

BOARD OF COUNTY COMMISSIONERS

April 28, 2009

A meeting was held at the Murdock Administration Complex in Room 119, Port Charlotte, Florida.

Members present were: Chairman Duffy, Commissioner Cummings, Commissioner Loftus, Commissioner Starr, Commissioner Skidmore, County Administrator Baltz, County Attorney Knowlton, Chief Deputy Board Services White, Executive Assistant Stoner, Deputy Clerk Lansing. The following members were absent: None

The meeting was called to order at **9:00 A.M.**

Invocation was given by Fr. John Heck of St. Charles Borromeo Church followed by the Pledge of Allegiance.

Changes to the Agenda:

Change #1: Agenda item M-2 - Requested by: Attorney's Office - Employees shall have 45 calendar days (instead of 30) to consider the offer, with the deadline being extended from June 1st to June 15th. The separate date will remain at no later than September 1st.

Change #2: Agenda item M-2 - Requested by: Attorney's Office - Eligibility requirements are changed so as to provide as follows: A. Eligibility: Any employee who (1) is age 60 or is older, and has at least six (6) years of service Charlotte County by the separation date, or (2) at any age, has at least 20 years of service with Charlotte County on or before the separation date.

Deletion #1: Agenda item Z-1 - Requested by: Commission Office - **RECOMMENDED ACTION:** Please choose by ballot one (1) person to serve a one year term on the Manasota/Sandpiper Key Advisory Committee. This person shall represent commercial interests on the committee. The term shall expire on April 28, 2010.

COMMISSIONER SKIDMORE MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER LOFTUS.

MOTION CARRIED 5:0.

Special Recognition

Proclamations - Commissioner Robert Skidmore

Building Safety Week the week of May 3, 2009 through May 9, 2009.

COMMISSIONER LOFTUS MOVED TO APPROVE BUILDING SAFETY WEEK PROCLAMATION THE WEEK OF MAY 3, 2009 THROUGH MAY 9, 2009, SECONDED BY COMMISSIONER STARR.

MOTION CARRIED 5:0.

The Proclamation was accepted by Building Construction Service Director Jim Evetts.

National Drinking Water Week the week of May 3, 2009 through May 9, 2009.

COMMISSIONER LOFTUS MOVED TO APPROVE NATIONAL DRINKING WATER WEEK PROCLAMATION THE WEEK OF MAY 3, 2009 THROUGH MAY 9, 2009, SECONDED BY COMMISSIONER STARR.

MOTION CARRIED 5:0.

The Proclamation was accepted by Leigh Sprimont.

Employee Recognition - County Administrator Roger Baltz and Commissioner Robert Skidmore

5 Years: Carl Baker, Public Works; Melisa Huntoon, Utilities; Jon Strickland, BCS; Christopher Wagner, Parks, Rec. & Cultural Res. 10 Years: Brian Barnes, Public Works; Daniel Carmean, Environmental & Extension, Inga Williams, Growth Management; 15 Years: Dennis Meadows, Facilities, Jason Quimet, Public Works; 20 Years: Richard Birtch, Facilities; Celso Milano, Public Works; Kenneth Robinson, Public Works; Not Attending: Coleen Barbour, Public Works.

Award Presentations - None

I. CITIZEN INPUT - AGENDA ITEMS ONLY

Punta Gorda City Council Member Don McCormick commended the Marine Advisory Committee members for their efforts; and spoke in support of agenda items Z-2 and Z-3; and encouraged the Board of County Commissioners moving forward to facilitate expediting the Punta Gorda day docks.

II. COMMITTEE VACANCIES

Charlotte County is seeking volunteers to serve on the following Committees:

Construction Industry Licensing Board - is seeking one volunteer to represent the electrical contractor category. Must be a resident of Charlotte County for at least two years and be a licensed electrical contractor. Term expires March 2012.

Englewood East Street and Drainage Unit Advisory Committee - is seeking two regular members to serve three year terms. Must own property and reside within the unit. Environmentally Sensitive Lands Oversight Committee - is seeking two volunteers who are residents and electors of the County to represent the "environmental expertise" category. One term is for three years and the other expires in January 2010.

Grove City Advisory Board - is seeking one member to serve as the multi-family interest representative on this newly formed board. Must reside or own property within the boundaries of the Grove City Community Planning area. Term is for three years.

Placida Street and Drainage Unit Advisory Committee - is seeking one member to serve as the alternate for a two year term. Must own property and reside within the unit.

III. REPORTS RECEIVED AND FILED

County Investment Report, March 31, 2009

IV. CONSENT AGENDA

COMMISSIONER LOFTUS MOVED TO APPROVE CONSENT AGENDA EXCEPT AGENDA ITEMS M-2 AND M-3, SECONDED BY COMMISSIONER STARR.

MOTION CARRIED 5:0.

Clerk of the Circuit Court

A. Finance Division

(1) RECOMMENDED ACTION: Approve Clerk's Finance Memoranda.
BUDGETED ACTION: None

Memorandum #1 - Status of Contingency Reserves - FY 07/08

Memorandum #1A - Status of Contingency Reserves - FY 08/09

Memorandum #2 - Total Disbursements for the period April 7, 2009 through April 20, 2009 in the amount of \$7,816,070.99.

B. Minutes Division - No items.

Board of County Commissioners

C. Commission Office

(1) RECOMMENDED ACTION: Approve the appointment of Carl Johnson as the District #4 representative on the Parks & Recreation Advisory Board. This appointment will fill the unexpired term of Paul Jones, who resigned. Term expires in April 2011. BUDGETED ACTION: None

(2) RECOMMENDED ACTION: Approve the appointment of Helene Poglitsch to the Ackerman Waterway MSBU Advisory Committee to fill the vacant position. Term will be decided at the first meeting. BUDGETED ACTION: None

(3) RECOMMENDED ACTION: Approve the reappointment of William J. Dahms to the Placida Street and Drainage Advisory Committee. Mr. Dahms wishes to continue serving in his capacity. This term is effective immediately and will expire in April 2012. BUDGETED ACTION: None

(4) RECOMMENDED ACTION: Approve the following appointments to the Grove City Advisory Board: Audrey Shinske and Nancy Christensen as members-at-large, Tim Krebs as the professional engineer representative, and Michael H. Metcalf as the commercial interest representative. Terms are for three years. BUDGETED ACTION: None

