTERFERENCE BY BOARD OF COUNTY COMMISSIONERS WITH EMPLOYEES UNDER COUNTY MANAGER, ATTORNEY OR AUDITOR

Ballot Question:

SHALL THE EXISTING PROVISIONS OF THE CLAY COUNTY CHARTER, RESTRICTING COUNTY COMMISSIONERS FROM DIRECTING OR INTERFERING WITH THE EMPLOYEES OF THE MANAGER AND ATTORNEY, BE AMENDED TO INCLUDE EMPLOYEES OF THE AUDITOR, TO REMOVE CERTAIN EXCEPTIONS, TO PROVIDE THAT SUCH INTERFERENCE IS MALFEASANCE, TO RECOGNIZE THE RIGHT OF COMMISSIONERS TO REPORT CITIZEN CONCERNS OR TO SEEK INFORMATION, AND THE RIGHT OF THE BOARD TO CONDUCT OFFICIAL INVESTIGATIONS OF ANY COUNTY DEPARTMENT OR OFFICE? AMENDMENT

Section 1. Subsection 2.2.I. of the Clay County Charter is amended to provide as follows: *2.2.I. Non-interference.* County Commissioners shall not give directions to or interfere with any employee, officer or agent under the direct or indirect supervision of the County Manager, the County Attorney or the Commission Auditor. Such action shall be malfeasance within the meaning of Article IV, Section 7(a) of the State Constitution. County Commissioners may communicate with employees, officers or agents under the direct or indirect supervision of the County Manager, the County Attorney or the County Auditor for the purpose of inquiry or information. Nothing in this provision shall prevent a County Commissioner from referring a citizen complaint or request to the County Manager, the County Attorney or the Commission Auditor. The Commission may make investigations of County affairs, inquire into the conduct, accounts, records and transactions of any department or office of the County, and for these

purposes require reports from all County officers and employees, subpoena witnesses, administer oaths, and require the production of records.

Section 2. If all or any portion of this Amendment shall finally be held invalid by a court, the remainder of Section 4.2, as amended, shall remain in full force and effect.

Section 3. This amendment shall become effective on January 1, 2007.

Chairman Cummings opened the public hearing for Proposal 1; discussion of the modification of the existing non-interference clause.

Allan Watts: This, for the benefit of the members of the public, Section 4.2 B, Amendments and Revisions by Charter Review Commission of the existing Charter of Clay County says that the Charter Review Commission consisting of 15 electors of the County shall be appointed by the Board of County Commissioners at least 12 months before the general election occurring in 1994 and at least 12 months before the general election of every four (4) years thereafter. The Charter Review Commission shall review the Home Rule Charter and propose any amendments or revisions which may be advisable for placement on the general election ballot. Then; after going through the work of the Charter Commission, it provides that the CRC hold at least three (3) public hearings at intervals of not less than then (10) days, or more than (20) days on any proposed Charter amendment or revision, and no Charter amendment or revision, after which shall be a vote and if the majority of the entire CRC approves them; they will forwarded through the Board of County Commissioners to the Supervisor of Elections to be placed on the ballot in November. There are several amendments that are going to be discussed and we have been asked to hold public hearings. Proposal 1 is entitled "NON-INTERFERENCE BY BOARD OF COUNTY COMMISSIONERS WITH EMPLOYEES UNDER COUNTY MANAGER, ATTORNEY OR AUDITOR". Since the office of the County Auditor has been added to the Charter the non-interference clause is being amended to include the employees of the auditor and the non-interference clause and also make some other amendments to that clause. The statutes require that every charter amendment be accompanied by an explanatory statement or summary of not more than 75 words; it is sometimes a challenge for the one who has to write it. The ballot summary for Proposal 1 asks this question on the ballot: "SHALL THE EXISTING PROVISIONS OF THE CLAY COUNTY CHARTER, RESTRICTING COUNTY COMMISSIONERS FROM DIRECTING OR INTERFERING WITH THE EMPLOYEES OF THE MANAGER AND ATTORNEY, BE AMENDED TO INCLUDE EMPLOYEES OF THE AUDITOR, TO REMOVE CERTAIN EXCEPTIONS, TO PROVIDE THAT SUCH INTERFERENCE IS MALFEASANCE, TO RECOGNIZE THE RIGHT OF COMMISSIONERS TO REPORT CITIZEN CONCERNS OR TO SEEK INFORMATION, AND THE RIGHT OF THE BOARD TO CONDUCT OFFICIAL INVESTIGATIONS OF ANY COUNTY DEPARMENT OR OFFICE?" That is the summary; the text does several things; 1) it brings the employees of the County Auditor within that protection of the non-interference clause, 2) it specifically declares that interference by a commissioner with any of these protected employees who are under the supervision of one of the three; the County Manager, the Attorney, or the Auditor, is malfeasance. Now what significance is malfeasance? It is one of the grounds of which the governor may remove a commissioner, or upon which the people may recall a commissioner. That is spelled out in the Constitution of General laws. We specifically left language in there and strengthened language in there that says that this does not interfere with the right of a county commissioner to listen to the people, relay any concerns or

complaints from the people through the county manager so that they get addressed by county employees; nor does it present the County Commission as a group, not as individuals, from meeting and investigating and asking for people to proper testimony and document, to aide them in that element of Legislative Policy. This is a right that all Legislative bodies inherently have from the Congress on down. That is the summary of Proposal 1 Mr. Chairman. If there are any questions or comments from the public, I would be glad to entertain them.

There being no comments from the public on Proposal 1, this portion of the public hearing was closed.

The public hearing opened for discussion of Proposal 2, of an “ethics code” to be enacted for all elected and appointed county officers, and their employees.

PROPOSAL 2

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 SUPPLEMENTING EXISTING CODES, FOR ALL ELECTED AND APPOINTED COUNTY OFFICERS, INCLUDING THE SUPERINTENDENT OF SCHOOLS AND MEMBERS OF THE SCHOOL BOARD, AND THEIR EMPLOYEES?

AMENDMENT .

Section 1. Section 2.2 of the Clay County Charter is amended to create a new Paragraph E, as follows:

E. Code of Ethics.

Before July 1, 2007, 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 including the Superintendent of Schools and members of the School Board, and the deputies and employees of all such officers. 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.

Section 2. This amendment shall be effective upon approval by the electors of Clay County. If it is so approved, existing Paragraph E and the paragraphs which follow it in Section 2.2 of the Charter shall be re-lettered F, etc.

Section 3. If all or any part of this amendment should finally be held invalid by a court, the remainder of this amendment shall continue in full force and effect.

