

BOARD OF COUNTY COMMISSIONERS

MAY 19, 2009

A regular meeting of the Board of County Commissioner was held at the Murdock Administration Complex in Room 119, Port Charlotte, Florida. The following members were present: Chairman Duffy, Commissioner Cummings, Commissioner Loftus, Commissioner Starr, and Commissioner Skidmore. Also in attendance were County Administrator Baltz, County Attorney Browne, and Minutes Supervisor Nice. The following members were absent: None. The meeting was called to order at **9:00 AM**.

Invocation was given by **Chairman Duffy** followed by the Pledge of Allegiance.

Changes to the Agenda:

Addition #1: Z-4 - Requested by CCU - Authorize staff to move forward to apply for Florida Department of Environmental Protection (FDEP) Grant (USEPA Sec 319 of the Federal Clean Water Act) to implement projects to reduce nonpoint sources of pollution (NPS).

Change #1: IX (2) Board Workshop - Requested by Growth Management - Staff seeks Board direction about key policy issues related to the revised Natural Resources and Coastal Planning Element, now divided into the Natural Resources Element and (~~Coastal Management Element~~). Coastal Element part of the presentation is going to have to be rescheduled for another day.

**COMMISSIONER LOFTUS MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER SKIDMORE.
Motion Carried 5:0.**

Proclamations - No Items.

Employee Recognition - No Items.

Award Presentations - No Items.

I. CITIZEN INPUT - AGENDA ITEMS ONLY

Michael Hirst commented on Agenda Item Z-3, Request by the Charlotte County Homeless Coalition for \$85,000 in total for operational funds to get them through to September 2009 (\$10,000 was granted on May 12, 2009), by suggesting the Coalition be considered as a vital service instead of a charity that needs the County's assistance and requested the Board's continued financial support.

Rebecca Stepro commented in support of Agenda Item Z-3 by requesting the Board provide the full \$85,000.

James Marshall, a member of the Planning & Zoning Board and Historical Advisory Committee, commented in support of Agenda Item Z-3 by relating his first-hand experience in providing food for the Homeless Coalition and urged the Board to approve the funding request.

Rachel Struebing indicated support of Agenda Item Z-3 to provide funds to the Homeless Coalition that is very much needed; pointed out the Bread of Life Mission use to be the only place for homeless persons; and now there are several facilities that have been constructed with the help of the Homeless Coalition.

Skip Struch expressed support of Agenda Item Z-3 by asking the Board to show grace and compassion for the Homeless Coalition and other non-profits.

Harry Lawton, a recent Homeless Coalition client, commented in support of Agenda Item Z-3, stated he has lived in Charlotte County for 15 years and he has never seen the economic situation this bad, and encouraged the Board's support.

Marvin Menditz stated the Homeless Coalition is asking for a lot of money under Agenda Item Z-3 but he views this not-for-profit as out sourcing since they can do the job better than County government, everyone is suffering but some more than others, and requested the Board provide the requested funding even if accountability standards need to be imposed.

Margaret Bogardus expressed support for Agenda Item Z-3 by stating the Homeless Coalition is vital and important to the

people of Charlotte County; invited everyone to volunteer time to the Homeless Coalition because she has found it very rewarding; and encouraged the Board's support.

Michelle Contee with her young son, appeared on behalf of the Contee family regarding Agenda Item Z-3, stated her husband could not attend, requested the Board to seek God's solution for the homeless and respect and share God's word with the people of Charlotte County.

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 "mechanical contractor" category. Volunteer must be a resident of Charlotte County for at least two years and be a licensed mechanical contractor. Length of term: 4 years.

Gardens of Gulf Cove Street & Drainage Unit Advisory Board is seeking five regular members and one alternate member. Terms will be determined at first meeting. All members shall be residents of the Unit.

Lemon Bay Street and Drainage Advisory Committee is seeking two regular members and one alternate member. Terms are effective immediately. Must own property and reside within the unit.

South Bridge Waterway Municipal Service Benefit Unit is seeking two volunteers: one regular member and one alternate member. Terms are effective immediately. Must own property and reside within the unit.

South Gulf Cove Community Plan Advisory Committee is seeking one regular member to fill a vacated unexpired term; effective immediately, expiring July 24, 2010.

Suncoast Waterway Maintenance Municipal Service Benefit Unit is seeking one volunteer to serve as an alternate. This is a two year term effective immediately. Must own property and reside within the unit.

