



## **2021/2022 CHARTER REVIEW COMMISSION MINUTES**

January 6, 2022

7:00 PM

Administration Building,  
4th Floor, BCC Meeting Room,  
477 Houston Street,  
Green Cove Springs, FL 32043

---

### **CALL TO ORDER**

Chairman Howard "Bo" Norton called the meeting to order at 7:00 pm.

### **MOMENT OF SILENCE**

Chairman Bo Norton requested a moment of silence.

### **PLEDGE OF ALLEGIANCE**

Mr. Mitch Timberlake led the Pledge of Allegiance.

### **WELCOME**

Chairman Bo Norton thanked Officer Givens for providing security for the meeting. He also welcomed Courtney Grimm, County Attorney, Teresa Capo-Clay County Commissioner Administrative Assistant, Tara S. Green-Clerk of the Court and Comptroller and her staff, Chris Chambless-Supervisor of Elections, and all the CRC members.

### **ROLL CALL**

All those that were in attendance at the meeting are listed on the attached sign in sheet. See attachment A. Absentees from the meeting:

- Dale Carter
- Charles Hodges
- James Jett
- Steve Rizzo

### **APPROVAL OF MINUTES**

December 2, 2021 Charter Review Committee Minutes

Mr. Mitch Timberlake made a motion to approve the minutes for December 02, 2021, seconded by Vice-Chairman Suzi Ludwig, with all in favor.

## **PUBLIC COMMENT**

Chairman Bo Norton opened the floor for public comment at 7:03 pm.

Norman Betz, 2942 Long Leaf Ranch Circle, Middleburg, Florida addressed the Committee in regards to term limits. Mr. Betz stated term limits will frustrate conflicts of interest, entrenched political interests, personality cults, and conduct outside the sunshine. To insist on term limits for all elected officials, is to avoid all of these problems. Mr. Betz stated the term limit should be 8 years for an elected official just like the Florida Governor, Florida Cabinet, Legislature, and the Board of Commissioners. Mr. Betz stated the Clay County Constitutional Offices are not aligned with the twentieth century norms, and for the sake of good governance the committee should bring our offices under an 8 year, 2 term framework.

Hearing no other comments, Chairman Bo Norton closed public comment at 7:06 pm.

## **OLD BUSINESS**

No old business for discussion.

### 1. Section 2.2: Legislative Branch

The County Commission: (A) composition; term limits; minimum qualifications (new); (C) salaries

Chairman Bo Norton stated that he had invited Chairman Wayne Bolla and Commissioner Mike Cella to join the Commission to answer questions to gain insight into their experience serving as Commissioners. Chairman Norton stated their perspective might be different from the Commission, but it will be valuable to consider. The items for discussion are composition, term limits, minimum qualifications, and salaries. Chairman Norton asked each Commissioner to share their experience and thoughts before each item for discussion, beginning with Chairman Bolla.

Chairman Wayne Bolla addressed the Commission regarding the composition of the Board of County Commissioners. Chairman Bolla stated having a lot of people on the Board will result in a lot of talking with no action. It creates a government that does not respond quickly to everyday problems. Chairman Bolla stated fewer people on the Board is better. If more coverage is necessary, Chairman Bolla recommends having an assistant for each Commissioner rather than adding more Commissioners to the Board. This would be similar to the way Jacksonville operates its BCC.

Commissioner Mike Cella addressed the Commission regarding the composition of the BCC. Commissioner Cella began by thanking the Commission for serving. He agreed with Chairman Bolla that five Commissioners is the ideal number for Clay County. Most of the counties in Florida use five Commissioners, but some of the larger counties may use seven Commissioners. For example, Orange County uses seven Commissioners

plus their Mayor who sits on the board. Commissioner Cella said five Commissioners could handle the workload in Clay County with the right support staff. Jacksonville has 19 people on the City Council, and it is very difficult to get anything passed. Orange County has 900,000 residents, with seven Commissioners and the Mayor. Each Commissioner has three staff members paid between \$35,000.00-\$65,000.00 per year. Osceola County has about 326,000 residents with five Commissioners. Each Commissioner in Osceola has an assistant. Clay County has one assistant, who sometimes seems to be doing the work of four people. As the county grows, the Commission may want to consider support staff positions instead of adding more Commissioner seats.