Allen Watts: Mr. Chairman, Proposal 2 is entitled,” CODE OF ETHICS FOR COUNTY OFFICERS AND EMPLOYEES”. The “Ballot Question” is: “SHALL THE CHARTER OF CLAY COUNTY BE REVISED TO REQUIRE THE BOARD OF COUNTY COMMISSIONERS TO ENACT A CODE OF ETHICS SUPPLEMENTING EXISTING

CODES, FOR ALL ELECTED AND APPOINTED COUNTY OFFICERS, INCLUDING THE SUPERINTENDENT OF SCHOOLS AND MEMBERS OF THE SCHOOL BOARD, AND THEIR EMPLOYEES?”

The text of the proposed amendment would require that by July 1 of the year following its adoption this amendment would require the Board of County Commissioners to draft a “Code of Ethics”, which would not take the place of the Code of Ethics for state officers and employees in Chapter 112 of the Florida Statutes, or any particular Code of Ethics that applies in the case of a particular officers, particularly the school board employees who are subject to a Professional Code of Ethics Standards that administered by the Department of Education. These obligations that would be created by this County Code of Ethics would be supplemental too; would not supersede or contradict any other existing Code of Ethics to any of these officers or employees are subject to. I would be glad to respond to any questions of the draftsman.

There being no comments from the public on Proposal 2 this portion of the public hearing was closed.

The public hearing opened for discussion of Proposal 3A of three single member and two at large districts with an elected Chair; and Proposal 3B of three single member and two at large districts without an elected Chair.

PROPOSAL 3A

ALLOWS VOTE FOR ONE DISTRICT COMMISSIONER AND COUNTYWIDE VOTES FOR CHAIR AND COMMISSIONER AT LARGE

Ballot Question:

SHALL SECTION 2.2.A. OF THE CHARTER OF CLAY COUNTY BE AMENDED TO PROVIDE FOR A LEGISLATIVE BODY OF FIVE COUNTY COMMISSIONERS CONSISTING OF A CHAIR ELECTED AT LARGE, ONE COMMISSIONER ELECTED AT LARGE, AND THREE COMMISSIONERS ELECTED FROM DISTRICTS, IN LIEU OF THE PRESENT FIVE COMMISSIONERS ELECTED FROM DISTRICTS; TO SPECIFY THE DUTIES OF THE CHAIR; TO PROVIDE FOR SELECTION OF A VICECHAIR, THE CONTINUATION OF TERM LIMITS, AND FOR TRANSITION OF EXISTING COMMISSIONERS?

AMENDMENT ____.

Section 1. Section 2.2.A. of the Charter of Clay County is amended to provide as follows:

A(1). The County Commission.

The governing body of the County shall be a Board of County Commissioners composed of five (5) members serving staggered terms of four (4) years. Three County Commissioners shall reside one in each of three County Commission Districts, the Districts together covering the entire County and as nearly equal in population as practicable, and each District Commissioner shall be nominated and elected only by the qualified electors who reside in the same County Commission District as the Commissioners. Each District Commissioner during the term of office shall reside in the District from which such Commissioner ran for office, provided that any Commissioner who is removed from a District due to redistricting may continue to serve during the balance of the term of office. The Chair of the Commission and one Commissioner shall be nominated and

elected at large. No person elected for two consecutive full terms as County Chair or a member of the Board of County Commissioners shall be eligible for election as County Chair or a member of the Board of County Commissioners in the next succeeding term.

A(2). Duties of the County Chair.

The office of the County Chair shall have all jurisdiction and powers which are now and which hereafter may be granted to it by the Constitution and laws of Florida, this Charter, or county ordinance, provided that such powers shall be exercised in a manner consistent with this charter.

The County Chair shall have the specific powers and duties to:

Preside as Chair of and in all other respects participate in the meetings of the Board of County Commissioners and have an equal vote on all questions coming before it.

Serve as the official and ceremonial representative of the government.

Issue proclamations on behalf of the government, which shall be reported to the Board of County Commissioners upon issuance.

Execute ordinances, resolutions and other authorized documents of the government. The Board of County Commissioners shall elect or re-elect at its annual organizational meeting a member to serve at its pleasure for a one-year term as Vice Chair of the Board to preside at meetings of the Board in the temporary absence, disqualification or disability of the County Chair and to perform such other duties as are assigned by the County Chair.

Section 2. Transition.

This amendment shall become effective upon approval by the electors of Clay County at a referendum to be held at the general election of November 2006, subject to the following transitional provisions:

(a) The position of Chair shall be designated as Seat 1, and the position of Commissioner at large shall be designated as Seat 2. During the year 2007, the Board of County Commissioners shall cause the County to be divided into three contiguous County Commission Districts, numbered three through five, together covering the entire County and as nearly equal in population as practicable.

(b) At the general election in November 2008, the respective eligible electors shall elect a County Chair at large (Seat 1) and a County Commissioner from new District Seats Three and Five, each for a term of four years.

(c) Notwithstanding redistricting, the incumbent Commissioners from pre-existing Districts two and four elected or re-elected at the general election in 2006 shall each continue to hold office until the expiration of his or her term. In the event of death, resignation, or removal or recall of such a commissioner from office when less than twenty-eight months remain in the term, a successor shall be appointed for the remainder of the term as provided in Article IV, Section 1(f) of the Florida Constitution; otherwise until the first Tuesday after the first Monday following the general election of 2008, and at such election the electors shall choose a Commissioner as provided in Subsection (d) of this Transition Section 2 for a special term of two years.

(d) At the general election in November 2010, the electors shall elect a County Commissioner at large (Seat 2), and the electors of the district shall elect a County Commissioner from new District Seat Four, each for a term of four years.

(e) For purposes of the limitation on successive full terms as Chair or other member of the Board of County Commissioners, no term of office beginning before November 2000 shall be considered.

(e) When all of the provisions for transition have been completed, this Transitional Section 2 of the amendment shall be automatically repealed.

Section 3. If all or any part of this amendment should finally be held invalid by a court, the remainder of this amendment shall continue in full force and effect.

PROPOSAL 3B

ALLOWS VOTE FOR ONE DISTRICT COMMISSIONER AND COUNTYWIDE VOTES FOR TWO COMMISSIONERS AT LARGE

Ballot Question:

SHALL SECTION 2.2.A. OF THE CHARTER OF CLAY COUNTY BE AMENDED TO PROVIDE FOR A LEGISLATIVE BODY OF FIVE COUNTY COMMISSIONERS CONSISTING OF TWO COMMISSIONERS ELECTED AT LARGE, AND THREE COMMISSIONERS ELECTED FROM DISTRICTS, IN LIEU OF THE PRESENT FIVE COMMISSIONERS ELECTED FROM DISTRICTS; TO PROVIDE FOR THE CONTINUATION OF TERM LIMITS, AND FOR TRANSITION OF EXISTING COMMISSIONERS?