(5) *RECOMMENDED ACTION*: Appoint Daniel Gawenda to the Deep Creek Street & Drainage Unit Advisory Committee, to finish the unexpired term created by the resignation of Rebecca Norton. This term shall expire January 31, 2011. *BUDGETED ACTION*: None

(6) *RECOMMENDED ACTION*: Re-appoint Steve Johnson as a regular member and Mel Staudmyer as the alternate to the Harbour Heights Waterway Maintenance District Advisory Board. Their terms expired April 10, 2009. Mr. Johnson's term shall expire April 10, 2012 and Mr. Staudmyer's term shall expire April 10, 2011. *BUDGETED ACTION*: None

(7) *RECOMMENDED ACTION*: Appoint Carey Beychok to finish the term of Ken Bonds (who resigned) as the Placida Beach Condo Association representative on the Little Gasparilla Island Committee. This term shall expire January 22, 2010. *BUDGETED ACTION*: None

D. Administration - No items.

E. County Attorney - No items.

F. Budget Office

(1) *RECOMMENDED ACTION*: Approve a resolution designating the Charlotte County Sheriff's Office (Sheriff) as a recipient of the Charlotte County Drug Abuse Trust Fund grant and awarding the amount of \$64,250 from the Drug Abuse Trust Fund to the Sheriff. Requesting line item transfer of \$14,000 to increase the budgeted amount of \$50,250 to \$64,250. *BUDGETED ACTION*: FY09 Amended Budget Amount of \$72,675. Funding is provided in the Drug Abuse Trust Fund.

Resolution 2009-191

G. Growth Management - No items.

H. Economic Development - No items.

J. Environmental Services - No items.

K. Facilities Construction and Maintenance - No items.

L. Purchasing

(1) RECOMMENDED ACTION: a) Approve award of Request for Proposal #09-143, Lease of Multifunctional Copier Machines - Annual with J.M. Todd, Inc. of Fort Myers, FL, at the monthly rates listed below and 35% discount from list price for optional features. The awarded company will provide multifunctional copy machines for a lease period of 36 months. Term of the contract is from date of award up to and including September 30, 2013 with an option to renew for an additional two-year term; and b) Authorize the County Administrator to approve the renewal option for an additional two-year term, by mutual consent. BUDGETED ACTION: None, budgeted in various Departments Rentals & Lease/Equipment account lines.

(2) RECOMMENDED ACTION: Approve deletion of the property inventory items listed on the attached for the month of April, 2009. BUDGETED ACTION: None

(3) RECOMMENDED ACTION: a) Approve award of Bid # 09-188 Pesticides & Herbicides - Supply & Deliver, to the lowest responsive, responsible multiple bidders at the prices listed on the recommendation sheet and bid tabulation attached hereto; and b) Authorize the County Administrator to approve renewal options for up to two (2) additional one-year terms, at the same prices, terms and conditions, by mutual consent. This is an annual contract to purchase insecticides and herbicides, to be utilized on an "as required" basis by the Environmental & Extension Services-Pest Management Division. BUDGETED ACTION: Amount remaining in FY08/09: \$480,000 budgeted for Mosquito Control and \$42,000 in Aquatic Weed Control. Funding for these expenditures are from General Fund for Mosquito Control and Stormwater revenue for Aquatic Weed Control.

(4) RECOMMENDED ACTION: Terminate the remaining elements associated with Contract #08-072, Fire Training Building-Design, with Thomas A. Huff Architect, Inc. BUDGETED ACTION: None

(5) RECOMMENDED ACTION: Approve award of Bid #09-120, Stormwater Control Structure - Apollo Waterway/Chancellor Boulevard to the lowest, responsive, responsible bidder, Dave Foote Environmental Construction, Inc. of Lehigh Acres, Florida in the amount of \$385,474.37. This project is for the installation of a

stormwater control structure to include box culverts, end walls, wingwalls, roadway construction, guardrails and utility relocations on Chancellor Boulevard at the Apollo Waterway. BUDGETED ACTION: The FY09 budget contains \$600,000 for this structure in the Mid Charlotte Stormwater fund. CIP project c390304, Greater Port Charlotte Drainage Control Structure Replacement. The project total is \$35,720,000. Funding is supplied from the Mid Charlotte Stormwater MSBU.

M. Human Resources

(1) RECOMMENDED ACTION: Approve a new layoff policy for Exempt and Non-Exempt Non-bargaining employees. This policy eliminates and replaces Article 9, Sections 5 through 9, of the Employment Rules of Charlotte County. BUDGETED ACTION: None

(2) RECOMMENDED ACTION: Approve the offer of a voluntary Early Separation Incentive Program which allows employees to choose from three incentive options. It is also requested that the Board authorize the County Administrator's designee to execute the individual voluntary "Agreement and Release" with employees wishing to participate in the Early Separation Incentive Program and to sever employment as agreed. Employees shall have 45 calendar days (instead of 30) to consider the offer with the deadline being extended from June 1st to June 15th. The separation date will remain at no later than September 1st. Eligibility requirements are changed so as to provide as follows: A. Eligibility: Any employee who (1) is age 60 or is older and has at least six (6) years of service with Charlotte County by the separation date or (2) at any age has at least 20 years of service with Charlotte County on or before the separation date. BUDGETED ACTION: If approved, funding will be obtained from employees' home department accounts. Savings will vary based on the level of employee participation, however, based on the results of the previous offering, first-year savings in excess of \$500,000 is anticipated, with future years' savings in excess of one million dollars annually.

Commissioner Starr requested that agenda items M-2 and M-3 be combined; commented on anticipated savings; indicated we will be at a 2004-2005 staffing level and is confident the same level of service will be provided as before; and commended staff and administration for an outstanding job.

COMMISSIONER SKIDMORE MOVED TO APPROVE AGENDA ITEMS M-2 AND M-3, SECONDED BY COMMISSIONER LOFTUS.

MOTION CARRIED 4:1. COMMISSIONER CUMMINGS OPPOSING.

Commissioner Cummings clarified his opposition is to agenda item M-3, not agenda item M-2.

(3) **RECOMMENDED ACTION:** Approval of elimination of 43 full-time and 6 part-time positions that are vacant but currently funded. Elimination of these vacant positions will result in an annualized savings in excess of 2.4 million dollars in salaries and benefits impacting various funds. Staffing levels will be reduced to a level between Fiscal Years 03/04 and 04/05. **BUDGETED ACTION:** None. Savings from these eliminated vacant positions will be realized in the following funds: Public Safety Fund, General Fund, Transportation Trust Fund, Environmental Lands Fund, Fire/Rescue Fund, Landfill Fund, Utility Systems-CCU Operating Fund, Vehicle Maintenance Fund.

