MEMORANDUM

TO: Columbia County Charter Review Commission

FROM: Kurt Spitzer

DATE: July 31, 2012

SUBJECT: CRC Meeting
August 7, 2012
7:00 PM

Please be advised that the Columbia County Charter Review Commission will meet at 7:00 PM on August 7, 2012 at the Columbia County School Board Administrative Complex, located at 327 West Duval Street, Lake City, Florida. An Agenda with backup information is attached.

By copy of this memorandum, the Lake City Reporter is notified of the above stated meeting.

cc: Lisa Roberts
    Mark Watts
    Koby Adams
AGENDA
August 7, 2012
7:00 p.m.

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE

IV. ROLL CALL

V. APPROVAL OF MINUTES OF MEETING OF JUNE 5, 2012

VI. REPORT OF CHAIRPERSON

VII. REPORT OF EDUCATION SUBCOMMITTEE
VIII. UNFINISHED BUSINESS

IX. PUBLIC COMMENT

X. ADJOURNMENT WITH DAY FIXED FOR NEXT MEETING
The Charter Review Commission met in a regularly scheduled meeting in the auditorium of the Columbia County School Board Administration Office.

The meeting was called to order by Chairman Koby Adams at 6:00 p.m. The invocation and Pledge of Allegiance to the Flag of the United States of America followed. Deputy Clerk Sandy Markham called roll.

Charter Commissioners in Attendance:

District 1 Representatives: Bettye Lane, Ozell Graham, Audrey Bullard
District 2 Representatives: Zimmie Petty, David Morse
District 3 Representatives: Walt Graham, Jack Berry, Koby Adams
District 4 Representatives: Kim Skinner, Sherree Vann, John Willis
District 5 Representatives: Nathan Morgan, Ray Walker, Glynnell Presley

Charter Commissioners Absent:

District 2 Representative: Rocky Ford

Others in Attendance:

Deputy Clerk Sandy Markham Consultant Kurt Spitzer
Attorney Mark Watts Asst. County Manager Lisa Roberts

Minutes of May 24, 2012

MOTION by B. Lane to approve the minutes subject to minutes being changed to reflect Audrey Bullard was in attendance and that Citizen Stew Liker opposed proposed Amendment #6. Second by R. Walker. The motion carried unanimously.

Presentation

Consultant Spitzer re-presented a PowerPoint presentation relating to forms of government, how Columbia County’s Charter Form of government operates, and he briefly reviewed the proposed amendments. This was done as a courtesy for those who missed it previously.

Final Public Hearing

Chairman Adams declared the public hearing. The Charter Commission heard from the public on the proposed amendments prior to action being taken.
Amendment No. 1. Article 2, Section 2.1 would add two at-large commissioners to the current five.

Citizen Stewart Liker spoke in opposition.

Amendment No. 2. Article 2, Section 2.2 would create a Citizen Redistricting Advisory Committee.

Citizen Stewart Liker voiced opposition. Citizen David Rountree asked questions for clarification.

Amendment No. 3. Article 2, Section 2.8(1) would amend provisions for removal of County Manager by the Board of County Commissioners.

Citizen Stewart Liker spoke in opposition.

Amendment No. 4. Article 2, Section 2.11 would remove the requirements for supplementary public notice and information provision and providing state law control public notice of hearings and provision of materials for hearings.

Citizen David Rountree and Stewart Liker spoke in opposition.

Amendment No. 5. Article 4, Section 4.2 would remove a department head’s option to appeal termination by County Manager to the County Commission.

Citizen Stewart Liker spoke in opposition.

Amendment No. 6. Article 5, Section 5.2.1 would abolish the elected office of County Attorney and provide for the appointment of a County Attorney.

Citizen Stewart Liker spoke in opposition.

The public hearing closed.

Action Taken on Proposed Amendments:

Proposed Amendment No. #1

Proposed Amendment No. #2

MOTION by J. Berry to accept the proposed technical change (from “justification” to “explanation”). Second by John Willis. The motion carried with a 13-1 vote. Voting in opposition: O. Graham.