AMENDMENT ____.

Section 1. Section 2.2.A. of the Charter of Clay County is amended to provide as follows:

A. The County Commission.

The governing body of the County shall be a Board of County Commissioners composed of five (5) members serving staggered terms of four (4) years. Three County Commissioners shall reside one in each of three County Commission Districts, the Districts together covering the entire County and as nearly equal in population as practicable, and each District Commissioner shall be nominated and elected only by the qualified electors who reside in the same County Commission District as the Commissioners. Each District Commissioner during the term of office shall reside in the District from which such Commissioner ran for office, provided that any Commissioner who is removed from a District due to redistricting may continue to serve during the balance of the term of office. Two Commissioners shall be nominated and elected at large. No person elected for two consecutive full terms as a member of the Board of County Commissioners shall be eligible for election as County Chair or a member of the Board of County Commissioners in the next succeeding term.

Section 2. Transition.

This amendment shall become effective upon approval by the electors of Clay County at a referendum to be held at the general election of November 2006, subject to the following transitional provisions:

(a) The positions of Commissioner at large shall be designated as Seats 1 and 2. During the year 2007, the Board of County Commissioners shall cause the County to be divided into three contiguous County Commission Districts, numbered three through five, together covering the entire County and as nearly equal in population as practicable.

(b) At the general election in November 2008, the respective eligible electors shall elect a County Commissioner at large for Seat 1, and district Commissioners for new District Seats Three and Five, each for a term of four years.

(c) Notwithstanding redistricting as required by this Amendment, the incumbent Commissioners from pre-existing Districts two and four elected or re-elected at the general election in 2006 shall each continue to hold office until the expiration of their terms. In the event of death, resignation, or removal or recall of such a commissioner from office when less than twenty-eight months remain in the term, a successor shall be appointed for the remainder of the term as provided in Article IV, Section 1(f) of the Florida Constitution; otherwise until the first Tuesday after the

first Monday following the general election of 2008, and at such election the electors shall choose a Commissioner as provided in Subsection (d) of this Transition Section 2 for a special term of two years.

(d) At the general election in November 2010, the electors shall elect a County Commissioner at large for Seat 2, and the electors of the district shall elect a County Commissioner from new District Seat Four, each for a term of four years..

(e) For purposes of the limitation on successive full terms as a member of the Board of County Commissioners, no term of office beginning before November 2000 shall be considered.

(e) When all of the provisions for transition have been completed, this Transition Section 2 of the amendment shall be automatically repealed.

Section 3. If all or any part of this amendment should finally be held invalid by a court, the remainder of this amendment shall continue in full force and effect.

Allan Watts: Mr. Chairman, Proposals 3A and 3B were originally scheduled for a public hearing; there is also a Proposal 3C which was added after the first public hearing. We drafted it, it has been heard at the second public hearing, and now at this third public hearing in order to make sure that proposal was separate and had its three public hearings. There will be a final public hearing after this one on that particular amendment, and the others I assume also, because you must have a minimum of three.

Proposal 3A is entitled: "ALLOWS VOTE FOR ONE DISTRICT COMMISSIONER AND COUNTYWIDE VOTES FOR CHAIR AND COMMISSIONER AT LARGE." The Ballot Question is: "SHALL SECTION 2.2.A. OF THE CHARTER OF CLAY COUNTY BE AMENDED TO PROVIDE FOR A LEGISLATIVE BODY OF FIVE COUNTY COMMISSIONERS CONSISTING OF A CHAIR ELECTED AT LARGE, ONE COMMISSIONER ELECTED AT LARGE, AND THREE COMMISSIONERS ELECTED FROM DISTRICTS, IN LIEU OF THE PRESENT FIVE COMMISSIONERS ELECTED FROM DISTRICTS; TO SPECIFY THE DUTIES OF THE CHAIR; TO PROVIDE FOR SELECTION OF A VICE-CHAIR, THE CONTINUATION OF TERM LIMITS, AND FOR TRANSITION OF EXISTING COMMISSIONERS?"

The text of the amendment converts the Board of County Commissioners from five single member districts in which each voter gets to vote for one of those every other general election to three district commissioners from which each voter will get to vote for their district commissioner at every other general election; the terms being four years. Plus, there would be elected at large two additional members of the Board, one of them would be a commissioner at large, the other of whom would be the elected chair. The duties of the County Chair are spelled out; we added some powers to the Chair at the last meeting. The Board, as I said, would consist of three district representatives and two elected by countywide vote. The duties of the Chair would be as follows: 1) preside as Chair of, and in all other respects participate in the meetings of the Board of County Commissioners and have an equal vote on all questions coming before it; 2) serve as the official and ceremonial representative of the government; 3) issue proclamations on behalf of the government which shall be reported to the Board of County Commissioners upon issuance; and, 4) execute ordinances, resolutions and other authorized documents of the government. We added three powers at the last meeting which are, 1) serve ex-officio as the county government's representative, and appoint other Commissioners to serve in the county

chair's stead on other bodies external to county government such as the MPO, Regional Planning Council, and other Boards and bodies on which the BCC is entitled to a representative; 2) place items on the agenda of meetings of the Board, in addition to those items so placed by the County Manager; and, 3) report annually to the Board and the citizens of the County the activities of county government for the previous year and the status of accomplishment of existing goals and objectives. The report shall set forth new and revised goals and objectives for future action. Subsequently, the Board shall meet to consider adoption of a plan of action for implementation of the goals and objectives. There is a provision in each of these three (3) additional powers that says the Board of County Commissioners shall elect or re-elect at its annual organizational meeting a member to serve at its pleasure for one-year term as Vice Chair of the Board to preside in the absence or disability of the Chair. That is Proposal 3A.

Proposal 3B is the same as 3A except that there is no elected Chair by the people. Instead, there are two commissioners elected at large, and the Chair of the Board is elected by his or her peers on the Commission on an annual basis; so there are no specific charter powers of the Chair spelled out. Those are Proposals 3A and 3B.

Public Comments regarding Proposals 3A and 3B:

**John Wolfersberger
Halperns Way
Middleburg**

It seems to me that the people just last year voted for five single member districts, whether you like that or not. I don't understand why you don't give that a chance to see if it works, rather than trying to change it when they just voted it last year.