Chairman Norton asked Teresa Capo, Administrative Assistant to the County Commissioners, how many various Commissions she supports. Ms. Capo said the BCC, workshops, and Charter review. She also used to support Planning Commission, but she does not support that anymore.

Ms. Debby Terry addressed the Commission regarding her experience watching the county grow over the last 35 years. Ms. Terry stated residents not involved in government would not want to speak to an assistant to a Commissioner. They will want to speak to the Commissioner directly. Ms. Terry stated five Commissioners are not sustainable to meet the needs of Clay County's growing population. Ms. Terry asked Chairman Bolla and Commissioner Cella if being a Commissioner is a full-time job. Chairman Bolla stated statutorily it is a part-time job. However, the workload is a full-time job. It takes experience in the position to know what events are important to attend and the legislative side of the job. The two things that require the most time for the job are scheduling and reading all the prepared materials for Commissioner meetings. Chairman Bolla relies on his experience to recognize what the priorities are.

Mr. Chris Russell addressed the Commission regarding his concern for the growth in Clay County. Mr. Russell expressed concern for the Commissioner's workload based on the expected development for Clay County. Mr. Russell suggests it would be wise to plan to accommodate the foreseeable increase in demand on Commissioners. Chairman Bolla stated this discussion has two pieces. The first is customer response, which is taking calls from the public. The second is legislative office work, which is handling the business of the County. Constituent calls take time because they require discussions, research, and problem-solving. Legislative work involves a lot of staff, which means many items come before the Board with all research, presentations, and recommendations complete. Sometimes Commissioners receive phone calls from constituents about the same concern. That cuts down on time for the Commissioner dealing with the concern because the answer is being repeated rather than requiring a new solution to every call. Ms. Capo fields many calls and directs constituents to the correct department. For example, if someone calls about a library concern, Ms. Capo will direct them to the library. However, if the constituent cannot have their concern addressed through that process, the Commissioners will assist in addressing the concern personally.

Commissioner Cella addressed Ms. Debbie Terry's concern about a support staff answering calls first. Commissioner Cella stated that is usually where it begins because the Commissioners do phone calls, meetings, or are out in the community meeting with constituents. St Johns and Osceola County are larger than Clay County, and they have five Commissioners. The difference is that the Commissioners are paid according to

state statute, which is a lot more than the Clay County Commissioners are paid. St. Johns and Osceola Counties are all full-time positions for the Commissioners. Clay County pays Commissioners for a part-time job, but the workload demands a full-time schedule. Commissioner Cella works between 30-40 hours per week by choice. Sometimes events and meetings significantly increase the weekly demand. St. Johns and Osceola County also begin their meetings at 9 am, break for lunch, and return for 4 hours to finish the business. Osceola County has many planning and zoning items; therefore, they meet a 3rd time during the month to address only planning and zoning issues. Commissioner Cella again stated the job could be done with five Commissioners. Experience aids in recognizing priority. One of the hardest parts of being a new Commissioner is knowing who to look to for answers. Clay County has increased by 33,000 residents but is still smaller than many other counties that only have five Commissioners. The job can be done with only five with the right support staff structure. Constituents would still be able to speak to a Commissioner directly even with more population growth.

Mr. Dean Dockery asked what would be the duties of a support staff person. Commissioner Cella stated a lot of it would be researching, navigating the first call from constituents, and administrative work for preparing the Commissioners for meetings. Commissioner Cella stated there is no need for each Commissioner to have an assistant. However, it might be advantageous to have another to help with Ms. Capo. The support staff will have to grow as the county population grows. Chairman Norton asked if support staff is a part of the CRC's purview or if it is the responsibility of the BCC. Commissioner Cella stated it is the responsibility of the BCC. The Commissioners would go to the County Manager to make a case for hiring support staff. Chairman Norton clarified the CRC is responsible for the composition of the BCC, and then the staff is left for the County Manager to manage. Ms. Connie Schoenung asked for clarification in regards to the staff and budget responsibility. Chairman Norton and Commissioner Cella noted the BCC is responsible for the budget, and the County Manager is responsible for personnel.