MOTION by J. Berry to place the amendment on the ballot. Second was recorded, but unidentified. The motion carried with an 12-2 vote. Voting in opposition: O. Graham and G. Presley.

Proposed Amendment No. #3


Proposed Amendment No. #4

Chairman Adams advised that he was withdrawing the amendments that he proposed for further discussion.


Proposed Amendment No. #5


Proposed Amendment No. #6

MOTION by J. Willis to place the amendment on the ballot. Second by N. Morgan. The motion carried unanimously.

Resolution

The Charter Commission considered a resolution transmitting the adopted amendments to the Board of County Commissioners. The adopted amendments being: #2, #3, #5, and #6.

MOTION by B. Lane to adopt the resolution. Second by D. Morse. The motion carried unanimously.
Public Education

There is a need to educate the public on the amendments. In 2006 the Charter Review Commission appointed a subcommittee to take up the issue of Public Education. The subcommittee recommended to the full Charter Review Commission a plan which included a publication of a display advertisement in the local newspaper and the printing and circulation of informational, bi-fold brochures.

The Chair appointed S. Vann, K. Skinner, O. Graham, D. Morse, and B. Lane to the Educational Subcommittee. This subcommittee will develop an educational plan to be presented and approved to the full Charter Review Commission in no more than 60 days. The Chairman asked B. Lane to serve as the subcommittee chairperson.

Approval of Invoices until the Charter Review Commission Meets Again

MOTION by J. Berry for invoices needing payment to be submitted to Vice Chairwoman Lane for review and signature, and then the invoices should be forwarded to Chairman Adams for review and signature. Second by N. Morgan. The motion carried unanimously.

Appreciation

Chairman Adams expressed appreciation for the Commissioner’s willingness to volunteer on the Charter Review Commission. The Vice Chair thanked Attorney Watts and Consultant Spitzer for their help, and expressed appreciation to Chairman Adams for his professionalism while chairing the Commission. She too thanked the Commission for their work. O. Graham thanked the citizens who were interested enough to come out and be a part of the reviewing of the Charter.

Closing Remarks of Attorney Watts

He reminded the Commissioners that until the Charter Review Commission formally disbands that they continue to be subject to the Sunshine Law.

Adjournment

The meeting stands adjourned until the call of the Chair. The meeting concluded at 7:30 p.m.

Attest: Koby Adams, Chairman
Charter Review Board

P. DeWitt Cason
Clerk of Circuit Court
MEMORANDUM

TO: Members, Public Education Subcommittee
    Columbia County Charter Review Commission

FROM: Kurt Spitzer

DATE: July 30, 2012

SUBJECT: Public Education Materials

Attached please find the following information:

1. Copies of educational materials that were used in conjunction with the passage of the Charter in 2002 and in conjunction with the passage of the amendments to the Charter in 2006;

2. Budgets for the educational efforts in 2002 and 2006; and,

3. An estimate of a possible budget to consider in 2012.

The range of approaches taken in 2002 were the broadest and included direct mail, a limited number of TV/radio spots, tri-fold brochures distributed at public locations and half-page advertisements published in the Lake City Reporter and Lake City Advertiser.

The educational effort taken in 2006 was limited to direct mail sent to "households" where there was one or more registered voters and the publication of one-half page advertisements in the Reporter and Advertiser.

The draft budget for 2012 takes a similar approach as was used in 2006. Two factors that are differences exist now that deserve your attention and discussion.

First, with the reduction in the number of polling places and the phenomenon of early voting, about half of those people who will vote in 2012 (early or absentee) will have done so prior to November 6th. If the direct mail piece is to be as effective as possible, it should probably be received prior to the start of early voting toward the end of October. Likewise, the publication of the advertisements should occur both at that time (late October) and also just before the general election.
Second, given the status of the economy, you may wish to consider the importance of the use of direct mail in 2012 as it comprises about half of the educational budget. Is it indispensable? An alternative could be to just run two or three sets of advertisements in the Reporter and Advertiser.