N. Human Services - No items.

P. Information Technology - No items.

Q. Parks, Recreation and Cultural Resources

(1) **RECOMMENDED ACTION:** Set a Public Hearing for Tuesday May 12, 2009 at 10 a.m. adopting an ordinance amending Ordinance 86-61 allowing for Mobile Concessions at County Parks. The current Ordinance prohibits such activity in the parks and therefore a change to the Ordinance is necessary. **BUDGETED ACTION:** Budgeted Revenue \$70,000, funding comes from concession revenue. Funding comes from concession revenue.

R. Public Safety - No Items.

S. Public Works

(1) **RECOMMENDED ACTION:** Approve and authorize the Chair to sign Amendment 3 of the Florida Department of Environmental Protection (FDEP) Grant Agreement #07CH1 for Knight Island Monitoring for erosion control. **BUDGETED ACTION:** The FY09 budget contains \$300,000 for this agreement in CIP project c390901,

Knight Island Monitoring. Funding for Charlotte County's match is supplied from the Stump Pass MSBU/TU.

Amendment No. 3 to Grant 2007-041

(2) **RECOMMENDED ACTION:** Approve a Transportation Post-Project Maintenance Agreement (Agreement) with the Florida Department of Transportation (FDOT) through the American Recovery and Reinvestment Act of 2009 for federal participation in the Amberjack Cove bridge culvert replacement on Cape Haze Drive bridge, and approve a Resolution, authorizing the BCC Chair to execute the Agreement. **BUDGETED ACTION:** None, maintenance of the new bridge will be from the Placida Streets and Drainage MSBU.

Agreement 2009-031 and Resolution 2009-192

(3) **RECOMMENDED ACTION:** Approve and authorize the Chair to sign a Resolution and amended Settlement Agreement with Florida Department of Transportation (FDOT) for the US 41 Charlotte Harbor Gateway - Landscaping project. **BUDGETED ACTION:** Funding for the landscaping project was supplied from the Charlotte County Redevelopment fund. A total of \$472,466 has been spent in project c1090802, Charlotte Harbor Gateway. This revenue will go to the Charlotte County Redevelopment fund.

Agreement 2009-023 and Resolution 2009-197

(4) **RECOMMENDED ACTION:** Approve a Transportation Post Project Maintenance Agreement (Agreement) with the Florida Department of Transportation (FDOT) through the American Recovery and Reinvestment Act for 2009 for a local stimulus project: construction of a left-turn lane on Murdock Circle at US 41, and approve a Resolution authorizing the BCC Chair to execute the Agreement. **BUDGETED ACTION:** Maintenance of Murdock Circle is budgeted in the Transportation Trust Fund. Funding is supplied from Gas Taxes.

T. Real Estate Services

(1) **RECOMMENDED ACTION:** Approve the attached Resolution authorizing the Chair to execute the Agreement for Purchase and Sale of Real Property, described as Lot 587, Rotonda West Pine Valley Subdivision for the expansion and rehabilitation of an

existing lift station. BUDGETED ACTION: None, funding is provided in the Utilities Connection Fee Fund.

Resolution 2009-194

V. Tourism Development - No items.

W. Utilities - No items.

X. Building & Construction Services - No items.

Y. Other Agencies - No items.

V. REGULAR AGENDA

Z. Regular Agenda

(2) Budget - RECOMMENDED ACTION: Adopt a resolution which accepts the Marine Advisory Committee (MAC) recommendations for West Coast Inland Navigation District (WCIND) and Boater Fund (BIF) expenditures for the 2009-2010 fiscal year in the amount of \$1,215,000.

Ray Sandrock advised this item is to adopt a Resolution which accepts the Marine Advisory Committee (MAC) recommendations for the West Coast Inland Navigation District (WCIND) and the Boater Improvement Fund (BIF) expenditures for the FY 09/10 in the amount of \$1,215,000. **Commissioner Loftus** stated that we have waited five years for the Spring Lake Boat Ramp restrooms; that the slab is poured and it is shovel-ready; requested that the Spring Lake restroom project be transferred to FY08/09 and that alternative, more cost-effective, efficient restroom facilities be looked at in the project; and that the City of Punta Gorda day dock project be postponed to FY09/10, but paid for immediately from the FY09/10 budget.

COMMISSIONER LOFTUS MOVED TO ACCEPT THE RECOMMENDATIONS AND ADD THE SPRING LAKE BATHROOM PROJECT IN THE FY08/09 BUDGET; AND AS AMENDED, ADD THE CITY OF PUNTA GORDA DAY DOCK PROJECT IN THE FY08/09 BUDGET; AND AS AMENDED, WITH THE STIPULATION THAT ADMINISTRATION COME BACK WITH MORE INFORMATION ON WHY ITEM 8, "THE STUDY TO FIND THE BEST WAY TO KEEP BEACH SANDS FROM SHIFTING INTO THE CHANNEL AT CC BEACH PARK/BOAT RAMP AT A COST

OF \$55,000" IS NECESSARY; RESOLUTION 2009-195, SECONDED BY CHAIRMAN DUFFY.

Commissioner Cummings commented on the average distribution of WCIND and BIF funds to the City of Punta Gorda since the year 2000 compared to its percentage of contribution; opined the MAC did a good job with the recommendations; and **MOVED APPROVAL OF THE MARINE ADVISORY COMMITTEE (MAC) RECOMMENDATIONS FOR THE WEST COAST INLAND NAVIGATION DISTRICT(WCIND) AND BOATER IMPROVEMENT FUND (BIF) EXPENDITURES FOR THE 2009-2010 FISCAL YEAR IN THE AMOUNT OF \$1,215,000.** (There was no second to the motion.)

Chairman Duffy inquired if there was sufficient funding to do both projects in the current fiscal year. Mr. Sandrock explained that \$424,718 is the amount available this year to allocate to other projects as shown in agenda item Z-3; that given the balances that exist from a cash flow prospective both projects could be accomplished this year if both lists are approved. **Commissioner Skidmore** clarified this is an accrual-type fund; and emphasized the importance of studying alternative restrooms. **Commissioner Starr** recommended eliminating the \$55,000 funding for the sand study and divert that sum to the bathrooms or another project.

