

BOARD OF COUNTY COMMISSIONERS

JULY 28, 2008

A meeting was held at the Murdock Administration Complex in Room 119, Port Charlotte, Florida. The following members were present: Chairman D'Aprile, Commissioner Duffy, Commissioner Cummings, Commissioner Moore, and Commissioner Loftus. Also in attendance were Deputy County Attorney Gallagher, County Administrator Baltz, and Minutes Supervisor Nice. The following members were absent: None. Called to Order at 5:01 PM and followed by the Pledge of Allegiance

Chairman D'Aprile explained public comment and answer procedures.

Chairman D'Aprile announced, for the official record, responses received regarding MSBU assessments as set out on the July 28, 2008 Memorandum entitled Letters for the Record - Public Hearing 7/28/08.

**I. PUBLIC HEARINGS TO SET MSBU RATES (All Proofs of Publication were in Order.)**

Budget Director Raymond Sandrock summarized the purpose of the public hearings to set proposed assessment rate increases above the previously approved maximum rates, changes in charging methodology, assessments for one new MSBU, adding properties to existing MSBUs, and advised that rates established this evening may be reduced at the budget public hearings on September 11 and 25, 2008. Mr. Sandrock gave a slide presentation outlining the process for setting MSBU assessments starting with Advisory Committee meetings during which work programs are established by committee members and Public Works staff and reported public support is garnered through community outreach with mailings to property owners, if cost effective, Property Owner Association (POA) and Community League meetings, community meetings, and newspaper publications. Mr. Sandrock outlined procedures for staff's presentation, public comment, and Board discussion and direction for each MSBU.

- A. Charlotte County Sanitation Unit - Don Pedro/Knight Island  
Advertised Rate for FY 08/09 - Occupied \$338.24 per ERU  
Proposed Maximum Rate \$358.84 per ERU  
Fund Solid Waste Collection, Disposal, and Solid Waste Programs

Mr. Sandroock explained this is a new MSBU to provide solid waste services to 374 Don Pedro/Knight Island residents as requested by the community at an annual assessment rate of \$338.24, the maximum proposed rate is \$358.84 per ERU, and a town hall meeting was held on May 21, 2008.

Public Comment - None

COMMISSIONER LOFTUS MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER MOORE.

Motion Carried 5:0.

Board Action

Commissioner Moore stated the residents initiated and support the program.

COMMISSIONER MOORE MOVED TO APPROVE RESOLUTION 2008-081 AND SET FY 08/09 RATES FOR THE CHARLOTTE COUNTY SANITATION UNIT - DON PEDRO/KNIGHT ISLAND AT \$338.24 PER ERU FOR OCCUPIED AND \$358.84 PER ERU FOR THE MAXIMUM, SECONDED BY COMMISSIONER LOFTUS.

Commissioner Duffy and Chairman D'Aprile recalled residents have indicated support for the work program. Chairman D'Aprile read the resolution into the record for motion purposes.

Motion Carried 5:0.

- B. Gulf Cove Street and Drainage Unit  
Advertised Rate for FY 08/09 - Vacant \$136.00 per ERU  
Advertised Rate for FY 08/09 - Occupied \$125.00 per ERU  
Proposed Maximum Rate \$136.00 per ERU  
Fund current and future paving needs within the MSBU

Assistant County Administrator Shoemaker summarized the current rates for Vacant and the Maximum are \$111.00 per ERU and \$100.00 for Occupied; explained the proposed rates are \$136.00 for Vacant

and the Maximum and \$125.00 for Occupied or a \$25.00 increase; the Committee recommended the program to resurface 12.5 miles of roadways that are centrally located so all properties would benefit; and as part of community awareness, a POA meeting held in April 2008 was attended by about 60 people; a formal letter of support dated May 19, 2008 was submitted; and a town hall meeting was attended by 10 people on July 21, 2008.