Mr. Yul McNair asked the average number of hours each Commissioner works per week. Chairman Bolla stated it is a full-time job based on workload, but it is a part-time job based on pay. He stated he works three full days per week.

Mr. McNair asked if there have been any challenges making decisions with the five Commissioners. Ms. Terry gave a brief history of her experience watching previous BCC's including a group made up of At-Large Commissions vs. the single district structure Clay County has now. Ms. Terry stated she has never witnessed them be unable to make a decision but did not always have the best working knowledge to be making some decisions. Commissioner Cella stated that in Florida, a Commissioner cannot vote "present." Therefore, any issue requires a vote one way or the other. Commissioner Cella stated he does not feel they have ever had a problem making decisions. However, it delays the decision-making process the more people get involved.

Mr. David Theus emphasized that our state representatives serve 750,000 people with support staff. The appeal of Clay County is small government, and five county Commissions is a sensible number to maintain that intimacy.

Mr. Brian Kraut asked if there is an advantage to counties with a Mayor on the BCC and why Clay County does not use that structure. Chairman Bolla stated Clay County has a County Manager instead of a Mayor. The County Manager works for the BCC. The five elected Commissioners get to make the policy, and the County Manager works on the administrative side. Any Commissioner can bring an item to an agenda for an open discussion on the board floor. Counties with a Mayor work with the Mayor leading the Commission. Chairman Bolla stated that it works if the Mayor is heading in the right direction. The single district Commission works well as a collaborative team. Chris Chambless, Supervisor of Elections, stated that when the legislature creates governance, they must select having a County Manager structure or a Mayor structure. Commissioner Cella stated the County Manager is the most popular form of county government in the country. Think of the BCC as the Board of Directors and the County Manager as the CEO responsible for making the day-to-day operations of the corporation work. The County Manager is usually a professional who is responsible to the Board. If a County Manager is not doing their job, the BCC can make a change. The challenge with a Mayor structure is when they are not doing their job. Mayor is elected and stays in their position unless the constituents do not re-elect; the Mayor stays in that position. Mayor run Boards are very political in terms of running again for re-election. A County Manager is not elected. They are a professional.

All in attendance agreed to keep the composition of the Board to five Commissioners.

Chairman Norton introduced the composition of districts as the next item for discussion. Mr. Chris Russell asked what would benefit from reducing the districts from five to three, meaning five Commissioners to three Commissioners with two at-large Commissioners. Chairman Bolla stated being a single district Commissioner allows him to know his district well, which means he feels confident in representing their interests. It removes the pressure to listen to the largest population from the county because Chairman Bolla is accountable to his district first. An at-large Commissioner may feel the pressure to listen to the densely populated area first due to being elected by the whole county rather than a district. Commissioner Cella gave a history of Clay County 2006-2008 regarding a change from at-large Commissioners to single-member districts, term limits, and a cap on Commissioner pay. Commissioner Cella stated he relies on his fellow Commissioners to know and represent their districts. The board will often defer to the Commissioner from a district on a particular issue because of that Commissioners working knowledge of the district. Full district campaigning changes the possibility of who can run in elections. A full district campaign would have made it impossible for Commissioner Cella to run and operate his business. Therefore, it only attracts a certain kind of candidate. Those candidates are either financed by special interests or their own money. Commissioner Cella stated he likes the single-member district. It makes it more accessible for the average person to run to be a County Commissioner.

Chairman Bo Norton asked the average cost to run an election campaign. Chairman Bolla stated he spent about \$30,000.00 for a single district race. Chairman Bolla discussed some of his campaign strategies he found to be effective. Commissioner Cella stated he spent about \$44,000.00 for his single district election campaign. It was a combination of his own money and contributions. His campaign strategy was similar to Chairman Bolla's. An at-large election campaign is much more challenging because of the financial and time requirements.

Ms. Debbie Terry stated she used to be a staunch supporter of at-large Commissioners. However, she believes Chairman Bolla and Commissioner Cella are correct that they can represent and serve their districts because of their working knowledge. Commissioners typically get phone calls about small things unless there is, for example, a hurricane. Ms. Terry stated single-member districts put the responsibility to hold the Commissioner accountable on the voter.

