



CCOC

FLORIDA CLERKS OF COURT
OPERATIONS CORPORATION

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RON FICARROTTA
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TODD NEWTON
GILCHRIST COUNTY

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APPROVED MINUTES OF SEPTEMBER 29, 2020 EXECUTIVE COUNCIL MEETING

MINUTES APPROVED AT 12/17/20 EXECUTIVE COUNCIL MEETING

CALL TO ORDER, INVOCATION, AND ROLL CALL

The Executive Council Chair JD Peacock called to order the September 29, 2020 meeting of the Executive Council of the Florida Clerks of Court Operations Corporation (CCOC) at approximately 2:30 PM. Clerk Peacock thanked everyone for joining the regularly scheduled Executive Council meeting as part of the FCCC Fall Conference. He began the meeting with an invocation. Clerk Moore Russell called the roll. Council Members present during the meeting were the Honorable Clerk Peacock, Clerk Smith, Clerk Russell, Clerk Butterfield, Clerk Newton, Clerk Roth, Clerk Ruvin, Clerk Colonnese, and Judge Ficarrotta. Clerk Crawford did not attend the meeting.

1. Agenda Item 1 – Introduction and Agenda Approval

Clerk Peacock began by stating that an Executive Council meeting requires a motion to adopt the agenda. Due to the meeting's short notice, he also asked for approval to have this meeting as an Emergency meeting.

Clerk Newton made the motion to adopt the presented agenda and hold the emergency meeting. Clerk Butterfield seconded the motion. Hearing no objections, the Council adopted the motion by consent.

2. Agenda Item 2 – Approve Minutes from Meetings on 6/22/20, 6/26/20, 8/24/20

Clerk Moore Russell motioned to approve the previous meetings' minutes (06/22/20, 06/26/20, and 08/24/20). Clerk Ruvin seconded the motion. With no objections, the Council adopted the motion by consent.

3. Agenda Item 3 – Treasurer's Report

Item 3a – Update on CCOC CFY 2019-20 Office Budget through eleven months.

Clerk Russell stated that CCOC's spending this fiscal year was 66 percent compared to 82 percent for most years. Clerk Russell commended John Dew at the CCOC for his fiscal conservation.

Clerk Russell moved to approve CCOC's Budget Report, and Clerk Newton seconded the motion. The Council adopted the motion without objection.

Item 3b – Contract for Financial Service (QuickBooks)

Clerk Russell introduced the Contract for Financial Service (QuickBooks) to seek services from Brenda Sorensen. Ms. Sorensen will provide monthly reconciliation of bank statements, enter QuickBooks financial information monthly on all CCOC payments, and use QuickBooks to document and ensure all payroll related programs. She recalled that upon Mary Baker's retirement, CCOC found a need to produce a contract for financial services at least until such time that CCOC fills the position.

Clerk Russell motioned to approve the proposed contract for no more than \$17,000 annually, and Clerk Ruvin seconded the motion. Clerk Russell mentioned a need to bypass the competitive bid process due to the current circumstances and emergency need for these services. The contract would start on the day signed and run through September 29, 2021. **The Council adopted the motion without objection.**

4. Agenda Item 4 – Committee and Workgroup Reports

Agenda Item 4a – Budget Committee

Clerk Peacock asked Jason Welty to give a brief report regarding the Budget Committee. Mr. Welty explained that the Budget Committee created a base budget for the upcoming county fiscal year. The Committee used the current fiscal year amount as the starting point, reducing the base budget for non-recurring items. Then other things were added back, such as 3% for salaries and FRS costs. In creating a base budget, CCOC no longer required the Original Budget Form, a cumbersome and time-consuming form to complete. Mr. Welty's goal is to reduce the Clerk's workload from statewide reporting, and eliminating this complex form was the first step in achieving that goal. He said that he hopes the Budget Committee replicates this process in future years.

During the budget development process, Clerk Peacock asked Clerk Cooney to look at similarly situated counties. The workgroup recommended decreasing the number of peer groups from 12 to 8. The Council will be asked to approve the recommended Peer Groups.