Chairman Duffy acknowledged there are two motions on the floor with no seconds to either; **and seconded Commissioner Loftus' motion.**

Chairman Duffy clarified that **Commissioner Loftus'** motion is to accept the recommendations and add the Spring Lake bathroom project for FY08/09 as well and that **Commissioner Cummings'** motion is to accept the recommendations as proposed without inclusion of the restrooms. **Commissioner Cummings** advised he would withdraw his motion, with the understanding **Commissioner Loftus** would accept as a friendly amendment that his motion is actually to put both the Spring Lake bathroom project and the City of Punta Gorda day dock project in the FY08/09 budget. **Commissioner Loftus** agreed. **Commissioner Cummings** withdrew his motion. **Chairman Duffy** stated her second agrees as well. **Commissioner Starr** asked if there is support to remove the sand study and apply the \$55,000 to another project. **Commissioner Loftus** explained this is the Charlotte Harbor aquatic preserve area and that the State has a major problem with dredging; stated he would like more information before deciding not to

fund that project; and requested the item be brought back to the Board with more information as to why the study is necessary. **Chairman Duffy** agreed. **Commissioner Cummings** indicated before interrupting the time table it should be determined if this is something being done in an effort to get the permit.

Commissioner Cummings opined that before interrupting the time table it should be determined if this is something being done in an effort to get the permit. **Commissioner Skidmore** inquired if it is a permit condition. Marty Simone stated it was not, and explained the purpose of the study. **Commissioner Loftus** pointed out several waterways are affected but that dredging is an issue with FDEP. Mr. Simone advised that six waterways are affected.

Commissioner Loftus opined the budget could be approved with the stipulation for administration to come back with more information on that particular issue; but opined it should not be pulled out right now. **Commissioner Cummings** agreed that is a reasonable compromise, which would allow the Board to continue with the budget. **Chairman Duffy** agreed she supports approval at this time with the stipulation that more information be obtained before the study moves forward. Attorney Knowlton asked if **Commissioner Loftus** wanted to make that an amendment to his motion. **Commissioner Loftus** replied affirmatively. **Chairman Duffy** clarified that the amendment includes bringing more information to the Board before the study moves forward. **Commissioner Loftus** replied affirmatively. **Commissioner Skidmore** clarified that the \$55,000 expenditure will be brought back before the Board; that what is being voted on is the work plan and putting both projects in FY08/09. **Chairman Duffy** replied affirmatively.

MOTION CARRIED 4:1. COMMISSIONER STARR OPPOSING.

Mr. Baltz stated that staff would move forward with the Spring Lake bathroom project; indicated that some of the alternative methods of putting the bathroom in at a reduced cost would be inconsistent with rules established for that neighborhood; that past practice is to apply the same rules to the County as applies to everyone else in the neighborhood; and that unless the Board clearly advises otherwise the direction staff would take is not to move away from the rules the County has applied. **Commissioner Cummings** indicated it is not fair to exempt the County for the codes when the citizens cannot be exempt. Mr.

Baltz provided additional comments on filtration alternatives. Commissioner Loftus commented on mandates. **Commissioner Starr** stated he would not want the County to deviate from the rules; but to make it as economical as possible.

(3) Budget - **RECOMMENDED ACTION:** Adopt a resolution which accepts the Marine Advisory Committee (MAC) recommendations for West Coast Inland Navigation District (WCIND) and Boater Improvement Fund (BIF) expenditures for the 2008-2009 fiscal year in the amount of \$424,718.

Mr. Sandrock provided detail related to agenda item Z-3 that paralleled the goldenrod.

COMMISSIONER CUMMINGS MOVED TO APPROVE RESOLUTION 2009-196 ADOPTING THE MARINE ADVISORY COMMITTEE (MAC) RECOMMENDATIONS FOR WEST COAST INLAND NAVIGATION DISTRICT (WCIND) AND BOATER IMPROVEMENT FUND (BIF) EXPENDITURES FOR THE 2008-2009 FISCAL YEAR IN THE AMOUNT OF \$424,718, AND WITH ALL CONDITIONS THAT APPLY TO AGENDA ITEM Z-2 (ADD THE SPRING LAKE BATHROOM PROJECT AND CITY OF PUNTA GORDA DAY DOCK PROJECT IN THE FY08/09 BUDGET, WITH THE STIPULATION THAT ADMINISTRATION COME BACK WITH MORE INFORMATION ON WHY ITEM 8, "THE STUDY TO FIND THE BEST WAY TO KEEP BEACH SANDS FROM SHIFTING INTO THE CHANNEL AT CC BEACH PARK/BOAT RAMP AT A COST OF \$55,000" IS NECESSARY, SECONDED BY COMMISSIONER SKIDMORE.

MOTION CARRIED 4:1. COMMISSIONER STARR OPPOSING.

(4) Purchasing - **RECOMMENDED ACTION:** a) Approve the award of Bid #09-159 Grounds Maintenance - Annual Contract to the overall lowest responsive, responsible bidder, Excavation Etc., Inc. of Punta Gorda, Florida, as negotiated for a total cost of \$104,835.44; and b) Authorize the County Administrator to approve renewal options up to two (2) additional one-year terms at the same prices, terms and conditions, by mutual consent. This project is to secure the services of a qualified Contractor to care for and maintain the grounds of multiple County locations at a level acceptable to the County.

Kim Corbett explained detail related to agenda item Z-4 that paralleled the goldenrod and packet material furnished.

COMMISSIONER SKIDMORE MOVED TO APPROVE AGENDA ITEM Z-4, SECONDED BY COMMISSIONER LOFTUS

Commissioner Starr complimented Ms. Corbett and her staff for a good job. **Commissioner Cummings** agreed; commented on complaints received about grounds maintenance on County-owned facilities; and stated he hopes County-owned facilities will be maintained to the standards adopted by our community.

MOTION CARRIED 5:0.

Mr. Baltz advised that similar reductions are being seen in other type mowing done such as lift stations and lot mowing done by Building Construction Services for different processes.

(5) Purchasing - RECOMMENDED ACTION: Approve Award File #09-042, Work Order #7, Contract #08-007, Potable Water Distribution Model - Update, of Jones Edmunds & Associates, Inc., of Tampa, Florida, in the total not-to-exceed amount of \$219,190. This Work Order is for services to be rendered in the calibration of pressures/flows of existing pipelines and update the Water Distribution System Model with new pipelines/ appurtenances installed since 2004 and coming online in Central and West Charlotte County from the completion of new MSBU's and line extensions.

Ms. Corbett reviewed the goldenrod and packet material explaining detail related to agenda item Z-5; advised that staff has addressed questions raised by the Board on March 24, 2009; and that there is information shown on the goldenrod regarding the EPAnet software that is used by the City of Detroit.