Mr. Mitch Timberlake stated single-member districts are good because smaller, rural communities of the county have just as much representation as large communities in the county. It is in the best interest of the county. It keeps communities in Keystone Heights from being dominated by Oak Leaf or Fleming Island.

Mr. Randy Gills noted Clay County just completed redistricting to keep equal numbers in the five districts. If they change to at-large, there will have to be another redistricting.

Vice-Chairman Susan Ludwig noted the driving distance for Commissioners from Keystone Heights.

Ms. Connie Schoenung stated it requires faith in the Commissioners in a single-member district structure to work together for the best interest of the whole county and not just their district.

Mr. Brian Kraut stated that the Commissioners could not effectively represent their districts if there were only three districts. Therefore, working in an at-large structure would require five districts and two at-large Commissioners. Mr. Kraut thinks that are too many people.

All in attendance agreed to keep the composition of the districts to five single-member districts.

Chairman Norton introduced term limits as the next topic for discussion. Term limit options are:

- Two consecutive terms
- Increase the number of two-term limits to more
- Decrease from two-terms to one-term
- Limit the number of terms in total

Chairman Bolla stated he is against term limits because voters either re-elect or they do not. It takes time and experience to learn how to execute the duties of a Commissioner well. Chairman Bolla discussed what he thinks are the pros and cons of term limits and how they practically affect Commissioners behavior. Commissioner Cella stated he is for term limits because of incumbency. He also discussed what he thinks are the pros and cons of term limits. Ms. Connie Schoenung asked for clarification on the difference between the Governor's term limits and the Commissioners term limits. Supervisor of Elections Chris Chambless gave an overview of a realistic expectation for the learning curve of local government and how it affects change in the local community. Chairman Norton stated that constitutional office term limits need to be reserved for another discussion meeting. The item for this discussion is limited to the Board of

Commissioners. Mr. Randy Gillis asked if all of the Commissioners could leave office simultaneously. Supervisor of Elections Chris Chambless stated Commissioners have staggered terms. Therefore, they enter and leave the office at differing times.

Mr. Mitchell Timberlake stated for clarity; Commissioners term limits are not lifetime term limits. Mr. Timberlake also gave a brief history of this item being on the ballot in previous years. The voters did not vote to extend term limits. Mr. Chris Russell discussed the process to recall Commissioners.

Following a discussion, all in attendance agreed to keep the term limits to 2 terms.

Chairman Norton introduced minimum qualifications as the next item for discussion. The current requirement is to be a resident of Florida of legal age. The proposed additional qualifications of a County Commissioner:

- At the time of election must be an elector not less than 25 years of age
- Who has resided in the state for the preceding 5 years
- Must be a citizen of the United States

Ms. Debbie Terry stated her strong opposition to the requirement of living in the state for the preceding five years. She stated it would eliminate a real pool of knowledge. In addition, it could eliminate military people who recently moved back to the area. Mr. Mitch Timberlake agreed with Ms. Terry. Voters should be able to select who they want. Mr. David Theus noted the great number of people moving to Florida from other states such as California and New York. The suggestion for the change is to hopefully allow someone time to get to know the communities before they take office to change it. Those changes could be contrary to what the citizens want, but the requirement would give the potential Commissioner time to get to know the citizens they will be representing. The minimum age of 25 years of age parallels the state minimum. Vice-Chairman Susan Ludwig stated she agreed with Ms. Terry and Mr. Timberlake that requiring a preceding five-year residency in Florida could disqualify people living out of state for military reasons, caring for aging parents, etc. She also stated having an age minimum requirement may eliminate young people with a lot of passion and energy for the position. Chairman Norton agreed with the points of discussion.

Following a discussion, all in attendance agreed to keep the current requirements.

Chairman Norton introduced Board of Commissioner salaries as the next item for discussion. Mr. Mitch Timberlake asked Supervisor of Elections Chris Chambless, a strategy to educate the public about the rationale for increasing salaries. Supervisor of Elections, Chris Chambless, stated the Commission gave a history of the salary statute and history of Clay County's Commissioner salary. The state has the formula to set BCC's salary based on residency. However, even when residency increases, the salary for Commissioners cannot be increased without going before the citizenry in an initiative. Salary changes come at the end of the ballot along with other local items that affect citizens day-in and day-out. Ballot fatigue is a very real experience. The important things to local citizens are on the ballot's last page. The ballot language states county Commissioner's salary can only be changed on the initiative. That language is punitive. Any line of work has a cost of living increase. The county Commissioners have no opportunity for even a cost of living increase unless put on a ballot through initiative.