There being no further comments for Proposal 3A and 3B, this portion of the public hearing is closed.

The public hearing opened for discussion of Proposal 3C, the expansion of the Board of County Commissioners by adding two at large commissioners with salary limitations; with one of them serving as the Chair.

Rob Bradley: I don't know what the feeling is among the CRC, but we have had three hearings on Proposal 3A and B and I don't see any ground to support either of them. I would like to hear my fellow commissioners on this issue. I would be willing to support eliminating them from our proposal agenda.

Gordon Jespersion: I would agree with Mr. Bradley.

Roy Lyons: The idea is to get more people to vote; to implement these would be absolutely confusing and would go against the single member districting. I am totally against it and I don't see any reason for 3A or 3B.

Bill Garrison: I agree with that sentiment and support a motion to have it removed.

Gordon Jespersen made a motion to remove Proposal 3A (three single member and two at large districts with an elected Chair); and Proposal 3B (three single member and two at large districts without an elected Chair) from the proposed charter recommendation list. Roy Lyons seconded the motion, which carried 14-0.

PROPOSAL 3C

ADDS TWO COMMISSIONERS AT LARGE TO COUNTY COMMISSION WITH SALARY LIMITATIONS

Ballot Question:

SHALL SECTIONS 2.2.A. AND 2.2.C. OF THE CLAY COUNTY CHARTER BE AMENDED TO PROVIDE FOR A LEGISLATIVE BODY OF SEVEN RATHER THAN FIVE COUNTY COMMISSIONERS, CONSISTING OF A CHAIR AND ONE COMMISSIONER, EACH ELECTED AT LARGE, AND FIVE COMMISSIONERS ELECTED FROM DISTRICTS; TO SPECIFY DUTIES OF THE CHAIR; TO PROVIDE FOR SELECTION OF A VICECHAIR, THE CONTINUATION OF TERM LIMITS, AND FOR REDUCING SALARIES OF COMMISSIONERS TO ABSORB THE SALARIES OF TWO ADDITIONAL COMMISSIONERS?

AMENDMENT_____.

Section 1. Section 2.2.A. of the Charter of Clay County is amended to provide as follows:

A(1). The County Commission.

The governing body of the County shall be a Board of County Commissioners composed of seven (7) members serving staggered terms of four (4) years. Five County Commissioners shall reside one in each of five County Commission Districts, the Districts together covering the entire County and as nearly equal in population as practicable, and each District Commissioner shall be nominated and elected only by the qualified electors who reside in the same County Commission District as the Commissioners. Each District Commissioner during the term of office shall reside in the District from which such Commissioner ran for office, provided that any Commissioner who is removed from a District due to redistricting may continue to serve during the balance of the term of office. The Chair of the Commission and one Commissioner shall be nominated and elected at large. No person elected for two consecutive full terms as County Chair or a member of the Board of County Commissioners shall be eligible for election as County Chair or a member of the Board of County Commissioners in the next succeeding term.

A(2). Duties of the County Chair.

The office of the County Chair shall have all jurisdiction and powers which are now and which hereafter may be granted to it by the Constitution and laws of Florida, this Charter, or county ordinance, provided that such powers shall be exercised in a manner consistent with this charter. The County Chair shall have the specific powers and duties to: Preside as Chair of and in all other respects participate in the meetings of the Board of County Commissioners and have an equal vote on all questions coming before it. Serve as the official and ceremonial representative of the government. Issue proclamations on behalf of the government, which shall be reported to the Board of County Commissioners upon issuance. Execute ordinances, resolutions and other authorized documents of the government. [Optional additions which the Charter Review Commission may consider: Serve ex-officio as the county government's representative, and appoint other Commissioners to serve in the county chair's stead, on other bodies external to county government Place items on the agenda of meetings of the Board (in addition to those

items so placed by the County Manager) Report annually to the Board and the citizens of the County the activities of county government for the previous year and the status of accomplishment of existing goals and objectives. The report shall set forth new and revised goals and objectives for future action. Subsequently, the Board shall meet to consider adoption of a plan of action for implementation of the goals and objectives.] The Board of County Commissioners shall elect or re-elect at its annual organizational meeting a member to serve at its pleasure for a one-year term as Vice Chair of the Board to preside at meetings of the Board in the temporary absence, disqualification or disability of the County Chair and to perform such other duties as are assigned by the County Chair.

Section 2. Section 2.2.C “Salaries and other compensation” of the Charter of Clay County is amended to provide as follows:

C. Salaries and other compensation.

Salaries of the Chair and each other member of the Board of County Commissioners shall be paid at five-sevenths of the salary which would otherwise be payable from time to time to members of the Board of County Commissioners of a county of like population under the general laws of Florida. This provision shall not affect the benefits, except the calculation of retirement benefits, otherwise payable to or in respect of a Commissioner by general law or county ordinance,

or the expenses of a Commissioner otherwise reimbursable by law or ordinance.

Section 3. This amendment shall become effective upon approval by the electors of Clay County at a referendum to be held at the general election of November 2006, subject to the following transitional provisions:

(a) At the general election in November 2008, the electors of the County shall elect a County Chair at large for a term of four years and a Commissioner at large for a term of two years. At the general election in November 2010, the electors of the County shall elect or re-elect a Commissioner at large for a term of four years.

(b) This transition section 3 shall have no effect upon the terms of office of incumbent Commissioners elected from existing districts one through five. The change in the compensation of commissioners shall take effect with the first term to which that commissioner is elected following the effective date of this amendment.

(c) For purposes of the limitation on successive full terms as Chair or other member of the Board of County Commissioners, no term of office beginning before November 2000 shall be considered.

(d) When all of the provisions for transition have been completed, this Transitional Section 3 of the amendment shall be automatically repealed.

Section 4. If any part of this amendment should finally be held invalid by a court, the remainder of this amendment shall continue in full force and effect.

The floor was opened for discussion for Proposal 3C; the discussion of the expansion of the Board of County Commissioners by adding two at large commissioners with salary limitations; with one serving as an elected Chair.

Allan Watts: Mr. Chairman, Proposal 3C is undergoing its second hearing tonight, it was added at the first public hearing and subjected to a public hearing at your second, and now your third meeting. This is the second public hearing on this item because it was not written yet on your first one. Proposal 3C is entitled: “ADDS TWO COMMISSIONERS AT LARGE TO COUNTY COMMISSION WITH SALARY LIMITATIONS.