COMMISSIONER LOFTUS MOVED TO APPROVE AGENDA ITEM Z-5, SECONDED BY COMMISSIONER CUMMINGS.

Commissioner Starr provided background information; stated his understanding is this will show where the weaknesses are in the system; that if they are engineered properly there should be no problems in the system; that if there are enough problems we need to spend \$219,000 each time to pinpoint them with modeling we need to look at how we engineer our systems; and that he is opposed to approval of this expenditure.

Chairman Duffy asked what was to be told to the South Gulf Cove residents who are unable to get sewers until the modeling is done as required by the Florida Department of Environmental Protection (FDEP). **Commissioner Starr** stated he does not know it is "fact" that DEP will not allow sewers to be put in before the modeling is done, but if it is the rule needs to be changed or the engineer should take care of it; indicated that the engineering fees for these systems are very high; and that if the system must be modeled because it is not working properly there is a problem with the way we do our engineering.

Commissioner Loftus indicated the system is over 50 years old; that we have incorporated several additional utilities, all designed differently, into the one utility; that the software would provide information needed in many areas; and stated that he is in full support of the item.

Commissioner Starr opined expenses such as this and the way the Peace River/Manasota Water Authority runs things is why Charlotte County has such high water rates. **Commissioner Loftus** stated Charlotte County has high water rates because it paid twice as much for the utility as it should have at the beginning. **Commissioner Cummings** stated this \$219,000 expenditure is one he wished the Board had made and had in place a year or two ago before signing the Agreement with the Peace River Plant; and provided background related to the pipeline extension.

MOTION CARRIED 3:2. COMMISSIONER STARR, COMMISSIONER SKIDMORE OPPOSING.

RECESS 10:00 AM - 10:12 AM

(Commissioner Cummings not present for this portion of the meeting)

VI. PUBLIC HEARING AGENDA - 10:00 A.M.

(1) Public Works - **RECOMMENDED ACTION:** Request the Board conduct a public hearing at 10:00 a.m., or as soon thereafter as may be heard, to consider approving an Ordinance amending the speed limit on Veterans Boulevard from US 41 to Kings Highway. The proposed speed limit is 45 mph from US 41 to Cochran Boulevard, 55 mph from Cochran Boulevard to Loveland Boulevard, 45 mph from

Loveland Boulevard to .7 miles southeast and then 35 mph southeast to Kings Highway.

Dan Quick explained that this item is to gain approval to increase the speed limit on Veterans Boulevard from 45 mph to 55 mph from Cochran Boulevard to Loveland Boulevard, and from 30 mph to 35 mph in and around the intersection of Veterans Boulevard and Kings Highway.

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

MOTION CARRIED 4:0.

Commissioner Skidmore asked if this was one of two public hearings. Mr. Quick advised this is the only public hearing required. **Chairman Duffy** stated she has received no feedback from the community on this issue. **Commissioner Loftus** advised all feedback he received was positive.

COMMISSIONER LOFTUS MOVED TO APPROVE ORDINANCE 2009-018, SECONDED BY COMMISSIONER SKIDMORE.

MOTION CARRIED 4:0.

Mr. Baltz explained there were some FDOT landscaping regulations to be met in dealing with the speed limit issue and that staff would move forward accordingly.

VIII. PUBLIC WORKSHOP AGENDA - No items.

IX. BOARD WORKSHOP AGENDA - No items.

X. CITIZEN INPUT - ANY SUBJECT

Chairman Duffy said was certain there were citizens here to speak at this time but that they had stepped outside. **Commissioner Skidmore** advised that he directed them to the Public Works Director about the issue they were here to speak on as he would be able to resolve their issue.

AA. County Administrator:

Mr. Baltz stated that **Commissioner Loftus** has been involved in a project for the possible use of Charlotte County's 36" water pipeline on a temporary basis by the City of North Port; explained detail of the request; and indicated that we have stated that Charlotte County is willing to help where possible and listen to proposals if it is not detrimental in any way to our customers or system, if it gives us complete flexibility to have the water we need when we want it, and that we are fairly compensated.

Mr. Baltz commented on the terms of the agreement that are in draft form; pointed out that North Port is not proposing to purchase any of Charlotte County's existing allocation of water, just use a portion of the pipeline to move more water through; explained we use a firm called PRMG and a well respected rate consultant, Henry Thomas, in helping determine these type issues, calculations in determining hydraulic capacity, and appropriate charges; that we are in complete control of what needs to be done; that we can be sympathetic to North Port's needs and try to work out a generous arrangement, or go the other direction; that the issue right now is the method by which we would charge North Port for the hydraulic capacity they would use in the 36" pipeline; noted potential options, methodologies, and costs; indicated Charlotte County Utilities (CCU) Interim Director Terri Kesner would present some slides that give a more systematic rundown; and requested feedback and direction from the Board.

(Commissioner Cummings was present for the remainder of the meeting.)

Commissioner Loftus indicated we do not want to be hard-nose or be taken advantage of but need to look at the matter in a business-like manner; stated that we need to treat our neighbors as fairly as we would want to be treated; and proposed that a middle-of-the road charge be recommended to move forward with. **Commissioner Cummings** stated that signatures of North Port, Charlotte County and the Water Authority are required; and requested clarification that Mr. Baltz' impression is that the Water Authority wants the higher figure used. Mr. Baltz said that was his impression from the meeting as an alternative methodology; opined that was based on an impression that Charlotte County wants to be certain it is treated fairly and receive full compensation in any of the arrangements done with

the Water Authority; indicated that Mr. Lehman was present and could address it if he wished.

Commissioner Cummings stated there are reasonable arguments on all three scenarios; indicated he is inclined to be generous with North Port because they have consistently been good neighbors to us in the past; but that may depend on the position the Water Authority intends to take. **Commissioner Cummings** opined that the Water Authority is asking us to take this position on the basis of regionalism; recalled that DeSoto County has a contract with a private utility to provide water services in Charlotte County, which is not consistent with our program for regionalism and that he would expect the Water Authority to address that issue; and that we should take the compromise position of asking the Water Authority to address the issue with DeSoto County in exchange. **Commissioner Starr** stated Charlotte County has a substantial amount invested in our water system; that this is an opportunity to receive some return on our investment; and that he has no problem going to the high side.

