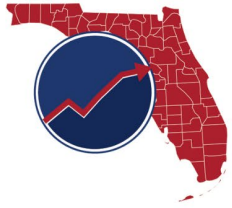


**Jeffrey R. Smith, CPA, CGMA**  
INDIAN RIVER COUNTY  
EXECUTIVE COUNCIL CHAIR

**Tiffany Moore Russell, ESQ.**  
ORANGE COUNTY  
VICE-CHAIR

**Laura E. Roth, ESQ.**  
VOLUSIA COUNTY  
SECRETARY/TREASURER



**JOHN DEW**  
EXECUTIVE DIRECTOR



**FIRM OF BOYD AND DURANT**  
GENERAL COUNSEL

**JD PEACOCK, II**  
OKALOOSA COUNTY

**HARVEY RUVIN, ESQ.**  
MIAMI-DADE COUNTY

**TODD NEWTON**  
GILCHRIST COUNTY

**STACY BUTTERFIELD, CPA**  
POLK COUNTY

**RON FICARROTTA**  
13TH JUDICIAL CIRCUIT JUDGE  
SUPREME COURT APPOINTEE

**KEN BURKE, CPA**  
PINELLAS COUNTY  
HOUSE APPOINTEE

**NIKKI ALVAREZ-SOWLES, ESQ.**  
PASCO COUNTY  
SENATE APPOINTEE

**JOHN CRAWFORD**  
NASSAU COUNTY

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## Minutes of December 14, 2022, Executive Council Meeting

Approved by the Executive Council at their meeting on February 21, 2023.

The Executive Council of the Clerk of Courts Operation Corporation (CCOC) held a meeting via WebEx on December 14, 2022. An agenda and materials were distributed before the meeting and posted on the CCOC website.

### Call to Order, Invocation, and Roll Call

The meeting was called to order by Chair Jeffrey Smith at 10:00 AM Eastern Standard Time. Clerk Crawford provided an invocation, and CCOC Performance, Policy, and Education Director, Marleni Bruner called the roll upon the request of the Chair.

Present for meeting [WebEx]: Chair Jeffrey Smith, Vice-Chair Tiffany Moore Russell, Secretary/Treasurer Laura Roth, Clerk Nikki Alvarez-Sowles, Clerk Ken Burke, Clerk Stacy Butterfield, Clerk John Crawford, Clerk Todd Newton, Clerk JD Peacock, and Judge Ficarrotta.

Absent from meeting [WebEx]: Clerk Harvey Ruvin

### Agenda Item 1 – Approve Agenda

Clerk Newton motioned to approve the agenda, and Clerk Butterfield seconded the motion. The motion was adopted by consent with no discussion.

### Agenda Item 2 – Approve Minutes from the 11/01/2022 Meeting

Clerk Newton motioned to approve the minutes, and Clerk Butterfield seconded the motion. The minutes passed unanimously.

### Agenda Item 3 – Contracts

#### a) CCOC Contract Extensions

CCOC Executive Director, John Dew noted that we currently have seven contracts that expire at the end of December; however, CCOC can extend the contracts for another year if approved by the Council. He pointed out that all the vendors agreed to keep the same rate of pay except for the CIS contract vendor. Reasons for suggesting an increase in the contract amount for CIS is due to the CCOC participating with the FCCC this coming year in conducting a Compliance Summit and if there is a need for additional Clerks training. The last summit was

*Our Mission: As a governmental organization created by the Legislature, we evaluate Clerks' court-related budgetary needs, and recommend the fair and equitable allocation of resources needed to sustain court operations.*

held several years ago and there has been interest from Clerks on having another one. CIS would be instrumental in helping set up and participate in this summit. The CIS contract extension would provide an additional \$14,000 increase over the current year's budget of \$59,500. Clerk Alvarez-Sowles asked for more information on the difference in the \$14,000.00 request since material in the meeting packet shows just a \$7,700 increase due to the summit. Mr. Dew and Chair Smith explained that the vendor is also suggesting a need for additional hours to increase the number of site visits to Clerks during 2023. The current contract allows 850 hours of service and the recommendation is to increase this to 1,050 hours.