Public Comment

Linda Molina, a 10-year Gulf Cove resident, stated even mowing on her street is appalling but taxes should not be raised even by \$.01 unless it is a life threatening situation; recalled over \$12 million has been collected for road maintenance and questioned what happened to it; she saw no other notices of meetings, and stated 60 people of 8,000 lots represents a poor turn out. Richard VanAcker, a member of the MSBU Advisory Committee, stated during the last three years he has opposed assessment increases but this year he supports the increase to perform road maintenance and keep property values up; there are 7 pot holes on the first mile of Gillot Boulevard and main roads are really deteriorating; this is was compromise to do 12.5 miles of roads of the 95 miles; if a 5-year bond is taken out for this first phase, this would provide future opportunity to find other funding options; the \$25.00 increase breaks down to \$.07 per day; the County is still running on an inflated budget, and expressed support for the increase. Les Wyant, an Advisory Committee member and resident since 2004, stated the Committee has worked hard on this program and reduced the cost to about \$.50 per week; no other cheaper way has been identified; delay of the program will only cost more in the long run; the work is needed to keep property values up; this is a rational program and a good cost; and indicated support. Mike Grycek, a property owner since 2004 and homeowner since 2006, questioned if the paving work will be out sourced or conducted in house and the cost benefits of each; what happened to the \$12 million; questioned the distribution of his assessments and the \$12 million; questioned why the rate is higher for vacant than occupied lots; and indicated opposition to this MSBU and MSBUs in general. Chuck Crafton, an Advisory Committee member, who appeared last summer in opposition to an assessment increase has changed his position to support this increase of about \$.07 to \$.10 per day for paving 12.5 miles that are located within one mile of very lot in Gulf

Cove and will benefit all residents and property owners; the County has spent over \$100,000 in the last six months to repair damaged roads; there were a number of potholes and repairs made on Gillot; and reiterated strong support for the modest increase to bring roads up to standard. Ron Wozniak, an Advisory Committee member, agreed with other members' comments, stated this was not an easy decision to make, government spending is wasteful no matter at what level, the work program encompasses 12.5 miles of roads used by everyone in the community, the proposed program represents a good compromise for all residents and property owners, and the three access roads really need to be done. Sharon Darlene Ramsey did not speak. Ms. Shoemaker read a letter from Larry Singleton, an Advisory Committee member, who could not attend the public hearing in strong support of the assessment increase for paving the 12.5 miles of road ways.

**COMMISSIONER MOORE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER LOFTUS.**  
Motion Carried 5:0.

Board Action

**Commissioner Moore** questioned the source for language in the resolution. **Commissioner Loftus** indicated he did not receive copies of the resolutions. Deputy County Attorney Gallagher explained the process including preparation through Board approval. **Commissioner Duffy** questioned if the three roads have anything to do with the "back 40" as recently referenced by residents. Tara Musselman presented a map for **Commissioner Duffy's** review. **Commissioner Duffy** requested an explanation of the good "compromise." Ms. Musselman explained the original version of the work program was for paving all 97 miles of roads at about a \$220.00 increase per year. **Commissioner Duffy** requested answers to citizens' questions. Ms. Musselman stated the paving work is contracted out and explained the process for determining right-of-way mowing for vacant lots since they are the only lots mowed. **Chairman D'Aprile** requested an explanation of what happened to the \$12.5 million and what work was done. Ms. Musselman stated her records go back to 2000, expressed the belief that all roads in the MSBU were paved between 1990 and 1993, and offered to provide more details. Ms. Musselman explained the bid process for mowing contractors, reported monthly and quarterly reports are provided reflecting

collections and expenditures during Advisory Committee meetings, a 9-month report has been provided, and offered to research the \$12.5 million. Ms. Musselman stated vacant lots are charged \$11.00 more for mowing. **Chairman D'Aprile** commented on the need for paving for safety reasons. **Commissioner Loftus** recognized citizens' situations and he will try to do everything possible to not raise taxes but acknowledged delay of the program will escalate the cost and place a heavier burden on residents.

**COMMISSIONER LOFTUS MOVED TO APPROVE RESOLUTION 2008-082 AND SET FY 08/09 RATES FOR THE GULF COVE STREET AND DRAINAGE UNIT AT \$136.00 PER ERU FOR VACANT AND THE MAXIMUM AND \$125.00 PER ERU FOR OCCUPIED, SECONDED BY COMMISSIONER MOORE.**

**Chairman D'Aprile** requested the number of residents. Ms. Musselman stated there are 8,000 lots and the 60 people who attended the April 2008 meeting and they usually attend POA meetings, which is more than other MSBU meeting attendance. Mr. Sandrock stated that all 8,000 lot owners are sent notice e.g. 2,000 are occupied and 6,000 vacant.