Chairman Duffy clarified that **Commissioner Loftus'** recommendation is to go with Charlotte County staff's methodology. **Commissioner Loftus** replied affirmatively; agreed that the interconnect with Sun Valley where it comes into Charlotte County needs to be resolved; indicated he has spoken to Mr. Lehman and understands that is being worked on; and that the two agreements are to come before the Board at the same time. Attorney Knowlton stated that her understanding is that there are three contracts that would be brought back at the same time. **Chairman Duffy** agreed that North Port has assisted Charlotte County in time of need and that the charge should be fair and reasonable; and agreed with our staff recommendations.

Mr. Baltz stated that Charlotte County has worked for many years to have the appropriate infrastructure in place to take care of its needs; that unless he hears otherwise staff would move forward to work out a middle-of-the road compromise, but that the emphasis must be on not jeopardizing in any way the good strategies Charlotte County has utilized for infrastructure for our utilities; that when we need the water it will be available to us and that we are compensated fairly. Mr. Baltz advised that the Board could require the maximum hydraulic capacity, but that unless advised otherwise staff would look at allowing North Port

to incrementally step up the amount of hydraulic capacity each year; but pointed out it is absolutely critical that if North Port needs a delivery system they should take care of that for themselves and get that into place. **Commissioner Loftus** stated that a three year agreement is being proposed and that North Port should have their line in place by 2012.

Commissioner Skidmore stated he is pleased to recoup on our infrastructure investment, but asked if North Port had confirmed the need. Mr. Baltz commented on usage patterns and indicated North Port was requested to re-evaluate to determine if this is something that actually needs to be done. **Commissioner Cummings** stated there is no harm done if North Port determines it does not need the capacity and backs out of the agreement; recalled that North Port's help to Charlotte County preceded hurricane Charley where at least one year North Port forewent any of its water from the plant for an entire year and still paid its full allocation to be certain Charlotte County had drinking water and never asked for compensation for the whole year; and opined that was stepping up to the plate.

Mr. Baltz stated that **Commissioner Starr**, he, and staff have looked into pros, cons, and ramifications of allowing primitive camping in different locations throughout Charlotte County, with an attempt to come up with scenarios of locations and basic cost estimates of what is required to offer that type of amenity here in Charlotte County. **Commissioner Cummings** opined this should be a properly run facility with a Ranger there most of the time and fundamental amenities such as picnic tables, bathrooms, showers and fire pits; that the most promising site of any size is the Tippicanoe property; and commented on other types of amenities that may be wanted for that type use. **Chairman Duffy** agreed it would be great for our citizens; and noted concerns at the Beach Complex, partly because of lack of law enforcement. **Commissioner Starr** indicated it could be done without spending a huge capital investment; that it could be affordable, fun for families, and a possible source of revenue; and recommended doing a test on a few sights. **Commissioner Cummings** advised that there is permitted camping at the Cecil Webb area; recalled that during the Babcock negotiations one of the discussions was allowing camping on the preserve, which may still be considered; cautioned on the use of areas that have close neighbors; and agreed it would be nice addition to Charlotte County's eco-tourism package.

Commissioner Cummings stated from his conversations with staff the demand is not there; that there is a large cost involved even for primitive camping; commented on lack of law enforcement; and indicated he does not see this as a revenue producing element and is opposed to taking any funds from the General Fund to subsidize this. **Commissioner Loftus** agreed with Commissioner Skidmore; and indicated the County is not in a position at this time to give this matter consideration. **Commissioner Cummings** indicated if the Board does not believe the funds are there now, there will not be more money later in this economic time.

BB. County Attorney:

Attorney Knowlton pointed out that several months ago Charlotte County joined with Lee County on the Ona Mine litigation to file a motion for re-hearing or re-consideration with the Second District Court of Appeals (DCA); that the Second DCA denied our motion; that the only place to go at this point is if the Board wants to seek review with the Florida Supreme Court (FSC); that it is totally discretionary for the FSC to take the matter up; and that she understands the Lee County Board has elected not to move forward.

COMMISSIONER LOFTUS MOVED TO NOT MOVE FORWARD WITH THE ONA MINE LITIGATION APPEAL, SECONDED BY COMMISSIONER STARR.

MOTION CARRIED 4:1. COMMISSIONER CUMMINGS OPPOSING.

CC. Commissioner Comments:

Chairman Duffy advised that Jeff Ruggieri asked if the Board would like a workshop on Solar Energy. **Commissioner Starr** stated he would be interested but not until after the budget hearings. (Consensus)

RECESS 10:50 - 2:00 PM

VII. PRESENTATION AGENDA - 2:00 P.M.

- (1) Utilities - RECOMMENDED ACTION: Updated status of the Babcock Water Use Permit.

Terri Kesner, Charlotte County Utilities Interim Director, provided the Babcock Ranch Water Use Permit Update presentation which paralleled visual slides and packet information.

Ms. Kesner advised that approximately 96% of the County's potable water is purchased from the Peace River Water Authority and the other 4% is produced at the County's Burnt Store Reverse Osmosis Water Treatment Facility; discussed Babcock Ranch Agreements, proposed well fields, and detail related to Water Use Permit Efforts to date; noted South Florida Water Management District (SFWMD) Request for Additional Information (RAI) Outstanding Items and WUP Effort Expenditures; pointed out Pipeline Route Alternatives and reviewed Comparison of Supply Alternatives line items. Ms. Kesner commented on future expectations, provided deadline and timeline information, commented on recent options discussed at the request of MSKP III, Inc. (Kitson & Partners)(Kitson); indicated if we do not pursue the action plan that was given to us in February and if we are not granted another twelve month extension SFWMD, per State Statute, has the right to reject the permit application and we must start over again; indicated we have had discussion with Kitson and Partners that if Charlotte County had to start over again who would pay the bill; and advised that Mr. Baltz could speak to that issue.

Mr. Baltz discussed water concepts and strategies being pursued and provided detail of the history; indicated we are pursuing three different strategies with full understanding it will be a long process and that some decision points would be reached along the way about what is most economically feasible to do by being fully engaged in a partnership with the Peace River Water Authority, working with a Reverse Osmosis (RO) siting study and identifying potential sites, and entering into an agreement as part of the entire Babcock megadeal which allowed Charlotte County to apply for permits to pull water from the Babcock Ranch. Mr. Baltz advised that a little over \$600,000 has been expended so far; that we would like some certainty that for another \$300,000 we would obtain a permit from SFWMD, but that is not certain; that a plan is in place that we believe will get us there but that will depend on the regulatory agency of the water management districts; and pointed out our contractual obligation is that when the permit is obtained we are to reimburse Kitson and Partners.