The “Ballot Question” is: “SHALL SECTIONS 2.2.a. AND 2.2.C. OF THE CLAY COUNTY CHARTER BE AMENDED TO PROVIDE FOR A LEGISLATIVE BODY OF SEVEN RATHER THAN FIVE COUNTY COMMISSIONERS, CONSISTING OF A CHAIR AND ONE COMMISSIONER, EACH ELECTED AT LARGE, AND FIVE COMMISSIONERS ELECTED FROM DISTRICTS; TO SPECIFY DUTIES OF THE CHAIR; TO PROVIDE FOR SELECTION OF A VICE-CHAIR, THE CONTINUATION OF TERM LIMITS, AND FOR REDUCING SALARIES OF COMMISSIONERS TO ABSORB THE SALARIES OF TWO ADDITIONAL COMMISSIONERS? That is Proposal 3C.

Public Comments regarding Proposal 3C.

Nancy Keating
3272 County Road 209
Green Cove Springs

I came tonight because I sat in your seat many years ago when the Charter Review Commission did not have any challenges. I just applaud you for agreeing to sit in the CRC seats this year. Thank you so much for what you do; thank you, and Clay County for its wisdom to create a Charter which allows us to do the real American thing to let us express our interests and our feelings. I am kind of leaning towards the two at large seats with the strong Chair. I am not so sure about the salary limitations because I don't know what the current salaries are. When I sat in your seat our county did not have these challenges, we did not have as many issues as you have today and we are much bigger today than we were before. I always marveled sitting at county commission seats to think how much we expect of our commissioners to know who is going to pick up our garbage, to how much they are going to tax us, or to look at these amazing engineering studies for these large developments that we are placing in our County. We expect an awful lot from our county commissioners; I don't think we need to sell them short. We need to have the very best; we have a wonderful county or we all would not be living here and in order for us to make this better, we need a strong Chair. Can you imagine if we were like Jacksonville and had a John Delaney who could have this wonderful, great, bright future for Clay County; that is what we need? That is what I suggest, and that is where I am leaning. Once again, thank you so much for your service. I know that many of you not only volunteered your time and put your energies and your talents here, but you served on many other community charities and events, thank you very much for taking this time out of your year to be so special to all of the citizens in Clay County.

There being no further comments, this portion of the public hearing for Proposal 3C was closed.

Roy Lyons: I have done some research on the salary issue and one of the things that came up is that we are given a pot of money based on our population, and that pot of money is divided up by the commissioners so we have the same pot of money if we increase the amount of commissioners, their salaries would be divided by seven instead of five, is that correct?

Allan Watts: Yes sir. The combination is set for non- charter counties by a table in the general statutes that says if your county has a population of this much, your commissioners get paid this amount no matter how many of them there are. Even in the non-charter counties the number of

commissioners does vary because a non-charter county has the option of going to a five and two plan under general law. The Constitution specifies that there will be a Board of County Commissioners of five or seven members and each county chooses which one they want to follow. Charters can specify any number if they want; Jacksonville has 19 members, and we have had as many as nine in Volusia County at one time. The Charter can specify any number and they can specify the compensation which can vary from that table that the Legislature set for non-charter counties. With the table that the Legislature sets for each officer, whether it be a county commissioner, a school board member, a clerk of court, or a tax collector; it is set in that table based on the population of the county. I assume because they think there is a correlation between the size of the county, the population bracket in which it falls and the difficulty of the job of these officers. But no, if you went from five to seven and you were a non-charter county, by law, you would have what ever that percentage is, I guess 40% increase in the salary expense of your county commission. As a Charter County you can do what you want to do. What you asked me to do in this draft is to take that pot of money that the state would ordinarily give to five commissioners and divide it so that each commissioner would get five-sevenths of that total in salary. We did specify in the language that I prepared for you that you don't get five-sevenths of the benefits; there is health insurance; retirement is based on the salary, so to the extent that you reduce the salary, you reduced the dollar amount of the retirement although you still get the same credit percentage wise for each year of service. It is based on smaller compensation if this amendment were passed.

Chairman Cummings: I think that it is important to remember that we have had a lot of discussion at the first two public hearings regarding the duties of the Chair, salary limitations or not, etc., and Mr. Watts' advised us that it is better to hear about many different issues so that we know what the public's opinions are and hearings are held for the entire package. For example, if there are six duties the Chair can have, we would have three public hearing and when the hearings are completed the CRC will meet to decide their final recommendations and if some of the duties are removed we would not have to begin the public hearing process again. I just wanted to clarify that.

Rob Bradley: We have spent a lot of time on Proposal 3C talking about salaries. It has been pointed out many times that no matter where we end up on this salary issue, we are talking about something like, literally .005% of the County's budget; much less that a quarter of one percent of the county budget, and we have spent a lot more than one quarter percent of our time on this issue talking about it. I don't want us to get bogged down with this issue of salary because I think that what we are talking about here is whether the idea of adding two at large with a strong Chair to five single member districts is good government for Clay County. That's what we are talking about; we are not talking about salaries, we are talking about whether that is good public policy. I think based on everything that we have learned and everything that we have heard, that is the direction that this county needs to go. Ms. Keating referred to the idea of a strong Chair being someone that can articulate a vision and people can rally around and follow, and accept or reject. I also want to emphasize that while vision is important, accountability is a very, very important issue that needs to be addressed in our county government and it needs to be focused on by this group. A Chair brings accountability because the Chair has to stand up every year and give a State of the County address and give an update on whether the county government has been successful or unsuccessful in achieving the goals that he or she articulated during that past year.

That strong county Chair is a person who can go out into the community and say this is what we are going to do, and if he or she doesn't do it then that person can be held accountable much like Mayor Delaney as was described earlier, or any other leader that we have had that we can look up to, who have gone out and articulated a vision and they were either successful, or, if they weren't successful, they were replaced. Now, we have a system that we don't have to have anyone who is either articulating a vision that is long-lasting; and more importantly, we don't have accountability, we don't have someone that we can hold accountable if that vision was successful or not successful. I want to focus on what we are really talking about here and that is a strong Chair who will bring accountability and adding two at large. The fact of the matter is that the only way to truly hold this person accountable is to make this person at large, representing everyone. If you have pure single member districts, you will not have accountability because someone can always say it was the guys fault in that other district; it just did not get done.

Roy Lyons: In this form of government I believe that the two at large will bring us into the 21st Century. I believe that this County can grow with this system; the two at large and five single member districts. Our population is increasing, everything is increasing, and with this type of system we can grow into it and our government will continue. It is just an expansion; we are getting away from the little, small-town type.