**Motion Carried 5:0.**

C. Northwest Port Charlotte Street and Drainage Unit  
Advertised Rate for FY 08/09 - Vacant \$125.00 per ERU  
Advertised Rate for FY 08/09 - Occupied \$118.00 per ERU  
Proposed Maximum Rate \$125.00 per ERU  
Fund current and future paving needs within the MSBU

Mr. Sandrock explained the current assessments are \$50.00 for Vacant and the Maximum Rate and \$43.00 for Occupied and the proposed rates are \$125.00 for Vacant and the Maximum and \$118.00 for Occupied for an increase of \$75.00; the increase is to pave approximately 5.2 miles of roadway and to sustain the current level of maintenance services, outlined outreach efforts as a result of a newspaper notice for the February 14, 2008 Community League meeting that was attended by 45 property owners in support, and advised a letter of support has been received from the Advisory Committee.

Public Comment

Skip Pierson stated all of his questions were answered as a result of the prior public hearing. Hank McFarland stated he has

owned four lots since 2003; the taxes have doubled every year, asked what has been done with the previously collected money; he built his own home on two of the lots; recalled the original value was \$115,000 at permit but at CO, the value was \$285,000; the next year, he offered it to the Property Appraiser for \$200,000; the taxes have been increased way too much; stated he mows the entire four lots so the mowing assessment should be the same; and opposed any tax increases. Jim Panaretos, representative of River Bend Estates POA, opposed the assessment increases because it is a bad time to ask for more money; stated there are other sources of revenues for roads - gas tax, \$.01 sales tax, and ad valorem taxes; questioned the management of these sources; and indicated opposition. Nancy Razvoza, a member of the Advisory Committee, noted **Commissioner Loftus'** comments on road paving now instead of delaying the program and increasing future costs; stated Public Works staff work closely with the Committee; they explain in detail all costs and collections; and she is proud of what has been accomplished in her neighborhood and wants to continue with improvements. Jack Fawsett stated citizens of Northwest Port Charlotte chose road improvements as the center piece of the community's plan; advised residents have paid for their roads; indicated property taxes do not pay for roads; recently Biscayne Boulevard, a connector road, was put in the gas tax funding; 11 connector roads have been identified and Campbell Street, Eisenhower Drive, and Eleanor Avenue remain to be done; commented on the importance of maintaining and paving connector roads to get people around instead of doing all of the roadways in the MSBU. Mr. Fawsett referenced a handout in the back of the Chambers that is distributed to all owners and encouraged everyone to pick one up; urged citizen attendance at meetings and input; recalled the \$100.00 assessment for seven years during which all roads were paved; and requested Board approval based on Advisory Board unanimous support. William West, a resident and business owner for 27 years, stated in 1998 he received a bill for road assessments and now he is being charged for roads and drainage; wondered why because the roads in the Biscayne and Cornelius Boulevard areas do not need it and there are very few homes in that area; and indicated opposition because those roads are in great shape and better than the one he lives on. Bill Miller, a property owner since 1958, stated a lot of improvements have been done, he has been paying taxes since that time, he has seen little done, expressed the belief that he is being taken advantage of, and opposed the increase by