**Clerk Alvarez-Sowles motioned to extend the contracts as presented for one year and to include increasing the contract amount for CIS. Clerk Butterfield seconded the motion. The motion passed unanimously.**

**b) CCOC Contract for Human Resources**

Mr. Dew informed the Council that the CCOC contract for HR services expires at the end of December and both annual extensions have been used; however, he requested that the Council approve signing a contract again with the Krizner Group for \$5,700 annually, which would begin January 1, 2023, and allow the potential for two additional one-year extensions. The contract amount being recommended is the same we have paid annually for the previous contract so there is no increase. The Krizner Group provides CCOC with unlimited access to all HR concerns, audits, and training.

**Clerk JD Peacock motioned to approve the HR Contract with Krizner Group, and Clerk Alvarez-Sowles seconded. The motion passed unanimously.**

**c) General Counsel**

Mr. Dew announced that CCOC General Counsel, Mr. Rob Boyd, would resign due to other work and personal commitments. Mr. Dew stated that CCOC has had the same general counsel firm since 2003. Attorney Joe Boyd held the contract until his passing in 2020. Mr. Joe Boyd's son and attorney, Mr. Rob Boyd fulfilled the CCOC's needs after his father's death. Mr. Boyd stated that Mr. Dew was doing a wonderful job and that he was committed to standing by Mr. Dew until a new general counsel could be found. Chair Smith thanked Mr. Boyd for his service and appreciated his willingness to assist with finding new legal counsel. Mr. Boyd expressed that he was humbled by the opportunity to serve the CCOC.

Chair Smith called for a Council member to volunteer to work with the CCOC staff to find new legal services. Clerk Burke volunteered and stated that this was an opportunity to find legal counsel that has credentials in government areas, in purchasing policies, and regulatory issues. He recommended that the CCOC Executive Officers also be involved in the selection process as well. He expressed how valuable a general counsel is to CCOC operations.

**Clerk Burke motioned to have the CCOC Executive Committee, and himself as an at-large member, search for a new CCOC General Counsel and bring recommendations back to the Executive Council. Clerk Peacock seconded. Motion carried.**

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**Agenda Item 4 – Guardianship Project**

**a) Contract for Vendor to Develop Database**

Clerk Burke expressed his gratitude to the Council for giving the latitude to push this legislation mandate forward and be compliant with the deadlines. Clerk Burke stated that Canopy Consultants was engaged to advise and oversee compliance with the mandate. Canopy has great experience with state purchasing policies and came up with an RFP that was appropriate. Weekly meetings were held to advise and keep everything going at a proper pace. Clerk Burke stated that many more contacts with Canopy were made with Mr. Dew and CCOC Business Analyst/Project Manager, Nicole Taylor, to deal with all of the intricacies involved in the RFP. Clerk Burke also mentioned that there were many rules and regulations because the JAC viewed this as a Grant-in-Aid program.

Clerk Burke reminded the Council that it was deliberating on the outcome of the process of selecting a vendor and not the vendor itself. Canopy Consultants were very deliberate with developing and advising the RFP with the technical workgroup that was headed by Clerk Peacock. A fair scoring system was developed with five people scoring that were not a part of the Council, nor an elected Clerk. The scoring involved CCOC staff members and technology experts from Clerk's offices. Cloud Navigator scored the highest of any of the vendors using the process developed. Clerk Burke requested a motion to begin the negotiations with Cloud Navigator as the primary vendor to develop the Guardianship Database.