Chairman Cummings: Reminded the CRC to stay on task and this was a public hearing and they were there to listen to citizen's comments.

The public hearing opened for discussion of Proposal 4A, discussion of citizens' 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; and, 4B; discussion of a 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.

PROPOSAL 4A

MODIFYING PETITION REQUIREMENTS TO PROPOSE AMENDMENTS TO COUNTY CHARTER

Ballot Question:

SHALL THE PROVISIONS OF THE CLAY COUNTY HOME RULE CHARTER FOR PROPOSING CHARTER AMENDMENTS BY INITIATIVE BE AMENDED TO CHANGE THE REQUIRED NUMBER OF SIGNATURES FROM TEN PERCENT (10%) OF THE ELECTORS WHO CAST BALLOTS IN THE LAST GENERAL ELECTION TO SEVEN PERCENT (7%) OF THE ELECTORS QUALIFIED TO VOTE IN THE LAST GENERAL ELECTION?

AMENDMENT _____.

Section 1. Subsection A of Section 4.2 of Article II of the Clay County Home Rule Charter shall be amended to read in its entirety as follows:

A. Amendments Proposed by Petition.

(1) The electors of Clay County shall have the right to initiate proposed amendments to this Home Rule Charter upon petition of the qualified electors in the County. The number of qualified elector signatures for a valid petition must equal at least seven percent (7%) of the electors qualified to vote in the last general election. (2) Each such proposed amendment shall embrace but one subject and matter directly connected therewith. Each Charter amendment proposed by petition shall be placed on the ballot by resolution of the Board of County Commissioners for the general election occurring in excess of ninety (90) days from the certification by the Supervisor of Elections that the requisite number of signatures has been verified. (3) The sponsor of a petition amendment shall, prior to obtaining any signatures, submit the text of the proposed amendment to the Supervisor of Elections, with the form on which the signatures will be affixed, and shall obtain the approval of the Supervisor of Elections of such form. The style and requirements of such form shall be specified by County ordinance. The beginning date of any petition drive shall commence upon the date of approval by the Supervisor of Elections of the form on which signatures will be affixed, and said drive shall terminate one hundred and eighty (180) days after that date. In the event sufficient signatures are not acquired during that one hundred and eighty (180) day period, the petition initiative shall be rendered null and void and none of the signatures may be carried over onto another petition. The sponsor shall submit signed and dated forms to the Supervisor of Elections and upon submission shall pay all fees as required by general law. The Supervisor of Elections shall within sixty (60) days verify the signatures thereon. (4) If approved by a majority of those electors voting on the amendment at the general election, the amendment shall become effective on the date specified in the amendment, or, if not so specified, on January 1 of the succeeding year.

Section 2. If all or any portion of this Amendment shall finally be held invalid by a court, the remainder of Section 4.2, as amended, shall remain in full force and effect.

Section 3. If adopted by the electors, this amendment shall be effective January 1, 2007.

PROPOSAL 4B

MODIFYING PETITION REQUIREMENTS TO PROPOSE AMENDMENTS TO COUNTY CHARTER

Ballot Question:

SHALL THE PROVISIONS OF THE CLAY COUNTY HOME RULE CHARTER FOR PROPOSING CHARTER AMENDMENTS BY INITIATIVE BE AMENDED TO CHANGE THE REQUIRED NUMBER OF SIGNATURES FROM TEN PERCENT (10%) OF THE ELECTORS WHO CAST BALLOTS IN THE LAST GENERAL ELECTION TO SEVEN PERCENT (7%) OF THE ELECTORS QUALIFIED TO VOTE COUNTYWIDE, INCLUDING FOUR PERCENT (4%) OF THE NUMBER OF ELECTORS QUALIFIED TO VOTE IN EACH COMMISSION DISTRICT, IN THE LAST GENERAL ELECTION?

AMENDMENT _____.

Section 1. Subsection A of Section 4.2 of Article II of the Clay County Home Rule Charter shall be amended to read in its entirety as follows:

A. Amendments Proposed by Petition.

(1) The electors of Clay County shall have the right to initiate proposed amendments to this Home Rule Charter upon petition of the qualified electors in the County. The number of qualified elector signatures for a valid petition must equal at least seven percent (7%) of the electors qualified to vote in the last general election; provided that the petition shall contain the

signatures of not less than four percent (4%) of the number of electors qualified to vote in each district in the last general election.

(2) Each such proposed amendment shall embrace but one subject and matter directly connected therewith. Each Charter amendment proposed by petition shall be placed on the ballot by resolution of the Board of County Commissioners for the general election occurring in excess of ninety (90) days from the certification by the Supervisor of Elections that the requisite number of signatures has been verified.

(3) The sponsor of a petition amendment shall, prior to obtaining any signatures, submit the text of the proposed amendment to the Supervisor of Elections, with the form on which the signatures will be affixed, and shall obtain the approval of the Supervisor of Elections of such form. The style and requirements of such form shall be specified by County ordinance. The beginning date of any petition drive shall commence upon the date of approval by the Supervisor of Elections of the form on which signatures will be affixed, and said drive shall terminate one hundred and eighty (180) days after that date. In the event sufficient signatures are not acquired during that one hundred and eighty (180) day period, the petition initiative shall be rendered null and void and none of the signatures may be carried over onto another petition. The sponsor shall submit signed and dated forms to the Supervisor of Elections and upon submission shall pay all fees as required by general law. The Supervisor of Elections shall within sixty (60) days verify the signatures thereon.

(4) If approved by a majority of those electors voting on the amendment at the general election, the amendment shall become effective on the date specified in the amendment, or, if not so specified, on January 1 of the succeeding year.

Section 2. If all or any portion of this Amendment shall finally be held invalid by a court, the remainder of Section 4.2, as amended, shall remain in full force and effect.

Section 3. If adopted by the electors, this amendment shall be effective January 1, 2007.

Rob Bradley: Again, I am just trying to get a feel for where we stand as a commission on these initiatives. Is this something that has the momentum and we want to go out and talk to the people about, or is this just something that we don't. I haven't completely formulated, but in the interest of time, I was just curious to get my fellow commissioners feelings on both Proposal 4A and 4B.

Chairman Cummings: Let's complete the public hearing before discussion among the commission; let's hear from the public.