stating the MSBU is not for him. Betty Stewart questioned the amount of the increase since many people are out of work and loosing their homes; advised she has two lots, one of which is occupied and one vacant which they mow, and it should not cost them any more for the vacant lot assessment; her only income is from Social Security that increased \$3.80 per month but it will not go far; stated she has been a resident for 13 years; the roads do not need to be paved; and requested a reduction in the assessment rate. Paul Pilch, President of the Northwest Port Charlotte Community League and a member of the Advisory Board, expressed support even though he cannot really afford the increase but the three connector roads need to be done; only 60 to 75 people of 1,400 homeowners attend meetings; encouraged more people attend; and indicated support. John McCombs indicated opposition to the increase due to inflation of the currency e.g. fixed incomes cannot keep up; recalled paving was done and that eight connector roads would be taken over by the County as stated by Mr. Hurley, Public Works; questioned if this is an on-going assessment and the possibility of acceptance by the other connector roads by the County for maintenance; requested clarification if assessments are lumped into the General Fund; noted the new Northwest Port Charlotte Waterway Unit assessment of \$100.00; advised he owns three waterfront lots; objected to all increases because the waterway was originally drainage not a navigable waterway. Dave Rubin, a Northwest Port Charlotte resident and Advisory Committee member, stated the \$75.00 increase is to do maintenance on the three connector roads that really need maintenance, the MSBU pays for maintenance not ad valorem taxes, he is not in favor of taxes but he does support maintenance and the \$75.00 assessment, and opined Northwest Port Charlotte is a great looking area and he wants to keep it that way. Miko Gunderson, a resident since 1975 and an investor, realtor, and attorney for mortgage foreclosures, referenced a newspaper article on the number of vacant and occupied lots that indicate less than 10% of the lots are occupied and 90% of the people are opposed to the increase. Mr. Gunderson commented on his visit to the roadways and ascertained them to be in excellent condition; pointed out 90% of the lots do not have water and sewer; this is not the time to impose a 150% increase; and stated the economy in this area probably will not improve until 2010 so the paving could be delayed at no cost increase. Christine Carboni questioned why it cost a \$75.00 increase to repair/maintain 5.2 miles versus a \$25.00 increase to do 12.5

miles in Gulf Cove. Walt Kaiser, a resident since 1978 previously of South Gulf Cove, stated he has seen a lot of changes; the proposed increase is too much; home owners should be informed about collections and expenditures; opposed the increase; and suggested the POA implement reporting procedures since he has no accountability.

**COMMISSIONER LOFTUS MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER MOORE.**

**Motion Carried 5:0.**

Board Action

**Chairman D'Aprile** requested answers. Ms. Harrison stated the difference in funding between Gulf Cove and Northwest Port Charlotte is a result of the amount in Reserves in Gulf Cove MSBU account; there are 186 miles of roads and drainage in the MSBU; indicated unawareness of any plans to install water and sewer lines; the rate was \$25.00 in 2005; \$27.00 in 2006, \$50.00 in 2007, and the proposed is \$125 for this year. Mr. Sandrock explained ad valorem taxes are not used for roadways, gas taxes are used for large road projects, sales taxes cannot be used for maintenance; expenditure of impact fee revenues are very restricted; and the MSBU system provides funding for roadway maintenance. **Commissioner Duffy** questioned the reason for the increase difference between Gulf Cove with 8,000 lots and Northwest Port Charlotte with 16,000 lots. Mr. Sandrock stated this is being done through a borrowing. Ms. Harrison added this is for one year. **Commissioner Duffy** questioned the accountability. Mr. Sandrock stated financial data in detailed reports are available on collections and expenditures and stated accountability is done. Mr. Sandrock suggested using the website to provide additional information. **Commissioner Loftus** recalled General Development Corp. (GDC) went belly up in 1992; he was involved with the Northwest Port Charlotte PC MSBU with George Neuner and Jack Fawsett and applauded the MSBU; the GDC settlement was about \$8 million and about \$6 million should have been allocated to the MSBU so he is very familiar with the MSBU; agreed the three connector roads should be repaved; and advised the Advisory Committee receives accountability statements on a quarterly basis. **Chairman D'Aprile** acknowledged increases in taxes, gasoline, and insurance and questioned the County's responsibility towards connector roads. Ms. Harrison stated