III. REPORTS RECEIVED AND FILED - No Items.

IV. CONSENT AGENDA

Clerk of the Circuit Court

A. *Finance Division - No Items.*

B. *Minutes Division - No Items.*

Board of County Commissioners

C. *Commission Office - No Items.*

D. *Administration - No Items.*

E. *County Attorney - No Items.*

F. *Budget Office - No Items.*

G. *Growth Management - No Items.*

H. *Economic Development - No Items.*

J. *Environmental Services - No Items.*

K. *Facilities Construction and Maintenance - No Items.*

L. *Purchasing - No Items.*

M. *Human Resources - No Items.*

N. *Human Services - No Items.*

P. *Information Technology - No Items.*

Q. *Parks, Recreation and Cultural Resources - No Items.*

R. *Public Safety - No Items.*

S. *Public Works - No Items.*

- T. Real Estate Services - No Items.
- 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

(3) Human Services - **RECOMMENDED ACTION:** Board consideration of the request by the Charlotte County Homeless Coalition for \$85,000 in total for operational funds to get them through to September 2009. \$10,000 was granted on 5/12/2009.

COMMISSIONER LOFTUS MOVED TO APPROVE APPROPRIATION OF THE FULL \$85,000 OF WHICH \$10,000 WAS GRANTED ON MAY 12, 2009, SECONDED BY COMMISSIONER SKIDMORE.

Commissioner Starr stated \$3.4M has been invested in the Homeless Coalition, the \$85,000 is only a stop gap, the Board recently approved \$23M to Human Services to help people in need, and opposed funding the Homeless Coalition with another \$85,000; \$1.2M was allocated to the Jail Expansion and \$500,000 for windows in this building; and maybe if these moneys were not approved, there would be money for the charities. **Commissioner Cummings** stated the majority of the County's budget is expended for infrastructure; the largest operational budget is law enforcement; it costs three to four times as much to house inmates as to provide mental health services; this is a good thing to do; referenced the impact the closure of G. Pierce Wood had on the community and law enforcement; and expressed support for the motion and second with the hope that the Coalition will bring back a long-term plan.

Commissioner Skidmore thanked Mr. Russell for his efforts along with the Homeless Coalition, opined County government is obligated to protect the residents and provide certain services; commented in support of providing the full \$85,000; and

stated he is looking forward to working with the Coalition in the long-term.

Commissioner Loftus thanked the Homeless Coalition and volunteers who help to take care of people in need; this is a moral responsibility for Board Members as human beings; and if the people are not taken care of now, they could end up in the judicial system and cost a lot more.

Chairman Duffy stated this is a very difficult decision, pointed out budgets for other non-profits have been reduced, she is being responsible by approving the funding request, there are many people in the community who have strong beliefs about the rights of the homeless, the additional \$75,000 will not keep the Coalition going forever, and requested assistance from the community.

Motion Carried 4:1. Commissioner Starr opposing.

Z. Regular Agenda

(1) Land Use - RECOMMENDED ACTION: Approve Preliminary Plat for Harbor Square Plaza, Petition PP-09-02-03.

(Chairman Duffy polled the Board for ex parte disclosures and there were none. Minutes Supervisor Nice administered the oath.)

Steven Ellis gave a slide presentation on the petition filed by South Harbor Development, LLC for a preliminary plat for a commercial subdivision called Harbor Square Plaza consisting of five commercial lots in Section 8, Township 40, Range 22, on approximately 15.44 acres on the north side of Cochran Boulevard between Veteran's Boulevard and US 41 currently occupied by Kohl's and Pet Smart; staff has no objection subject to the conditions of the Murdock Development of Regional Impact (DRI) Increment IV and the 11 Development Review Committee (DRC) conditions; the Natural Resources Section reviewed the petition and recommends approval; the Health Department has reviewed the petition and reported Charlotte County Utilities will provide water and sewer for the development and recommends approval; Public Works reviewed the petition and recommends approval subject to small corrections noted in red on the drawings by the

County Surveyor and forwarded to Land Development must appear on the final plat drawings; the Planning & Zoning (P&Z) Board heard the petition and recommended approval on April 13, 2009; and staff recommends approval with the following conditions: (1) must meet the Murdock DRI Increment IV and the 11 DRC conditions; (2) small corrections noted in red on the drawings and forwarded to Land Development must appear on the final plat drawings; (3) petitioner must provide documentation that allows for Harbor Square Plaza to continue using the off-site drainage system known as the Master Plan for Harbor Square for 100 years or eternity; and (4) provide Charlotte County a utility/drainage easement at the property line of Cochran for the driveway to Lots 3 and 4.