There seems to be a difference in the way people feel about paying the salary of a government representative and other lines of work. People generally favor pay increases in non-government work, but not in favor due to negative feelings about the government. Supervisor of Elections Chambless stated the Commission has a difficult job in recognizing and understanding residents' passion and frustration, but packaging a ballot item to meet them with a fair, equitable, and reasonable. Supervisor of Elections Chambless stated he could not answer that question.

Chairman Norton stated the Commission has two tasks in regards to BCC salaries. The first is to decide if the Commission would like to change the salary of the BCC. The second task is to put together the initiative's wording for the ballot. The Commission is advisory only. Chairman Norton asked Chairman Bolla and Commissioner Cella if the Commissioner's salary should be increased. Chairman Bolla stated no one becomes a Commissioner for the money. Chairman Bolla also stated he does not believe people vote to pay politicians more money. He recommended the language say something like the Commissioners will not be paid any more than the state statute allows. Chairman Bolla noted school board members are paid more than the BCC, and he has no chance of getting a raise. They have not even been given the cost of living raises. Commissioner Cella agreed with Chairman Bolla. Commissioner Cella stated the BCC is the lowest elected official pay in the county. The school board gets a cost of living increase, which has moved their pay higher than the BCC. The state formula would put Clay County in the \$70,000.00 plus per year range. The pay could limit the type of candidate willing to run for office. Commissioner Cella noted there used to be several candidates running for any given district; however, now, most Commissioners run unopposed. If Clay County met the state formula standard, the Commissioner position would become a full-time job. It would be easier to hold those Commissioners accountable. It will be possible to demand more out of them. Commissioner Cella stated to continue to attract solid candidates; the salary will have to be addressed.

Ms. Debbie Terry discussed her experience in Clay County when the Commissioner's salary was changed. She stated the change was punitive and was in response to a candidate not being elected. It would have to be undone by the amount and by initiative. The Charter Commission is just serving in an advisory role. Therefore, they are not educating, selling, or communicating to the voters the rationale. It may be difficult to pass the change by simply adding a ballot item. Ms. Terry expressed concern that it will be become impossible to get quality candidates to do the job. The cost of living is too high, and the salary is too low for the demands of the position. Ms. Deann Dockery stated the wording on the ballot needs to educate the voters. The salary must be addressed and increased In order to attract quality candidates. Ms. Dockery recommended using the state formula. Mr. David Theus discussed the school board strategy for increases. He recommended using the state formula language on the ballot. Vice-Chairman Susan Ludwig stated the Commissioners do need a pay increase but recommended to keep in mind what the first responders make. Mr. Brian Kraut recommended increasing the pay to a percentage of what the state recommends. He stated other counties use that language on their ballots. The ballot could say, for example, Clay County wants to increase the Commissioner's pay to 70 percent of what the state recommends. The Commission discussed recommendations for language to use on the ballot. Chairman Norton stated the Commission could split this into two issues. The first will be a vote on whether or not to recommend increasing the salary. The second issue is to address the language for the ballot.



Following a discussion, Mr. Mitch Timberlake motioned to increase County Commissioners' pay at an amount to be determined in a future meeting, seconded by Connie Schoenung, which carried with all in favor.

## 2. Revised Charter Topic Suggestions

Chairman Bo Norton stated the last item for discussion was revised charter topic suggestions. However, that was addressed during the last charter review meeting.

Chairman Bo Norton said he reviewed the first two meetings, and there was frustration over not having a clear idea of what to do, except those that had served before, and there was discussion of having a turnover file for future Commissions. Commissioner Norton said he has started notes and knows others have done so; if you would take those notes and send them to Ms. Capo to have information/turnover file for the next Commission. The purpose will be to help set clear expectations for the next Commission.

Mr. Mitch Timberlake made a motion to recommend the BCC ask staff to assist the CRC in creating a turnover package for future Commissions, seconded by Mr. Scotty Taylor, which carried with all in favor.