these connector roads are not a part of the Roads and Bridges classification and there are 13 bridges that need repair within the Northwest Port Charlotte MSBU. Mr. Sandrock commented on the qualifications for Roads and Bridges designation. Ms. Harrison pointed out that Biscayne Boulevard has been designated under Roads and Bridges. **Commissioner Duffy** stated she does not favor any tax increases, the proposed increase is too high although some paving should be done; she would support a moderate increase e.g. \$75.00 down to \$25.00; and recalled she voted against it last year and there was no increase but some work needs to be done. **Chairman D'Aprile** stated he does not know what a moderate increase would be and questioned the necessity of doing the three connector roads now. Interim Public Works Director Dan Quick recalled the Committee reached a consensus with Public Works staff; the work needs to be done on these connector roads; and pointed out the \$52.00 could be cut by half and cover only maintenance but it would cost more next year to do the 5.2 miles. Mr. Quick stated \$23.00 is for maintenance, mowing, pot hole patching. **Commissioner Cummings** noted in the Budget Line Item Book for FY 06/07 e.g. \$3.452 million for expenses, collections amounted to \$876,000 so a lot of Reserves are being used. Mr. Sandrock stated about \$2 million was transferred from Capital for paving. **Commissioner Cummings** noted \$1.5 million was used for paving and there was 0 balance in Reserves for maintenance. Mr. Sandrock stated some of the funds utilized were from the GDC settlement. **Commissioner Cummings** concluded expenditures are way above Reserves and revenues. **Commissioner Cummings** stated the information he referenced was accessed from the internet and suggested placing the budget book on the MSBU pages. **Commissioner Cummings** indicated support for the recommended assessment. **Commissioner Moore** agreed with **Commissioner Cummings** since there was no increase last year and the roads will only get worse and cost more.

**COMMISSIONER CUMMINGS MOVED TO APPROVE RESOLUTION 2008-083 AND SET FY 08/09 RATES FOR NORTHWEST PORT CHARLOTTE STREET AND DRAINAGE UNIT AT \$125.00 PER ERU FOR VACANT AND THE MAXIMUM AND \$118.00 FOR OCCUPIED PER ERU, SECONDED BY COMMISSIONER MOORE. Motion Carried 4:1. Commissioner Duffy opposing.**

D. Northwest Port Charlotte Waterway Unit  
Advertised Rate for FY 08/09 - Vacant \$100.00 per ERU  
Advertised Rate for FY 08/09 - Occupied \$100.00 per ERU  
Proposed Maximum Rate \$100.00 per ERU  
Fund maintenance dredging of the main access canals within  
the Unit

Mr. Sandrock reported the MSBU is new for FY 07/08; the proposed rate is \$100.00 per ERU for Vacant, Occupied, and the Maximum; and advised the assessment would allow dredging work that was previously funded from GDC revenues to continue as those funds have been depleted. Mr. Sandrock explained the work program is to dredge silt material from main channels in Northwest Port Charlotte Waterway, recalled a Community League meeting was held on February 14, 2008 after notice was published in a local newspaper, and a letter of support has been received from the Advisory Committee.

**Commissioner Duffy** questioned if the same property owners are involved with this MSBU. **Commissioner Cummings** explained only waterfront property owners.

Public Comment

Jim Panaretos Riverbend Estates POA, stated he spoke to Ms. Harrison and a reduction was made but opposed the assessment; recalled the canal was dredged one time, the sands have filtered back in, and boat traffic has been restricted; and one other property owner indicated removal of the sands would weaken dock pilings. Jack Fawsett thanked the Board for support of the \$75.00 assessment increase; pointed out an owner of record with a dock on the waterway only pays the waterway assessment and does not pay into the Street and Drainage MSBU; opined monies from GDC have been spent and he and George Neuner have reviewed the expenditures of that money; recalled \$200,000 was left of the GDC settlement and commented on taking out impediments from the canal system; \$160,000 is needed to do the entire project based on a one-time assessment; advised waterfront lot owners last year saw a reduction of about \$800 to \$1,000 in taxes; the dredge will keep the mouths of waterways open; no one has opposed this assessment until tonight; and 10 members of the Advisory Board agreed this project is essential. Parkway Wayne Piliken distributed a handout, recalled a re-dredge of the Apollo