Attorney Robert H. Berntsson appeared on behalf of petitioner in support of the project concerning four out parcels on the existing commercial site and offered to answer questions.

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

**COMMISSIONER CUMMINGS MOVED TO APPROVE PRELIMINARY PLAT FOR HARBOR SQUARE PLAZA, PETITION PP-09-02-03, WITH FOUR CONDITIONS, SECONDED BY COMMISSIONER LOFTUS.
Motion Carried 5:0.**

(2) Land Use - RECOMMENDED ACTION: Approve a Preliminary Plat for Punta Gorda Crossing, Petition PP-09-02-02.

Mr. Ellis presented the preliminary plat petition filed by Punta Gorda of Charlotte County, LLC for a commercial subdivision called Punta Gorda Crossings consisting of ten commercial/industrial lots in Section 3 and 4, Township 41 South, Range 23 East; the site is the former Punta Gorda Golf Club consisting of about 99.2604 acres located within the Enterprise Charlotte Airport Park (ECAP) area on Duncan Road between I-75 and Golf Course Boulevard in Punta Gorda; and deferred to petitioner to make a request to the Board.

Dale Johnson, Primerica Group One, Inc., reported issues are still being worked on and requested the hearing be deferred until July 21, 2009.

Mr. Ellis indicated no objection.

COMMISSIONER LOFTUS MOVED TO CONTINUE THE HEARING ON PETITION PP-09-02-02 TO THE LAND USE PUBLIC HEARINGS ON JULY 21, 2009, SECONDED BY COMMISSIONER STARR.

Commissioner Cummings stated if one of the issues being worked on is condition #5, he will not approve the petition request without it since it required under the Comprehensive Plan and Land Development Regulations. **Commissioners Starr, Loftus, and Skidmore and Chairman Duffy concurred.**

Motion Carried 5:0.

(4) CCU - RECOMMENDED ACTION: Authorize staff to move forward to apply for FDEP Grant (USEPA Sec 319 of the Federal Clean Water Act) to implement projects to reduce nonpoint sources of pollution (NPS).

Interim Utilities Director Teresa Kesner explained staff's request to file for a 2010 FDEP grant under Section 319 of the Federal Clean Water Act to reduce nonpoint sources of pollution e.g. replace failing septics and storm drainage swales in two areas.

COMMISSIONER LOFTUS MOVED TO AUTHORIZE STAFF TO MOVE FORWARD TO APPLY FOR FDEP GRANT (USEPA SEC 319 OF THE FEDERAL CLEAN WATER ACT) TO IMPLEMENT PROJECTS TO REDUCE NONPOINT SOURCES OF POLLUTION (NPS), SECONDED BY COMMISSIONER CUMMINGS.

Commissioner Skidmore questioned if the grant is to pay the project costs and if the project is contingent upon the grant. Ms. Kesner explained it is a 60/40 match as set out in documentation in the packet including consideration at award to levy assessments for replacement of failing septics with central sewers in the areas. **Commissioner Skidmore** requested the source for the County's 40%. Ms. Kesner stated funding will need to be identified at the time of award and pointed out, if the County's match funding is not identified, the County does not have to accept the award. **Commissioner Starr** noted engineering will be done in-house so grant funds may not be utilized, requested an estimate of the assessment amount, and noted even though the \$5M grant is a good deal, the County would still need to provide

\$2M. Ms. Kesner stated 150 lots are in the area, the total project construction cost is \$1.9M of which \$663,000 would be covered by the grant with \$1.2M from the County, and stated the assessment would be \$417 for each lot and, if connection fees are rolled in, the assessment would be \$604 for 20 years. **Commissioner Loftus** stated this area needs to be sewerred because Charlotte Harbor is being polluted and commented on the need to scrutinize the costs and keep them down. **Commissioner Skidmore** noted the \$165,000 for Engineering (CCU) at 15% and asked if this situation could escalate and become another Pirate Harbor. Ms. Kesner stated, if the grant is awarded in 2010, it would be necessary to start immediately and chances are that it would be slim to none the costs would deviate from the projected costs. **Commissioner Skidmore** questioned if the work and cost estimates are still feasible with staff reductions. Ms. Kesner responded affirmatively and introduced Joanne Vernon, Public Works Stormwater Management; Bruce Bollard, Engineering Manager; and Herman Velasco, Public Health Director.