**Clerk Burke motioned to begin negotiating a contract with Cloud Navigator. The motion also included that staff would move forward with the second-highest-scoring vendor if things did not go well. Clerk Alvarez-Sowles seconded the motion. Motion passed unanimously.**

**b) Approve Full-Time Employee (FTE) Project Manager**

Clerk Burke gave Mr. Dew credit for hiring Ms. Taylor to lead the Guardianship. He said Ms. Taylor had a tremendous resume and that she was a great fit for this project. Mr. Dew added that we were very fortunate to have Ms. Taylor. Mr. Dew recommended that Ms. Taylor become a full-time employee for CCOC. Mr. Dew noted that the funding for her employment would be from the Grant-in-Aid agreement provided by JAC and not the already approved CCOC budget. Clerk Peacock added that Ms. Taylor has been very productive when working with contractors and understands processes at the state level. Clerk Burke said that he believed that Ms. Taylor has the skills to lead the development of an overall data management system that would be able to provide Judges and the public with the guardianship data and reports required. Also, she has the skills to lead us in the future with the overall data management of the CCOC. Chair Smith stated that he would be in favor of also retaining Ms. Taylor after the JAC contract is complete since she could also have the skills to help us develop a CCOC database for capturing budget and performance data we collect.

**Clerk Burke motioned to offer Ms. Taylor a full-time position at CCOC with the annual salary of \$84,000. Clerk Butterfield seconded the motion. Motion carried unanimously.**

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**c) Draft Grant-in-Aid Agreement with JAC for Funding**

Mr. Dew informed the Council that he is working with the JAC toward developing a Grant-in-Aid agreement for the CCOC to receive funding for the Guardianship Project. The CCOC is waiting until the signed contract with the vendor for development of the guardianship database to complete the draft because specific deliverables that a vendor would provide through the contract is needed. The CCOC is expected to have a Grant-in-Aid agreement within a few weeks of signing the contract with the vendor that will develop the database.

**Agenda Item 5 – Committee Updates**

**a) PIE Committee**

Clerk Roth informed the Council that CCOC's completed the CFY 2021-22 4<sup>th</sup> quarter Performance Measures and Action Plans Report and posted it to the CCOC website. She noted that the Legislature is informed by CCOC staff as soon as we post the report. Clerk Roth said that the report highlights 50 counties that needed to provide a corrective action plan for not meeting collection standards and 12 counties providing an action plan because they did not meet the timeliness standards.

**Clerk Alvarez-Sowles motioned to approve the PIE Committee's CFY 2021-22 4<sup>th</sup> quarter report. Clerk Todd Newton seconded the motion. Motion passed unanimously.**

Clerk Roth also informed the Council that the PIE Committee adjusted the Uniform Payment Plan at their last meeting. As a result, the PIE Committee is seeking approval of a 1-page payment plan version.

**Clerk Alvarez-Sowles motioned to approve the PIE Committee's simplified Uniform Payment Plan. Clerk Peacock seconded the motion. Motion carried unanimously.**

**b) Budget Committee**

Clerk Moore Russell reported that the Budget Committee met December 5, 2022 to approve the new judge's calculation and set the committee calendar and workplan for the upcoming year. She is asking the Council to approve the Budget Committee's proposed FTE calculation for supporting newly established judges. Clerk Moore Russell stated that the Budget Committee still needed to determine the amount of funding to be received for these FTEs at a later date. Clerk Moore Russell informed the Council that the Supreme Court had not published their certification of new judges, but it is expected in early 2023. Judge Ficarrota encouraged the important partnership between Clerks and Judges. He understood that there was a fiscal impact on Clerks when a new judge was placed in the county.

Clerk Burke wanted to make sure the minutes reflected that this funding for new FTEs to support judges will not come out of the CCOC Trust Fund. It would be a new state general revenue to come to the Clerks that would be allocated with the position of a new judge should the legislature agree.

Clerk Crystal Kinzel said that she still had concerns with the formula being presented to the Council. She did not think the workgroup considered in the formula such factors as sick leave. Further she was concerned that the workgroup was recommending an average FTE be provided for each new judge instead of accounting for the uniqueness of the individual county. Clerk Kinzel stated that she finds the formula problematic and suggests that sick leave become a component of the formula. Clerk Moore Russell reminded Clerk Kinzel that her comments were noted in the Budget Committee meeting; however, the motion was made by Clerk Burke to present the current FTE calculations while her other concerns would go back to the Committee concerning the formula for determining the funding for FTEs.