Waterway and requested correction of an error in the dredge; and asked for a dredge of the Apollo Waterway to the depths the residents were told about. Mr. Piliken presented photographs to **Chairman D'Aprile** of the Apollo Waterway after the dredge, requested the Board provide quality work for the waterways, suggested the County acquire a dredger, and conduct the work before expiration of the permit in 2009. Joan Piliken stated funds were set aside to do the Apollo Waterway dredging; requested an explanation of what happened to the monies; opined the dredging was done improperly and the contractors should not have been paid; informed Board Members that their next door neighbor cannot get his flat bottom boat out so he trailers the boat to Boca Grande; dredging should be done from the center out more than 20 feet to the historical depth; stated she and her husband are not against the increase but they want the Board to look into this matter and correct the problems. Scott Drake stated bronze statutes should be erected for Board Members; pointed out Hurricane Charley debris is still in the waterway adjacent to his home; he and his wife selected the lot because he was told it was sailboat access but it is not because it is over grown with pepper trees; opined Dawn Harrison represents a breath of fresh air; indicated this County will be another Cape Coral in six months e.g. foreclosure, domestic violence, and increased crime; stated this community has been poorly run for 10 years and a lot of people are going hungry; and suggested the Board meet at the Waffle House to resolve this issue. Diana Drake, a member of the Suncoast Waterway Unit, left with her husband with no comments. Walt Kaiser stated he is all for the waterway assessment; pointed out inland residents are impacted if waterways are not taken care of; and there are three major waterways that entrance at the Myakka River that need work. Paul Pilch, President of the Northwest Port Charlotte Community League, stated all three of the canals and the Apollo Waterway are to be dredged; the last time dredging was done, there was no Waterway Board; and, hopefully, the dredging will be better this time and residents' will get their \$100.00 worth; and expressed support for the proposed assessment. Dave Rubin stated he is all in favor of the \$100.00 assessment; money has been set aside for markers from the Marine Advisory Committee; commented on the importance of following contractual specifications; he and his wife moved to Charlotte County because of the waterway; and asked for help to enjoy the waterway. John McCombs stated he is against the \$100.00 increase or \$300.00 for him since he

owns three waterfront lots; it is absurd to continue to spend money because the Myakka River will flow in and out of the canals and shift sands; and recalled the original intention was for a drain not navigable waterways. Mary Jo Rayfield pointed out where her home is located on a canal, that area is not and never will be navigable; her home is located on a single lane road that is crumbling but the assessment is \$700.00 more this year for nothing new; her taxes will be over \$3,000.00 for three empty waterfront lots. Larry Whitford, a Northwest Port Charlotte Waterway resident, stated he cannot get his 17' ranger out; stated the County or State have marked a channel that is only 12" deep; the idle wake sign has been moved out from the channel; the sign does not have the permit or ordinance number on it; referenced a letter that **Commissioner Duffy** received from Jerry Lord who works with Fish and Wildlife; stated the County should get the money back from the initial dredging; channel markers should be appropriately placed not in 12" of water; someone should be checking the legalities of doing the work within the framework of the State; and he would question how the work was done.

**COMMISSIONER MOORE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER LOFTUS.**

**Motion Carried 5:0.**

Board Action

**Chairman D'Aprile** questioned the advantage of dredging these canals if boats cannot get out to the Myakka River. Mr. Quick explained Public Works staff and residents have worked with the State agency on the Apollo and Cheshire Waterways and the State will not allow the "creeks" to be dredged any deeper than a minus 3' mean low water versus 5' mean low water for a 2' difference; and the State will only allow dredging to 15' to 20' width of canals; and the core borings were done and submitted to the State. **Commissioner Cummings** questioned dredging to 5' over the 3' allowed. Mr. Quick stated that has been requested by the Committee and dredging within the main channel under the project is designed with sluffing in mind; and the intent would be to dredge and restore to the original design and depths. **Commissioner Cummings** questioned the mobilization cost a big part of the project cost. Mr. Quick stated this is a majority of the cost. **Commissioner Cummings** concluded that more frequent

dredges would be required at the mouth of canals and the costs would be greater. Mr. Quick stated the Committee has requested spot dredging to address problem areas in the upland areas. **Commissioner Loftus** indicated this has occurred in other waterways in the County. Mr. Quick agreed. **Commissioner Duffy** questioned the dredge depth at the Port Charlotte Beach Complex. Mr. Quick stated that was dredged to a minus 5' mean low water. **Chairman D'Aprile** suggested people who cannot use the waterway should not pay an assessment and suggested they contact Public Works staff.