Commissioner Loftus said he has concerns with the pipeline and lack of certainty of getting the permit; and asked what the length was of the pipeline that would tie into our facilities. Ms. Kesner advised the pipeline is twenty two miles. **Commissioner Loftus** commented on his concerns with total cost, operating and maintenance (O & M) costs, and delivery of the water twenty two miles; and opined we should be looking at increasing the capacity of the Punta Gorda plant and working out something with Punta Gorda. Ms. Kesner advised that conversations with the City of Punta Gorda are open and on-going. Bruce Bullert explained he used recent cost information from bids to develop cost estimates; that it is a twenty mile raw waterline to get water from the Babcock well field to the plant itself; indicated all anticipated costs for this project are included; that some adjustment has been made for inflation; and opined it is a reasonable number. **Commissioner Loftus** indicated these are current prices; that the prices will go up; and this is not the proper way to go. Mr. Baltz explained these are only estimates; that there is no current demand for Charlotte County; that we are talking fifteen years out; that Kitson and Partners is paying the costs now; and that the County will reimburse Kitson and Partners later. **Commissioner Cummings** advised how the inflation factor works and explained the projection; commented on the increment, cost per gallon, and affects of the approach. Mr. Bullert responded to **Commissioner Cummings'** comments.

Commissioner Loftus noted his understanding is that an increase in the energy cost was factored in, but that the capital costs were today's prices, and that concerns him. Mr. Bullert advised that he took all costs and included a 5.7% annualized inflation rate figure for capital and O & M costs. **Chairman Duffy** expressed concern that we are unable to provide water to our residents south of the Peace River; pointed out that per terms of the contract water from Babcock cannot leave Charlotte County; commented on lowered expectations for demand due to economy; opined eventually the growth in Charlotte County will be such that we need Babcock Ranch; that she is pleased to have alternatives available; and that she supports continuing with the permitting process.

Chairman Duffy indicated she was initially in favor of requesting the extension, but understands that is not a good

option unless we start doing the wells, and asked if these are test wells. Ms. Kesner explained they are monitoring wells, not test wells; that Kitson and Partners have provided data from work already done; that we can use that to help support our position, but cannot piggyback on it. **Commissioner Cummings** commented on options available and inquired about consequences. Ms. Kesner explained if we stop we will probably not be allowed to continue with our current permit application because we would not have put forth enough good faith effort to respond to the request for additional information to satisfy SFWMD. Ms. Kesner responded to **Commissioner Cummings'** clarifications to terms of the contract and permit conditions.

Tom Denahy provided background related to the permitting, commented on costs to date, economic challenges, past conversations with staff, and options and costs. Mr. Denahy said Kitson and Partners support moving ahead; indicated the idea of the County having a backup permit satisfies **Chairman Duffy's** concern of having alternatives; that spending another \$300,000 over the \$700,000 that has already been spent if done within a reasonable timeframe would get to a point of having a permit in hand, which could possibly be transferred at a later date to a regular permit; and commended the County for thinking long term. Mr. Denahy explained that they are rolling the dice a little in that policies and people change and that there are no certainties; but indicated they are supportive of staying the course. **Commissioner Cummings** said his impression is that it was one of the suggested alternatives from Kitson and Partners that we delay contractual activity on permit process; that were we to say we do not want to keep working on this anymore and they would not get full reimbursement as a consequence; and why he is curious whether or not this was a request from Kitson's point with room for discussion on what that reimbursement would be. Mr. Denahy explained they would be open to discussion but if there was to be a shift they would look to being reimbursed for what has been invested to date based on the shift in direction. **Commissioner Cummings** questioned that a backup permit would meet the criteria described in the contract. Mr. Denahy opined it does; indicated that from a dollar expenditure it costs more because of the shift and need for things to be done differently because of a change in the scope of work. **Commissioner Cummings** opined that looking at something that seemed to be less than originally envisioned would beg the question if there is cause for any difference in reimbursement level. Mr. Denahy said they

had concerns when they heard it was a backup versus the regular permit, but that in speaking with their consultants it appears long term it would put the County in a position where at a later time it is easier to justify getting a regular full permit.

Commissioner Skidmore inquired if the delay requires us to update the feasibility study shown on slide 9 due to rule changes. Mr. Kesner explained that rules and regulations change every year. **Commissioner Skidmore** stated it is important to be aware of unexpected costs that may occur. **Commissioner Loftus** agreed. **Chairman Duffy** requested clarification of the extension and that we would be required to start digging the test wells. Ms. Kesner explained they are looking for substantial completion; reviewed slide seven in more detail; commented on items that could be done internally with minimal outside assistance versus items that must be done by outside assistance; clarified that this must be done by January 2010 with our current extension; opined we would need to have at least some designs in place to demonstrate intent to SFWMD; indicated the estimated cost to complete the permitting effort is \$300,575, which includes approximately \$250,000 for construction of the well and approximately \$50,000 for the engineering effort.

Commissioner Loftus questioned the cost of the five and ten year capital; commented on mandates; indicated we need to look at water and sewer in totality; opined there needs to be a workshop; and stated he could not support moving forward today. Ms. Kesner advised that that the total cost estimate is \$161M, fifteen or twenty years out; and that for the fifth year out in the CIP (2014) we have put in a place holder of approximately \$2.5M to kick off preliminary engineering study. **Commissioner Loftus** said we need to be concerned of the cost to the consumer and where the money will come from; and that he needs that laid out before he makes any commitment. **Commissioner Starr** stated \$700,000 has already been invested and we should continue. **Commissioner Loftus** opined everything should be looked at in totality.