### **PUBLIC COMMENT**

Chairman Bo Norton opened the floor for public comment at 9:17 pm.

Hearing no comment, Chairman Bo Norton closed public comment at 9:17 pm.

### **CRC MEMBER COMMENTS**

No comments were made by CRC members.

### **ADJOURN**

Chairman Bo Norton suggested keeping in line with holding the meetings the odd weeks, the first or third week, so as not to conflict with the BCC meetings; they could hold their next meeting on January 20, 2022, or February 3, 2022. The Commission agreed to hold the next meeting on February 3, 2022, at 7:00 pm.

Ms. Debby Terry stated that she serves on other boards, and it is nice to have different opinions and viewpoints, and no one gets out of hand. It is a pleasure to see a group have those differences in today's public and political climate, and everyone is still nice.

Hearing no further business, Chairman Bo Norton adjourn the meeting at 9:20 pm.

Attest:

---


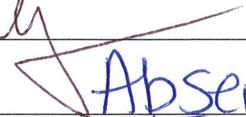
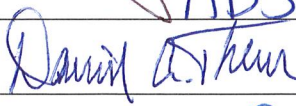
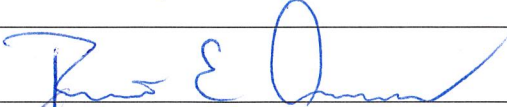

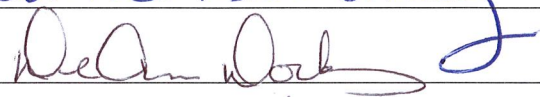
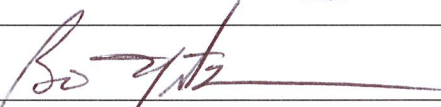

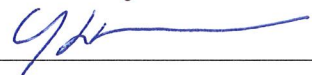
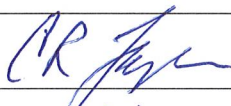
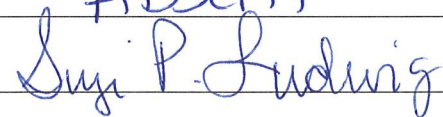


Tara S. Green  
Clay County Clerk of Court and Comptroller  
Ex Officio Clerk of the Board

---


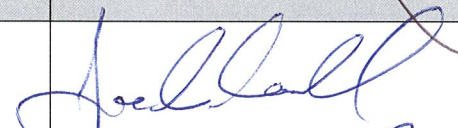
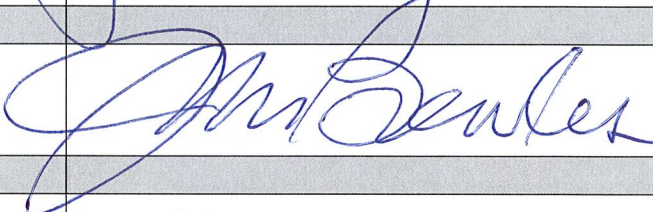
Chairman or Vice-Chairman

**Attachment**  
**“A”**  
**Sign-In Sheet**

**2021/2022 Charter Review Commission  
 BCC Meeting Room  
 January 6, 2022 7:00 P.M.  
 Attendance Sheet**

<b>District 1 Name</b>	<b>Signature</b>
Mitch Timberlake	
James Jett	 Absent
David Theus	
<b>District 2 Name</b>	
Robert Dews	
Connie Schoenung	
DeAnn Dockery	
<b>District 3 Name</b>	
Bo Norton	
Debby Terry	
Yul McNair	
<b>District 4 Name</b>	
Charles Taylor, Jr.	
Dale Carter	Absent
Suzi Ludwig	
<b>District 5 Name</b>	
Steve Rizzo	Absent
Randy Gillis	
Chris Russell	

**2021/2022 Charter Review Commission  
 Alternates  
 BCC Meeting Room  
 January 6, 2022 7:00 P.M.  
 Attendance Sheet**

District 1 Name	Signature
Brian Kraut	
District 2 Name	
Jim Connell	
District 3 Name	
John Bowles	
District 4 Name	
Charles Hodges	Absent
District 5 Name	
Christine Backscheider	