**COMMISSIONER LOFTUS MOVED TO APPROVE RESOLUTION 2008-084 AND SET FY 08/09 RATES FOR THE NORTHWEST PORT CHARLAOTTE WATERWAY UNIT AT \$100.00 PER ERU FOR VACANT, OCCUPIED, AND THE MAXIMUM, SECONDED BY COMMISSIONER MOORE.**  
**Motion Carried 5:0.**

**Commissioner Cummings** noted the trend for FY 07/08 on the last MSBU from FY 06/07 was the same.

**RECESS: 7:27 PM - 7:37 PM**

E. Harbour Heights Waterway Unit  
Advertised Rate for FY 08/09 - Vacant \$400.00 per ERU  
Advertised Rate for FY 08/09 - Occupied \$400.00 per ERU  
Proposed Maximum Rate \$400.00 per ERU  
Methodology change from Canal Front Feet to Equivalent Residential Unit

Mr. Sandrock advised this MSBU has a change in methodology from canal front foot charge to ERU based on the average lot size; the current and proposed rates are \$400.00 per ERU for Vacant, Occupied and the Maximum; there may be some deviations due to differences in lot sizes; the majority of property owners will see minimal or no change; and the Board approved the change in methodology on November 22, 2007. **Commissioner Cummings** commented on the power point presentation and pointed out significant changes would probably be realized by owners of corner or pie shaped lots whereas owners of standard lots would be faced with little or no change in assessments. Mr. Sandrock agreed.

Public Comment

Maggie Scott and Joan Hayes had no comments. Joe Flemming, Chairman of the Harbour Heights MSBU Advisory Board, stated the change was made to more equitably assess property owners with lots at the end of waterways; the Advisory Board overwhelmingly agreed with the \$400 at this time; Maggie Scott's lot will be assessed an additional \$20 per year under the ERU methodology versus the front foot calculations; and urged approval of the change. Nancy Lokker has no comments.

**COMMISSIONER LOFTUS MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER MOORE.**

**Motion Carried 5:0.**

Board Action

**COMMISSIONER LOFTUS MOVED TO APPROVE RESOLUTION 2008-085 AND SET FY 08/09 RATES FOR THE HARBOUR HEIGHTS WATERWAY UNIT AT \$400.00 PER ERU FOR VACANT, OCCUPIED, AND THE MAXIMUM, SECONDED BY COMMISSIONER MOORE.**

**Motion Carried 5:0.**

F. Harbour Heights Street and Drainage Unit

Advertised Rate for FY 08/09 - Vacant \$152.80 per ERU

Advertised Rate for FY 08/09 - Occupied \$136.00 per ERU

Proposed Maximum Rate \$152.80 per ERU

Methodology change from Front Feet to Equivalent Residential Unit

Mr. Sandrock reported the same concept is being implemented to change the methodology from front foot charge to ERU; the current and proposed Vacant and Maximum rates are \$152.80 and Occupied is \$136.00; the change in methodology was approved on November 22, 2007; reported minimal impact to individual assessments although some rates may be slightly higher or lower; and advised these were the last MSBUs to be changed to ERU methodology.

Public Comment

Joan Hayes whole heartedly agreed with the change in methodology and requested, as was done last year, to have this MSBU hearing placed first on the agenda since it is very short. Maggie Scott

and Michael Sims concurred with Mrs. Hayes' remarks. Alan Redstone stated this is a sizeable increase on corner lot owners and urged passage. Chairman D'Aprile questioned the calculation on corner lots. Ms. Harrison pointed out the footage calculation on corner lots was based on road frontage on two sides and advised there will be a decrease in the rate for Mr. Redstone.

COMMISSIONER LOFTUS MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER MOORE.

Motion Carried 5:0.

Board Action

COMMISSIONER MOORE MOVED TO APPROVE RESOLUTION 2008-086 AND SET FY 08/09 RATES FOR THE HARBOUR HEIGHTS STREET AND DRAINAGE UNIT AT \$152.80 PER ERU FOR VACANT AND THE MAXIMUM AND \$136.00 PER ERU FOR OCCUPIED, SECONDED BY COMMISSIONER LOFTUS.

Motion Carried 5:0.

G. Punta Gorda Non-Urban Street and Drainage Unit - Capital  
Advertised Rate for FY 08/09 - Vacant \$161.09 per ERU  
Advertised Rate for FY 08/09 - Occupied \$161.09 per ERU  
Proposed Maximum Rate \$172.38 per ERU  
First time assessed properties

Ms. Shoemaker explained the current and proposed rates are \$161.09 per ERU for Vacant and Occupied and \$271.38 for the Maximum; this is to add one property based on the annual MSBU territory review; and there is no change in rates.