The 67 counties requested 132 individual budget requests evaluated by a committee. The total budget requested statewide was \$455.9 M. This is \$9.1 M or 2% increase over the CFY 2019-20 operating budget. All new funding increases were denied, except for funding increases related to the statutorily required FRS increases, totaling \$5.4 M. This

brought the statewide budget request to \$448.4 M or approximately a 1.21% increase over current operational budget.

Mr. Welty stated that going into this new year, it was apparent that there would not be excess money to spend or allocate. The Budget Committee created a process to distribute the available revenue. This began as a two-step process; first, an across the board reduction was taken and second, a reduction based on weighted cases statewide was taken. It was also decided that the Fiscally Constrained Counties would be held harmless from reductions. The amounts for jury were removed from the calculations first, then the approved FRS increases were added back then the two reduction calculations were implemented. Fiscally Constrained Counties that were held harmless also had the 3% salary increase from the base budget removed and were capped at the current operational budget amount. Of the total reduction required to meet the available revenue, 60% was applied across the board and 40% came from the weighted cases reduction calculation. Lastly, the jury budget authority was added back to come to the aggregate CCOC Budget Authority.

Once the budget is approved by the Executive Council, CCOC staff will distribute information regarding each county's status as Funded or Depository. Attachments 3-5 of Agenda Item 4a also include the statutorily required calculations regarding Pay and Benefit Increases, 3% above current year operational budget, and those counties 10% above Peer Group average.

Clerk Peacock thanked Mr. Welty and his team for their help in the budget work and opened the floor for questions regarding the provided report. Clerk Butterfield asked if this is regarding the budget or peer groups, or both. Clerk Peacock verified the order in which the Council would proceed, peer groups first, then the CFY 2020-21 expenditure budget. There were no questions.

Clerk Peacock requested a motion of approval regarding the peer groups created by Clerk Cooney, which the Budget Committee also reviewed. **Clerk Butterfield motioned to adopt the CCOC peer groups. Clerk Newton seconded the motion. The Council adopted the motion without objection.**

A motion to approve the limited revenue budget of \$421,700,000 was made by Clerk Newton and seconded by Clerk Butterfield. Clerk Peacock opened the floor to any Clerk with questions or concerns. Seeing no questions or concerns, Clerk Peacock asked the Council if anyone desired to debate. Clerk Peacock stated that what we are adopting here is not a needs-based budget but is limited by the available revenue budget. **The Council adopted the motion without objection.**

Clerk Peacock provided input as far as where the Budget Committee is going next. As the Committee has adopted a needs-based budget, he stated his goals for moving forward. He said that he hopes to validate the PIE Committee's work and learn how to apply it moving forward and his hope to memorialize, in a procedure, how the Budget Committee

will carry out the process in the future. He then stated his intent to hold Budget Committee meetings monthly.

Clerk Butterfield agreed with Clerk Peacock for the need to validate the needs-based budget. Additionally, she stated that the services delivered in each office are essential, and as challenges arise, there should be procedures in place to overcome obstacles. She thanked Clerk Cooney for his work for auditable case counting. Clerk Butterfield hopes that with new peer groups, that the total picture will be viewed and, in doing so, use an apples-to-apples comparison.

Clerk Peacock explained that each office runs differently and how an office operates falls on the Clerk. He clarified that in no way should the budget denote how one runs an office. Clerk Butterfield stated that all offices are very complex and different. She explained that if the needs are not exact because of subsidies, the Budget Committee might not understand the precise cost to operate.

Clerk Peacock asked Mr. Welty if he wanted to weigh in on the Budget Committee report. Mr. Welty thanked everyone for their help, willingness to work together, and for their hard work. He explained that the leadership and dedication of both Clerks, Clerks' staff, and CCOC staff have helped create a smooth budget process.

