



School District of Clay County Green Cove Springs, Florida

Teacher Inservice Center - Fleming Island High School
2233 Village Square Parkway

SPECIAL MEETING - 4:00 P.M.

March 6, 2007 Special Meeting

Call to Order

1. [Attendance](#)

Minutes: Present: Carol Vallencourt, District No. 1; Carol Studdard, District No. 2; Wayne Bolla, District No. 4; and Lisa Graham, District No. 5. Charles Van Zant, District No. 3, was absent due to his leave of absence while on military deployment. Superintendent David Owens was also in attendance at the meeting.

Agenda Items

2. [Discuss and consider Board of County Commissioners' conditions for voting member status on the Planning Commission](#)

Minutes:

On February 27th, the Board of County Commissioners (BCC) considered the School Board's Resolution requesting voting member status on the Planning Commission. School Board members Carol Vallencourt and Carol Studdard were both in attendance at that meeting. The consensus of the BCC was conditioned as follows:

- 1) that they utilize one of the two at-large seats
- 2) that the school board submit at least three names with resumes
- 3) that the representative not be an employee of the school district (*They preferred a citizen which they stated would represent the county as a whole.*)

School Board Attorney Bruce Bickner stated that the following points are clear in Florida Statute 163.3174:

- 1) the BCC must include a representative of the school board as a member on the Planning Commission
- 2) the BCC may grant that person voting status
- 3) the representative is appointed by the school board

There is nothing in Florida Statute which allows the BCC to set conditions on who the school board appoints and nothing that allows the BCC to have any say as to who the person is.

Six applications from citizens applying for the position have been forwarded by the BCC to Mr. Elliott.

During discussion, Board Members expressed similar opinions that they should pursue the request for voting status as stated in their Resolution. They felt that the School Board had the right to make the decision of who that appointee should be and that the conditions set by the BCC are outside the scope of legislation. Superintendent Owens stated his opinion, and three of the Board Members agreed, that the voting member needed to be a staff member who knows what the school district's needs and problems are, and to ensure that decisions are made in the best interest

of the school district. Ms. Graham stated she could go either way - the voting member being a staff member or a citizen. They all agreed it is imperative that the school district work collaboratively with the BCC on this issue, and felt that the issues could best be resolved through each Board's attorney. Mr. Bickner will develop a letter to be sent to the BCC's attorney informing them of the School Board's decision.

Motions:

Motion for the School Board to take the following position: 1) The School Board will continue to maintain the position that the School Board representative on the Planning Commission must be selected and appointed by the School Board and may not be screened and appointed by the BCC; 2) The School Board may appoint, in their discretion, a representative from within the school system or someone from outside of the system; 3) The School Board will continue to seek voting status for their representative on the Planning Commission with regard to those matters which will affect residential density and redistribution within the county. If the school population is affected by a rezoning, then the School Board would like their representative to have a vote on the matter. - PASS

Vote Results

Motion: Wayne Bolla

Second: Carol Studdard

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|-------------------|-------|
| Wayne Bolla | - Aye |
| Lisa Graham | - Aye |
| Carol Studdard | - Aye |
| Carol Vallencourt | - Aye |

3. [Discuss County Charter regarding Code of Ethics](#)

Minutes:

This item relates to the amendment to the County Charter requiring the BCC to enact a Code of Ethics for all elected or appointed County Officers. The initial meeting to discuss this Code of Ethics has been set for Thursday, March 15, 2007. At the Board Chair's request, Mr. Bickner had researched this as it relates to the superintendent and school board members. The Amendment was passed as part of the Home Rule Charter, which does not indicate that it should apply to the superintendent or school board members. Mr. Bickner suggested that we obtain an opinion from the Attorney General for clarification of which positions are governed by the Home Rule Charter. The general feeling was that there needs to be a separation between the County Administration and the School Board. However, it was also suggested that

the superintendent and school board could be held accountable to the amendment because it was on the ballot and passed by the voters with the superintendent and school board members specifically listed on such ballot. Mr. Bickner disagreed with that interpretation and pursue an opinion from the Attorney General.

Superintendent's Requests (There were none.)

School Board's Requests

4. [Update on the STAR Plan](#)

Minutes:

Currently 26 plans have been approved by the state, either by being imposed or through mutual approvals. There was discussion about whether there is grounds for appeal since the school district has another previously approved performance pay plan in place. We are also awaiting a response from the Department of Education of whether the district will loose lottery dollars if not participatiang in the STAR Plan. It was noted that the district would like the flexibility to develop a Plan of our own that would be fair to all teachers.

Adjournment

5. [The meeting adjourned at 5:10 p.m.](#)

Superintendent

Chair