Commissioner Skidmore asked if there are revenue opportunities available in the five year plan. Ms. Kesner stated there are options depending on the Board's direction; and commented on future development and growth and possibly selling water to the City of Punta Gorda. **Commissioner Skidmore** asked if there had been discussions with the City of Punta Gorda. Ms. Kesner

advised that discussions have been ongoing for about a year and a half; and that she has been able to obtain that the City would be very interested in sharing an opportunity. **Chairman Duffy** pointed out that the City of Punta Gorda currently has plenty of water. Ms. Kesner explained that the City was looking for a solution to their water quality problem. **Commissioner Cummings** stated the question before the Board today is what do we do in regards to this permit; reviewed options available; and indicated if we are going to full reimbursement and our attorney tells us that the backup permit meets the contractual conditions he would accept that. **Commissioner Cummings** explained we are required to put future expenditures in our CIP and if five years down the line the Board decides this is not worth the expenditure the penalty is the permit is taken away; and indicated if he is spending \$700,000, he wants to spend the last \$300,000 and get a permit; and that he wants it to be our permit and our plant and not rely on outside entities. **Commissioner Cummings** indicated that assuming there is no opportunity to talk about what the level of reimbursement is he would not go along with delaying the contractual activity because he does not want to find out he is waiving rights and end up having to reimburse Kitson for no permit; and stated he is willing to go along with the additional twelve month extension if all conditions have been met and we do not have to do the reimbursement earlier; indicated he wants to continue with the pursuit of the water use permit and if we can find a way to draw out the time line that would be a positive; that the only exception is if there is some consideration on the part of Kitson and Partners for the level of reimbursement he would be willing to look at other options if it would cost less money; and stated that \$700,000 for nothing versus \$1M for a potential future water supply of 13 mgd, that he would hang on to the potential. **Chairman Duffy** agreed.

Mr. Baltz pointed out there are various options and there will be decision points to consider as time goes on; that the conversation today is if the Board wants to continue; and that the cost is a little of \$300,000. Mr. Baltz addressed **Commissioner Loftus'** questions related to wastewater and commented on property owner assessments. **Commissioner Loftus** expressed concern that Board's decision today would be placed on the rate holders as they are today; and indicated the Board should have incremental costs today. **Chairman Duffy** said the Board needs to provide direction. Chuck DeSanti clarified Kitson & Partners position with respect to the delay as sighted on the

presentation; commented on the twelve month extension; and indicated that in all good faith if the permit is obtained Kitson and Partners would expect to be reimbursed without artificial delays.

Attorney Knowlton commented on discussions with Kitson and Partners on the extension and dispute concerns that could arise; commented on contract language; and clarified reimbursement of the permit. **Commissioner Cummings** spoke further related to the permit; and stated he does not want to spend \$700,000 for an empty hand. (**Discussion ensued on proposed costs.**)

Commissioner Cummings asked what the total project cost was. Mr. Baltz said it is over \$120M. Ms. Kesner noted grant funding would also be considered. **Commissioner Cummings** requested detail related to the backup permit. Ms. Kesner commented on SFWMD conversations, variances, taking of water from the Englewood Water District; stated that SFWMD noted Charlotte County has a permitable need for a backup water supply; and that the permit may be just for a backup supply temporarily until demand in Charlotte County is substantial enough to need it all the time. **Commissioner Cummings** said that needs further thought; that flexibility is needed in the event we choose to begin shifting reliance toward Babcock deliberately. Ms. Kesner commented on discussions that have occurred regarding that matter. Ms. Kesner indicated if we do not make the January 14, 2010 deadline the County may need to start over; and that if we do nothing more than what has been done to date an extension would not be granted because there must be substantial completion of the wells. **Commissioner Cummings** stated he has always been skeptical that this project would work from a cash flow standpoint and that it would be cheaper to do Burnt Store; opined this is not an urgent item if we can get to the point of getting the extension; that he is not in a hurry to get it done this afternoon or reimbursement Kitson and Partners; stated before getting to the point of talking about building this we need to do a careful evaluation of our other options; stated he likes the idea of partnering with the City of Punta Gorda and inquired if the City of Punta Gorda had an Reverse Osmosis (RO) plant. Ms. Kesner advised the City of Punta Gorda does not have an RO plant but has begun ground water exploration on their own; and commented on discussions with the City of Punta Gorda.

COMMISSIONER CUMMINGS MOVED TO GIVE STAFF DIRECTION TO CONTINUE WITH PURSUIT OF THE WATER PERMIT AS PLANNED AND PER THE CONTRACT AND ALLOW STAFF AND THE COUNTY ATTORNEY'S OFFICE TO EXPLORE THE POSSIBILITY OF AN ADDITIONAL TWELVE MONTH EXTENSION, SHOULD PERMITTING CONDITIONS ALLOW, SECONDED BY COMMISSIONER STARR.

Commissioner Cummings stated he would like some reassurance that the backup permit would meet the criteria and that there is crystal clear understanding of what that means; but pointed out the motion still stands. **Commissioner Skidmore** asked if there was need to make a decision or if the item could be placed on the May 12, 2009 agenda. **Commissioner Cummings** stated there is no cost for staff to continue working on this, but if the Attorney advises this does not meet the criteria then the contract conditions have not been met and we do not owe anything. **Chairman Duffy** stated she shares **Commissioner Loftus'** concerns, but opined we should move forward now. **Commissioner Skidmore** said he is uneasy with deciding now and expressed frustration with a rushed decision. **Commissioner Cummings** advised the sewer and water supply would be funded differently; commented on comparisons; indicated this is a different decision; and that we need to move forward with this decision and then look at which option we will go with later. **Commissioner Skidmore** said he would like to bring the pieces all together.

Commissioner Loftus stated he is disappointed with not having all the facts and what the increase will be for the current rate payers. Mr. Baltz asked how many more years our rate study covered and if the rate study included the \$1M anticipated to be reimbursed to Kitson and Partners in 2010. Ms. Kesner stated the rate study is through 2011 and that it did not include the reimbursement to Kitson and Partners. Mr. Baltz clarified that the cost to the rate payers would be the \$1M of reimbursement for now. Ms. Kesner replied affirmatively. Mr. Baltz stated that staff would move forward with a new rate study upon expiration of the current document we have for our utility system, which would incorporate decisions made by the Board up to the time; and commented on past practice of how we adequately factor in what the cost to our customers will be in the future. **Commissioner Cummings** asked how many water customers there are. Ms. Kesner replied about 55,000; and indicated that even though the \$1M was not included in the rate study some monies saved on expenditures freed themselves up and even though it was not set

aside for reimbursement for Kitson that \$1M has already been spent at another place and there is no additional cost to the rate payers other than what has already been configured. **Commissioner Cummings** stated the conversation on the table today is if we spend \$300,000 to try to realize the benefit of the application; and that with 55,000 customers it is \$5.45 total cost per customer of this decision today; and that other decisions will be made at a later point in time. **Commissioner Starr** opined this is more worthy than other items that were approved today. **Commissioner Loftus** agreed we need to move forward; but expressed concern that clear information is not always received from Utilities. **Chairman Duffy** stated she supports the motion to move forward; and indicated she would like to see the CIP numbers as soon as possible.

MOTION CARRIED 4:1. COMMISSIONER LOFTUS OPPOSING.

ADJOURNED: 3:38 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**

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