Mr. Velasco explained the septic tanks are from the mid-1950's in flood prone areas; during the rainy season, many of the septic tanks must be pumped; and once this area is sewerred, there will be a positive impact on Alligator Bay. **Commissioner Skidmore** questioned if additional public hearings will be held. Ms. Kesner explained the public hearing process during which additional public input would be allowed. **Commissioner Starr** questioned why these septic tanks were not previously replaced if they have been polluting Charlotte Harbor. Mr. Velasco advised failed septic tanks have been replaced in the Spring Lake area but not in this area; once a nuisance complaint has been filed, tank repair or replacement is required; this is a very highly populated area; and reiterated the need for sewers in this area. **Commissioner Loftus** stated residents did not want to be included in the Charlotte Harbor CRA area but this grant will provide funding for sewers. **Chairman Duffy** requested the cost of a new septic. **Commissioner Loftus** estimated \$8,000 to \$10,000. Mr. Velasco clarified \$15,000 with the drain field.

Chairman Duffy questioned if residents support this project. **Commissioner Loftus** pointed out the project is located on the Melbourne Street side of the Harbor. Mr. Velasco stated this would be very cost effective and referenced Ms. Mimicheck who has prayed to be hooked up to sewers. **Commissioner Loftus** recalled

this area opted out of the Charlotte Harbor CRA area when it was formed in 1992.

Motion Carried 3:2. Commissioner Starr, and Commissioner Skidmore opposing.

VI. PUBLIC HEARING AGENDA - No Items.

VII. PRESENTATION AGENDA - No Items.

VIII. PUBLIC WORKSHOP AGENDA - No items.

RECESS: 10:00 AM - 10:10 AM

IX. BOARD WORKSHOP AGENDA - 10:00 AM - No public input.

(1) Board will evaluate options and direct staff about how to prepare final draft of Impact Fee ordinance for an adoption hearing to be scheduled on June 9, 2009.

James Fenwick explained the purpose of the workshop is to discuss adjustments to impact fee levels based on demographics and needs for roads, libraries, public buildings, parks and recreation, fire and EMS, law enforcement, and affordable housing; gave a slide presentation and recommended moving forward with 2005 impact fees for libraries. **Commissioner Cummings** noted the fees are based on single-family residential in non-urban areas. Mr. Fenwick agreed. Mr. Fenwick summarized the library impact fee proposals and recommended the 2005 level or \$216; the public buildings impact fee at \$479; parks and recreation impact fee at the Florida average; fire & EMS fee at the moderate price; and law enforcement fee for a reduction to \$98. **Commissioner Starr** questioned allocation/disbursement of road impact fee revenues. Mr. Fenwick explained the prioritization of needed projects in conjunction with allocation of ad valorem, sales tax, and impact fee revenues. **Commissioner Starr** requested an explanation on the allocation of library and law enforcement fee revenues. Mr. Fenwick suggested considering impact fees as one-time payments for services, equipment, and/or infrastructure.

Commissioner Skidmore asked for the per-lane mile cost for roads. Mr. Fenwick stated Public Works provides estimates/costs including right-of-way acquisitions, environmental impact mitigation costs, etc. **Commissioner Skidmore** recalled estimates cannot be used for impact fees and actual costs must be used. **Commissioner Skidmore** requested the per-lane mile cost from Mr. Ruggieri. Mr. Ruggieri stated \$2.5M and offered to secure additional information from Public Works. **Commissioner Loftus** related during a conversation with a Sarasota County representative, an estimate was given at \$2.3M per lane mile and opined right-of-way acquisition costs have greatly increased.

Commissioner Cummings noted an average is considered based on historic proposals; numbers are being artificially lowered and a budget deficit is being built into since growth is not being fully funded; impact fee projects will either need to be eliminated from ad valorem or impact fees increased based on growth; and opined tiered impact fees should be implemented even for fire & EMS and law enforcement.

Commissioner Loftus agreed with **Commissioner Cummings** on tiered impact fees for fire & EMS and law enforcement and expressed concern with collecting more impact fees than necessary due to the economic situation. Mr. Fenwick stated the Clerk's Office maintains detailed records on impact fees. **Commissioner Cummings** pointed out impact fees are generally calculated to not pay the full impact of growth. Mr. Fenwick requested direction on fee levels and stated adjustment on road impact fees, if any, will be brought back in the final proposed ordinance.

Chairman Duffy stated increases of 133% and 119% for rural areas are too high and commented in support of tiered impact fees. **Commissioner Loftus** questioned communication with Fire & EMS and the Sheriff's Office regarding impact fees and services in rural areas. Mr. Fenwick stated implementing the tiered impact fee structure will be a great milestone and road impact fees represent the majority. **Commissioner Skidmore** suggested more discussion on the Comprehensive Plan, road costs per lane mile, and rural services and impact fees.