Please feel free to call if you have any questions.

cc: Lisa Roberts
    Mark Watts
    Koby Adams
What is a Charter?
A county charter is a written document defining the powers, structure and functions of the county. It will operate the same as a “constitution” for the citizens of Columbia County. All city governments and many county governments in Florida operate under a charter.

What is Charter Government?
Charter government is an alternative way to structure county government that is authorized by the Florida Constitution. It is a means by which local control, home rule and citizen input are enhanced. It may only be adopted by a vote of the local electorate.

How is the Charter Amended?
Once adopted, the charter may be amended only by a vote of the people. Amendments may be proposed from one of three sources: Petition of the voters; a majority-plus-one vote of the County Commission; or, by a citizens Charter Review Commission, which meets every 10 years.

About the Charter Commission
The Board of County Commissioners appointed the Columbia County Charter Commission in 2001. The 15-member Charter Commission operated independently of county government. It's mission was to study the operation of county government and the ways in which it might be improved or reorganized.

The Charter Commission conducted 19 public workshops and hearings to receive testimony from members of the public, civic leaders and local government officials.

Members of the Charter Commission devoted over 700 hours of personal time in receiving testimony, debating policy options and drafting the charter. They served without compensation.

To schedule a speaker or to receive a copy of the charter, please contact:
Columbia County Charter Commission
755-2655 (voice mail)
or visit:
www.columbiacountyfla.com/cccc
Key Provisions of the Proposed Charter

Home Rule - The Charter will act as a "mini-constitution" for the people of Columbia County. County government will be granted all home rule powers of self-government as approved by the local voters that are consistent with state law and the Florida Constitution.

County Commission - The Charter retains a five member Board of County Commissioners where each Commissioner is elected by the voters of his or her district. However, the Charter will require that candidates for County Commission reside in the district in which they are running at the time that they qualify for office, in addition to maintaining residency after being elected. Also, all Commissioners are elected on a non-partisan basis.

Citizen initiative - Ordinances and charter amendments can be proposed by petition of the voters. The county's structure and services can be altered to address the particular needs of the community as it evolves in the future through the adoption of amendments and ordinances by the public. All charter amendments require approval by the voters and none may be adopted only by the Commission.

Recall - The Charter provides that County Commissioners and Constitutional Officers may be recalled from office by citizen petition in accordance with state law. Additionally, the Governor retains the right to suspend or remove any County official from office.

Constitutional Officers - All of the independent Constitutional Officer's powers and duties remain unchanged. All of the Officers will be elected on a non-partisan basis and are made subject to recall by citizen petition.

City-County Coordination - The Charter helps ensure that coordination between the county and city governments is improved in transportation planning, environmental protection and other policy areas on a countywide basis.

THE CHARTER DOES NOT . . . The Charter is not a form of annexation or consolidation. It does not affect the powers or duties of the Constitutional Officers, the School Board or Columbia County's elected County Attorney.

Learn More About the Charter and Remember to Vote on November 5th!!
Learn More About The
Proposed Home Rule Charter
To Be Voted On
November 5th

This message brought to you by the Columbia County Charter Commission.
To learn more about the proposed Charter,
call 755-2655 or visit: www.columbiacountyfla.com/cccc.
Actual Ballot Question:

Proposed Home Rule Charter
For Columbia County

"Shall there be a Home Rule Charter establishing the form and powers of Columbia County government; authorizing the proposal and adoption of ordinances by voter initiative and referendum; preserving elected county officers; providing for non-partisan election of county officers; allowing recall of county officers by referendum; providing for an appointed professional manager and elected county attorney; preserving the legislative powers of a Board of five elected district commissioners; and providing methods for amendment?"

Yes _____ For Approval
No _____ Against Approval

The proposed Home Rule Charter for Columbia County government is on the November 5th ballot for your consideration. The Charter will be like a Constitution for the people of Columbia County and will provide for greater citizen involvement. Major provisions include:

Recall – Citizens would be allowed to circulate petitions for the recall of County Commissioners and Constitutional Officers from office in accordance with state law.