Public Comment - None

COMMISSIONER LOFTUS MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER MOORE.

Motion Carried 5:0.

Board Action

COMMISSIONER LOFTUS MOVED TO APPROVE RESOLUTION 2008-087 AND SET FY 08/09 RATES FOR THE PUNTA GORDA NON-URBAN STREET AND DRAINAGE UNIT - CAPITAL AT \$161.09 PER ERU FOR VACANT AND OCCUPIED AND \$271.38 FOR THE MAXIMUM, SECONDED BY COMMISSIONER MOORE.

Motion Carried 5:0.

H. Punta Gorda Non-Urban Street and Drainage Unit - Maintenance  
Advertised Rate for FY 08/09 - Vacant \$98.25 per ERU  
Advertised Rate for FY 08/09 - Occupied \$92.78 per ERU  
Proposed Maximum Rate \$98.25 per ERU  
First time assessed properties

Ms. Shoemaker explained the current and proposed Vacant and Maximum rates are \$98.25 per ERU and the Occupied rate is \$92.78; one property, previously excluded, will be added as a result of the annual MSBU territory review; and there is no change in rates.

Public Comment - None

COMMISSIONER LOFTUS MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER MOORE.  
Motion Carried 5:0.

Board Action

COMMISSIONER DUFFY MOVED TO APPROVE RESOLUTION 2008-088 AND SET FY 08/09 RATES FOR THE PUNTA GORDA NON-URBAN STREET AND DRAINAGE UNIT - MAINTENANCE AT \$98.25 PER ERU FOR VACANT AND THE MAXIMUM AND \$92.78 PER ERU FOR OCCUPIED, SECONDED BY COMMISSIONER LOFTUS.  
Motion Carried 5:0.

I. Southbridge Waterway Unit - Maintenance  
Advertised Rate for FY 08/09 - Vacant \$150.00 per ERU  
Advertised Rate for FY 08/09 - Occupied \$150.00 per ERU  
Proposed Maximum Rate \$150.00 per ERU  
First time assessed properties

Ms. Shoemaker informed the Board the current and proposed Vacant, Occupied and Maximum rates are \$150.00 per ERU; eight previously excluded properties would be added, as a result of the annual MSBU territory review; and there is no change in rates.

Public Comment - None

COMMISSIONER LOFTUS MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER MOORE.  
Motion Carried 5:0.

Board Action

COMMISSIONER DUFFY MOVED TO APPROVE RESOLUTION 2008-089 AND SET FY 08/09 RATES FOR THE SOUTHBRIDGE WATERWAY UNIT - MAINTENANCE AT \$150.00 PER ERU FOR VACANT, OCCUPIED, AND THE MAXIMUM, SECONDED BY COMMISSIONER LOFTUS.  
Motion Carried 5:0.

J. Suncoast Waterway Unit - Maintenance  
Advertised Rate for FY 08/09 - Vacant \$133.07 per ERU  
Advertised Rate for FY 08/09 - Occupied \$133.07 per ERU  
Proposed Maximum Rate \$133.07 per ERU  
First time assessed properties

Ms. Shoemaker explained the current and proposed rates for Vacant, Occupied, and the Maximum are \$133.07 per ERU; five properties, previously excluded, would be added as a part of the annual MSBU territory review; and there will be no rate change.

Public Comment - None

COMMISSIONER LOFTUS MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER MOORE.  
Motion Carried 5:0.

Board Action

COMMISSIONER DUFFY MOVED TO APPROVE RESOLUTION 2008-090 AND SET FY 08/09 RATES FOR SUNCOAST WATERWAY UNIT - MAINTENANCE AT \$133.70 PER ERU FOR VACANT, OCCUPIED, AND THE MAXIMUM, SECONDED BY COMMISSIONER MOORE.  
Motion Carried 5:0.

ADJOURNED: 7:55 PM

Signature on file in Commission Minutes  
Chairman

ATTEST:

BARBARA T. SCOTT, CLERK  
OF THE CIRCUIT COURT AND  
EX-OFFICIO TO THE BOARD  
OF COUNTY COMMISSIONERS

By: Signature on file in Commission Minutes  
Deputy Clerk

djn