Allan Watts: The electors of Clay County shall have the right to initiate proposed amendments to the Charter upon petition of the qualified electors in the County. The number of qualified elector's signatures for a valid petition must equal at least ten percent (10%) of the electors who cast ballots in the last general election. Out of this; and it has been discussed by the CRC, is the fact that if the last general election was a presidential election, ten percent (10%) of those who cast ballots might be a higher number than if it was a non-presidential election; so that if you chart the number of signatures required you get an up and down number steadily trending upward as the population of the county grows. So I will have to draft two alternate provisions to amend that section of the Charter. Proposal 4A is entitled: "MODIFYING PETITION REQUIREMENTS TO PROPOSE AMENDMENTS TO COUNTY CHARTER."

The “Ballot Question” is: “SHALL THE PROVISIONS OF THE CLAY COUNTY HOME RULE CHARTER FOR PROPOSING CHARTER AMENDMENTS BY INITIATIVE BE AMENDED TO CHANGE THE REQUIRED NUMBER OF SIGNATURES FROM TEN PERCENT (10%) OF THE ELECTORS WHO CAST BALLOTS IN THE LAST GENERAL ELECTION TO SEVEN PERCENT (7%) OF THE ELECTORS QUALIFIED TO VOTE IN THE LAST GENERAL ELECTION? That is Proposal 4A.

Proposal 4B varies from it in this respect; in Proposal 4B we were asked to bring forth language that would require some breadth of support through the different districts of the county, so the ballot summary for 4B adds a requirement that in addition to the seven percent of the electors qualified to vote county-wide, that that number include at least four (4 %) percent of the number of electors qualified to vote in each commission district of the last general election. So not less than four (4%) percent in each and every district, for the total of seven (7 %) of the number of qualified electors from the last election county-wide.

Comments from the public:

Joe Wolfersberger

Halperns Way
Middleburg

It seems to me that this group doesn't like the public putting things on the ballot. They are making it harder, it seems to me. I think it is just like you making it harder for the people to speak by doing this.

There being no further public comments on Proposal 4A and 4B, this portion of the public hearing was closed.

Chairman Cummings: That is the conclusion of the seven (7) proposals for our public hearing.

Bill Garrison: First of all, I don't believe that it is our intention at all to make it more difficult. We have done some calculations to show that the gross numbers are comparable so we are not trying to get more; but what we are looking for is stability from the pool if you will, from the required voters. I support the idea for that reason; that we provide stability. I also am in favor of the requirement that a certain number of voters come from each district. That one may be more controversial and we will see how that goes. The other thing that I would like to make a comment about is that I believe that once we moved into single member district elections that is specified in the Charter; is actually invalid, and I personally think that it would be subject to legal challenge, because now you're having a different number of people coming to the ballot; one election cycle you are going to be voting for two county commissioners, the next election cycle you are going to be voting for three county commissioners. You are automatically setting up a disparity and the number of people coming to vote so how can you have a system based on the initiative method, be based on what should be a differing number of people coming to the ballots. I think that would be subject to legal challenge.

Allen Watts: Addressing the legal question: First of all, the State and their sub-divisions have broad discretion in terms of Federal Law as long as there is not a device in the procedure that is

tailored to, or, has the affect of discriminating against protected minority. With that said, there is a lot of discretion on part of the State election laws and also within Charter counties. If I understand you correctly, you have three commissioners on the ballot this year; there will be District 2 and District 4 in the governor's year; and Districts 1, 3, and 5 in the presidential year. The reason to take up this subject is the debates, because when you have two and four, and the governor's election, it doesn't seem to bring as many people out as when you have the 1, 3 and 5 in the presidential election and that is why you have an up and down in the number of signatures required. For the next two years after one of those elections, that number in that election is your reference number; ten percent of that number is your reference number for the number of signatures required on a citizen sponsored charter amendment. I have not done the computations; members of the charter commission did the computation and they came up showing that most of the time seven percent (7 %) of the number of registered voters was equal to ten percent (10%) of the number of people who voted. If you freeze it at seven percent (7%) of the registered voters, that number is more stable and grows at a steady rate than the up and down of the years divisible by four, or not divisible by four. Presidential elections would be divisible by four. I don't think that there is a legal problem.

Chairman Cummings: Ralph Puckhaber spent a lot of time with those statistics and in several scenarios it showed that there would be fewer signatures with this. The district requirement, should it be placed; obviously could be construed as being fair so that each district clearly has input. However, it could be also construed as making it more difficult because you have to make sure those signatures come from each district. On the number of signatures, we showed that in many cases there would be 100 to 200 less; it was very equal in the amount of percentages of which you would base it on.

Roy Lyons: There are two of them; why don't we make a motion to go with 4B and eliminate 4A?

Mary Cooperman: I have always been against seven percent from each district that makes it very difficult for anybody. I am against that; it makes it very difficult for a petitioner to get that number in that district. The burden again is on the Supervisor of Elections who has to ratify that the signatures are in their district. I think it is just too cumbersome for all.

Roy Lyons: The Supervisor of Elections can determine the district when they verify the name and signatures.

Chairman Cummings: We have concluded our "third public hearing" on the seven issues; and now has been reduced to five (5). Our plan is to move into the "fourth public hearing" the 19th of June with those five proposals; satisfying our responsibilities of the Charter. My comments regarding the citizen's initiative is that as we look at all of the issues that we have discussed up to this point; particularly the Chair with the at large, the non-interference, and the ethics code; we have seen past and present needs for them and we are trying to address them. That has been our objective to thoroughly review our Charter and ensure that it is really a structured element and model that can carry our County forward for many years.

The thing that I struggle with on the citizen's initiative is that although the facts are there on the level of consistency, I don't think four percent from each district is unreasonable. I have not heard or seen that the existing citizen's initiative process is broken. Nobody has really said that it is already difficult; nor have I heard anything from the public, whether you are talking to your neighbor or somebody before we even met as a group. They have always said it should be difficult to change our charter and it is right now with these numbers at ten percent. It is always going to be difficult. My feeling all along has been that when it came time, I wasn't going to support it for the ballot. I have heard a lot of people here tonight and this group needs to decide if we want to carry it on to the fourth public hearing.

Bill Garrison: I think that the goal of stability and the number of elections is a good goal. We were told to review the Charter and bring forth proposals that we feel are advisable, so I think that the justification for bringing it forward is a advisable thing. I personally would be fine to get rid of the district requirement. I agree, it makes it more difficult for the people. I wouldn't have a problem with lowering the percentage rate if someone is concerned about that, to send the message that we are not trying to make it more difficult, but rather to provide a stable pool to get your petitions signed by the percentage of petitions required as a stable number. I really think that if not this cycle, it will definitely have to happen because we have had some elections and the number of people voting is going to be significantly different. You are talking about two candidates versus three candidates if you don't get more people out for the three candidates.