Citizen Initiative – Ordinances and charter amendments could be directly proposed by the voters of Columbia County through a petition process.

Nonpartisan Elections – All County Commissioners and Constitutional Officers would be elected without reference to the candidate's political party.

Constitutional Officers – The voters' right to elect the independent County Constitutional Officers (Sheriff, Tax Collector, etc.) and the Officer's powers are retained without change.

Commission - The Charter retains the five-member Board of County Commissioners. The Commission will hire a county manager to run the County on a day-to-day basis.

City Coordination - The Charter provides for greater coordination between the county and its city governments on matters such as environmental protection and major roads.

The Charter Does Not – The Charter does not increase the size of government or taxes. It is not a form of annexation or consolidation. It does not affect the School Board. Any changes to the charter must be approved by the voters before they would become effective.
The voters of Columbia County adopted the County Charter in 2002. The Charter operates like a Constitution for the people of Columbia County, and establishes the structure and powers of the different offices within the county government. Among other things, it also provides for an independent “citizen’s review” of the Charter on a periodic basis. The first Charter Review Commission has now completed its work and recommends that six amendments to the Charter be adopted during the November general election. The proposed amendments modernize the Charter and improve the public notice requirements that are imposed upon the County Commission.

**Amendment #1** (Separation of Powers) – The Charter currently provides for the separation of powers or duties between the County Commission and the County Manager, and prohibits individual members of the Commission from interfering with the duties of employees of the County Manager. The proposed amendment clarifies what constitutes “interference” by defining it as when an individual Commissioner gives instructions or directives to an employee of the County Manager.

**Amendment #2** (Organizational Meeting of the BCC) – The Charter currently provides that the organizational meeting of the County Commission (at which the new Chair and Vice-Chair are selected) must occur on the third Thursday after first Tuesday (election day) of November. The proposed amendment establishes a more flexible policy by allowing the organizational meeting to occur on a date in December as determined by the County Commission during one of its regularly-scheduled, public meetings.

**Amendment #3** (Nonpartisan Election of Schools Superintendent) – The Charter currently provides that County Commissioners and all Constitutional Officers are elected without reference to the candidate’s political party. Amendment #3 provides that the Superintendent of Schools is also elected on a non-partisan basis.

**Amendment #4** (Nonpartisan Election of County Attorney) – Similar to Amendment 3, Amendment 4 provides that the County Attorney is elected without regard to political party. Thus, all local offices would be elected on a non-partisan basis if Amendments #3 and #4 are adopted.

**Amendment #5** (Future Charter Review Commissions) – Amendment 5 provides that future Charter Review Commissions will be appointed every eight years so that their recommendations to the voters (if any) will coincide with the Presidential Election ballot, when voter turnout is higher.

**Amendment #6** (Enhanced Public Notice) – Amendment #6 requires that the County Commission and other key boards (such as the Board of Adjustment or the Planning and Zoning Board) publish their agendas and backup information on the county website, in addition to any other methods used for providing public notice.
Learn More About Your County’s Constitution!

The Columbia County Charter is the “constitution” for the County. The Charter Review Commission was appointed by the Board of County Commissioners in 2005 to conduct an independent review of the operations of the county government and the Charter, and to make recommendations to the voters concerning ways in which the Charter could be improved. The citizens who have volunteered to serve on the CRC have operated independently of the County Commission and without compensation. Their recommendations go directly to the November 2006 ballot for your consideration.

The CRC recommends that six amendments to the Charter be adopted by the voters of Columbia County. You will have the opportunity to vote for or against the amendments during this November’s general election. This brochure summarizes the charter amendments as recommended by the Charter Review Commission.
Columbia Charter Commission  
Public Education Cost Estimate  
Updated 10-29-02

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Columbia Charter Review Commission  
Public Education Cost Estimate  
2006

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Columbia Charter Review Commission  
Public Education Cost Estimate  
July 30, 2012  
draft

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