Palm Beach Chief Deputy Clerk, Shannon Ramsey-Chessman, clarified that the calculation took into account 20 days/160 hours of sick leave. Ms. Ramsey-Chessman said the workgroup utilized the National Center for State Courts Report that was regarding the calculation of judicial need regardless of sick or vacation days is 20 days. The Legislature had accepted a lot of those guidance points in the judicial calculation. The workgroup felt it would be difficult to look back at the Clerks and say that we accepted these calculations to determine judicial need, but we do not accept the same philosophy to determine the support from the Clerks. Ms. Ramsey-Chessman said that the workgroup would be willing to review some of her suggestions concerning the amount to fund each new FTE. Clerk Moore Russell requested that CCOC Budget and Communications Director, Griffin Kolchakian, circle back with Clerk Abruzzo to go over the items and the amount that is going to apply to the FTEs. Clerk Kinzel said she appreciated the clarifications.

**Clerk Moore-Russell made a motion to approve the FTE calculations for the new judges. Clerk Butterfield seconded the motion. Motion carried unanimously.**

#### **Agenda Item 6 – CCOC Annual Report**

Mr. Kolchakian provided an overview of the draft CCOC Annual Report and noted that a section was added to the reserve fund and that there is now an ability to do a section highlighting the needs-based budget. He mentioned that this report is statutorily required. He also noted updated numbers, charts, and data throughout the report. Mr. Kolchakian said, if approved, a copy of the report would be sent to the House, Senate, and Governor's Office and published on the CCOC website. Chair Smith thanked Mr. Kolchakian and the CCOC staff. Clerk Smith added that the report was worth the read and that it included great information. Clerk Kinzel noted that she has concerns that the report paints maybe too good of a financial picture for the Clerks. She does not see it portraying the dire information that has been received when she has gone over the budgets and Budget Committee workshops. She believes that clerks need to advise the legislature that the amount of money still does not adequately fund all the Clerks.

Clerk Burke asked Mr. Kolchakian if there was a deadline. Mr. Kolchakian replied that the report is due January 1, 2023. Clerk Burke asked if the approval could be tabled until the next meeting. Clerk Burke said that Clerk Kinzel made good points, and he would like to reflect more on the annual report to see if he could offer suggestions on wording to show the great need and how 8% inflation has impacted the Clerks. Mr. Kolchakian said he would welcome

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comments to make revisions. Clerk Burke suggested a strict deadline for Clerks to submit comments to Mr. Kolchakian. Clerk Smith agreed. Clerk Burke suggested the Annual Report be approved and then hold a separate meeting with the executive officers to approve the revision to the report. Chair Smith set a deadline of December 21, 2022, for clerks to get their comments to Mr. Kolchakian. Mr. Kolchakian was tasked to present a final draft for the Executive Committee to approve.

**Clerk Burke made the motion to approve the current Annual Report with a week-long comment period for Clerks to provide comments to end December 21, 2022. Mr. Kolchakian will revise the Annual Report based on comments. The Council will give the Executive Committee authority for final approval of the revised Report. Clerk Butterfield seconded the motion. Motion carried.**

#### **Agenda Item 7 – TCBC Report**

Honorable Judge Ficarrotta announced that the Trial Court Budget Commission (TCBC) met virtually in November and December to discuss and approve recommendations for the allocation of the remaining non-recurring and recurring monies from the SFY 2022-23 technical support for remote and in-person proceeding post pandemic appropriation. He anticipates the Commission will meet early in the new year to gain insight on the outlook for the upcoming legislative session and to determine if we have any year-end spending plans that need to be developed. Honorable Judge Ficarrotta said he was happy to answer any questions. Chair Smith thanked him for being on the Council and updating the members. There were no questions.

#### **Agenda Item 8 – Other Business**

Chair Smith asked Council members and then non-Council members that were Clerks if there was any other business that needed to be brought up at this time. He also asked anyone else on the call if they had any questions or comments. There were none.

**Clerk Butterfield made a motion to adjourn the meeting. Clerk Newton seconded. The motion was approved.**

The meeting adjourned at 11:15 AM.

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