Chairman Cummings: I think that it has been worthy of discussion and listening to it, I am just somewhat indifferent about it personally.

Bill Garrison: I agree with you 100%; the overall scope of what we have reviewed and what we are proposing, this certainly ranks at the bottom of our list.

George Espada: The current candidate; if you want to be elected it is your business to find out how many signatures you need if it is ten percent, 50 percent, or four percent. The candidate has to find out this information through the Supervisor of Elections. The candidate has to do the research if they want to get elected. If the candidate is lazy and waits for this to be dropped to two percent, then they shouldn't be a candidate.

Gordon Jespersen: A couple of weeks ago some people in our neighborhood were chatting with my wife and brought this up and she made me come out to discuss the five and two, and the citizen's initiative. They did not pay attention to the other proposals. I am not sure that it reflected any strong feelings or not, but about the time we were finishing the discussion on the citizen's initiative the deliver truck backed out and ran over our mailbox, so that may have been his opinion about that. It is something that does get people's attention.

Chairman Cummings: I don't know if it is due to people thinking that it should be more difficult or it should stay the same, or whatever. People seem to like the district requirements for signatures approach once you discuss it with them. However; once again, the current system is not broken.

Roy Lyons: The idea is that this will bring consistency to it because of the election cycle the way things are, the way people show up. Ralph did a study on this and seven percent (7%) of the registered voters does not change the amount of people, in fact in some cases it is a little bit lower than ten percent (10%) of the people that vote. The seven percent (7%) is actually a little bit lower. We do need consistency because what has happened is based on the turnout and you have to cycle just like this, and what we need is a consistent approach to it in our government. With this seven percent (7%) it doesn't increase the difficulty and it doesn't increase the amount of signatures so that is where we should go.

Chairman Cummings: We need to decide if we want to keep moving with this and get on with the fourth public hearing.

Roy Lyons: I don't understand why you are saying that, we have two things here; one is seven percent (7%), and one that says seven percent (7%) which includes four percent (4%) in each commission district.

Chairman Cummings: That is what I am saying. We are trying to get a feel on what the group wants to do. I am just trying to feel this out and if there is still a consensus among the group to leave it on the table, let's move on.

Jim Gann: Bill, thinking that the commissioner's rates increase or decrease the vote a great amount is sort of far out. A good sheriff's election or a good presidential election will bring out a lot more of the votes than the nickel and dime of the commissioners; and I say that with all due respect to them because in the scheme of things, they are nickel and dime.

Una Cornelius: I like keeping it on the ballot. I wouldn't mind dropping the part where they have to have four percent (4%) and just keeping the first one. I think we should keep it on the table. We do need consistency in this County and right now we have not had anything come to the ballot that has been out of whack; but the pig initiative is what really makes people stop and think about it. We should have seven or ten percent of the people who are registered vote. If they don't vote in that election, that is their freedom not to vote at that time; but they are registered voters and I think that if somebody wants to put something on the ballot that registered voters should be asked. I think we should keep it.

Roy Lyons: To add to that, when you go to get the signatures, they are based on all of the registered voters, not the ones who just voted in the last election. If all of the registered voters can sign it then it should be based on the amount of registered voters.

Bill Garrison: Quoting statistics from the spreadsheet created by Ralph Puckhaber, the number of voters, registered voters, and the actual people who came to the poll for the 1996, 1998, 2000, 2002, and 2004 elections, the percentage of registered electors (not registered voters) that would be required is 6.4 percent based on the number of signatures required under the old Charter language. This is relative to the number of actual registered electors; it averages out to 6.4% across five different elections. Seven percent (7%) is appropriate and is right there with it.

Ralph Puckhaber: Gordon, I really enjoyed your story, but I didn't get a feel of why people were asking about it and did they think it was too punitive.

Gordon Jespersen: No one thought it was punitive; they were asking more about why it was being considered and the reasons behind our decision to have two options. They did not have a strong opinion on either one or the other.

Ralph Puckhaber: I would like to keep both of these on the table for now.

The Fourth Public Hearing is scheduled for Monday, June 19, 2006 at the Orange Park Town Hall, Park Avenue at 7:00 p.m. There are now five Proposals to be heard at this public hearing.

Allan Watts: The Board of County Commissioners' Report is due no later than August 9, 2006 in order to be sufficient so many days prior to Election Day. Your schedule date was to be July 25, 2006, but you can have special meetings.

Chairman Cummings: The idea was to present it to the BCC meeting at the 2nd Tuesday in August. If they took that up would they have to vote and pass the resolution at that meeting?

Allan Watts: They don't have to take action on it until closer to the election, but you have to have it turned in no later than the 9th of August; they meet on the 8th of August.

Rob Bradley: I will get with Ann Mitchell on the future sub-committee dates.

Rob Bradley made a motion to have the last CRC meeting on Monday, July 17, 2006, location to be announced. Roy Lyons seconded the motion, which carried 13-0.

Public Comments/Questions:

Judy Shapell
1604 Royal Fern Lane
Orange Park

As I listened to the comments about Proposal 4B, I just want to give my opinion about that. I was kind of thinking, and it seems to me that we are changing the rules of the game to fit the players instead of teaching the players the value of the game. There is a lot of value that I think we need to teach people and our ability to vote, and the value that we have to be able to cast a vote and to sign a petition. So instead of us changing something that doesn't look like it's broken,; it don't look like to me that's broken, that we need to fix it. If we can get millions of people to vote for an American Idol, then something as important as our government, I don't see that we would need to go and change it to make it easier for people to do it.

Danita Andrews

1815 Lakehedge Drive
Middleburg

I have a keen interest in what happens in the future of this community, and I say community because I think that Clay County is a unique community. You have had an onerous task and I understand that and I applaud all of you for sticking with this. I understand that this has been a

tough decision and you can see the debate taking place back and forth over these separate issues. I like the idea of having a five/two because I feel that the vision and the leadership; we need to have strong leadership in this county in moving forward. We have a lot of issues facing us and we need to diversify our economy. We have grown residential, but we have not grown as much business wise. The public decisions that are made on the governmental level affect the way the business community reacts to that. I guess I need to tell you that I work in the field of economic development, and at certain points and time it seems that we have a lot of hurdles to overcome. That also opens the door for opportunity and Clay County has tremendous opportunity to go forward, so I applaud all of your efforts and look forward to the final outcome of the CRC.

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

Chairman Travis Cummings

Recording Secretary, Ann Mitchell