Agenda Item 4b – PIE Committee

Clerk Roth provided an update on behalf of the PIE Committee of two items. She stated that the CCOC staff have placed on the CCOC website the Quarter 3 Performance Measures Report and notified Legislative staff. State statute requires CCOC to report to the Legislature the Action Plans within 45 days of each quarter's end. She provided a review of the submitted performance reports and asked if anyone had any questions about the report's results. Having no questions or comments, she addressed the second item recently reviewed by the PIE Committee at their August meeting.

Regarding the second item, Clerk Roth said the PIE Committee approved a motion to approve the weight of 1.5 for traffic citations from the current 3.0 weight. **Clerk Roth made the motion that the Council adopt this change, and Clerk Newton seconded the motion. The Council adopted the motion without objection.** Clerk Peacock thanked Clerk Roth and the other PIE Committee members for their continued work.

Agenda Item 4c – Legislative Committee

Clerk Timmann, upon Clerk Peacock's request, explained that the Legislative Committee is working with CCOC and FCCC. Working together, they are creating legislative goals, fiscal analyses, and policy initiatives. Clerk Timmann asked if Clerks are interested in participating in the CCOC Legislative or Clerks who want to offer their staff help in bill analysis should reach out to her or Mr. Welty with any questions or ideas. The Legislative Committee will meet late this year or early next year. Clerk Peacock thanked Clerk

Timmann for her important work and for maintaining a strong bond between CCOC and FCCC.

Agenda Item 4d – Revenue Enhancement Committee

Clerk Peacock asked Clerk Russell if she had any updates regarding the Revenue Enhancement Committee. She said there was no official written update, but she will provide further information as necessary to the Legislative Committee if needed. Clerk Peacock thanked her.

5. Agenda Item 5 – Report on TCBC

Clerk Peacock introduced Judge Ficarrota. Judge Ficarrota reviewed the highlights from prior meetings. Clerk elect Cindy Stuart of Hillsborough County was sworn in on June 22. The TCBC has met remotely three times since the last CCOC Council meeting and focused on the SFY 2020-21 financial budget, addressing issues related to Covid-19, voting to recommend legislative budget request issues to the Supreme Court, and work on the development of a Florida Trial Court Pandemic Recovery Plan. The TCBC tentatively scheduled their next meeting for December 4.

Clerk Peacock reminded all to stay connected and work together through these topics and stated he appreciated the partnership we have with the Courts.

6. Report on Compliance Efforts with CIS

Clerk Peacock introduced Don Murphy to speak on compliance services he offers to Clerks per the current contract with the CCOC. Mr. Murphy gave an overview of the work he has been doing over the past few months. He also provided information on where Clerks and their staff could review videos and material on compliance by going to the CCOC Website and click on the "compliance corner."

7. Update on Clerks' Submitting CCOC Reports

Clerk Peacock introduced John Dew for a brief informational report on the status of the CCOC reports. John Dew had all staff work on these reports, and CCOC is up to date and on time. The Council approved the report submission policy last year. All clerks submitted their August reports by the due date of September 20, 2020. Mr. Dew plans to continue to review the policy and thanked everyone for their timely report submissions.

Clerk Peacock stated that as they continue to work with FCCC, the regional directors will work with clerks to help with timely report submissions. Clerk Peacock let CCOC staff know that he and the Executive Council are willing to help in any way they can. Clerk Peacock reminded everyone that although there are 67 independent entities, all counties can help one another in processes and procedures.

8. Other Business

Mr. John Dew let everyone know that the next scheduled meeting is for December 23, 2020, but this date may have to be revised.

Clerk Peacock let everyone know that there may be an emergency meeting if needed due to possible funding from the state or if any COVID-19 global pandemic issues arise. He then asked for any other business.

Mr. Dew let everyone know that the Auditor General's Office is still in the process of reviewing the CCOC office. He noted they should finish the report within the next couple of months, and CCOC will provide the report at the following Council meeting.

Clerk Peacock asked if there was any other business from the Council members, and there was none. Clerk Peacock thanked everyone for a great meeting.

Clerk Peacock adjourned the meeting at 3:49 PM.