Commissioner Cummings recalled staff provided over 100 pages of back-up material regarding road work costs and pointed out the Urban Service Area has been subsidizing services and

infrastructure for growth in the Rural Service Area. Mr. Fenwick stated Public Works re-evaluated and updated true costs of road work and generally 100% of the costs and fees are not charged and there is a subsidy from the Urban Service Area. **Commissioner Loftus** stated he has no problem with moving forward but he wants accurate costs and requested staff to consult Fire and EMS. **Chairman Duffy** stated this will be the last time for discussion on impact fees. Mr. Fenwick stated another fee schedule will be brought back with discussion of roads for a third time. Mr. Fenwick commented on a conversation with the consultant, Dr. Nicolas, on road impact fees with a goal to remove the subsidy and establish tiered fees. Mr. Fenwick advised the numbers are conservative and adjustments as a result of budget reductions will be reflected in the final proposed ordinance. **Commissioner Starr** commented on residents paying more in one area for which they are not receiving a benefit and the funds are utilized in another area. Mr. Fenwick stated road impact fees are based on capacity and explained percentage allocations are done across districts and within districts, offsets to impact fees are done based on grants, and adjustments due to reductions in MSBU fees. **Commissioner Loftus** stated impact fees may only be used for new capacity, not maintenance. **Commissioner Skidmore** recalled the US 17 Corridor Plan to reduce density and encourage development. Mr. Ruggieri explained the 1% reduction in platted lands strategy is different than tiered impacts and fee structure.

Chairman Duffy opined Urban Service Area impact fees are too high and requested verification as to whether Sarasota and Lee Counties have tiered impact fees. Mr. Fenwick advised Sarasota County has requested Charlotte County's tiered impact fee schedule. **Chairman Duffy** noted Charlotte County's impact fee of \$12,379 is between Sarasota and Lee Counties fees but they are still too high, especially the Urban Service Area. County Administrator Baltz requested confirmation of Board direction. Mr. Fenwick concluded Board consensus for staff to move forward with tiered impact fees with adjustments as proposed for consideration on June 9, 2009. **Chairman Duffy** suggested looking at increasing law enforcement and Fire and EMS. **Commissioner Cummings** commented in support of moving forward and then discussing additional changes in the future. Commissioner Loftus agreed and commented on the need to make sure that cost figures from Public Works are accurate. **Commissioner Starr** commented in

support of adjustments dealing with the Urban Service Area. **Commissioner Skidmore** opposed moving forward until it is done right. **Chairman Duffy** noted current impact fees have been extended until September. **Commissioner Skidmore** opined it will be more difficult to change the fees later than to get them right when the ordinance is adopted. **Commissioner Loftus** stated impact fees need to be addressed prior to the end of the extension period in September.

Commissioner Cummings stated the most profitable building industry in Southwest Florida is in Collier County. Mr. Fenwick stated impact fees have not been detrimental to development, recalled discussion about doing road impact fee feasibility studies every four years with other levels done automatically on a yearly basis. **Commissioner Cummings** stated there is no evidence to show that long-term growth will increase due to reduced impact fees and, in fact, growth has increased in areas with higher impact fees. **Chairman Duffy** commented on adverse impacts to areas dependent with the construction industry and opined increased impact fees will not bring growth to the County when the economy turns upward and residents will still be out of work. Mr. Baltz requested Mr. Fenwick to summarize the impact fees status now versus after expiration of the current extension. Mr. Fenwick stated the extension date is not of the greatest importance because it can be changed; a tiered road impact fee system would be a good foundation with adjustments to the other fees as discussed; expressed understanding that staff needs to bring back an ordinance with the tiered road impact fees and adjustments as discussed today.

Commissioner Loftus commented in support of moving forward on June 9, 2009 as discussed including securing the per-lane mile. **Commissioner Cummings** concurred including the per-lane mile costs. **Chairman Duffy** indicated staff is to consult with Fire & EMS and law enforcement on impact fees and service levels. **Chairman Duffy** concluded **Commissioners Loftus and Cummings** want to make a decision on June 9, 2009 whereas she and **Commissioners Skidmore and Starr** want to get it right at adoption. Mr. Fenwick pointed out higher per-lane costs will increase Rural Service Area fees.

(2) Staff seeks Board direction about key policy issues related to the revised Natural Resources and Coastal Planning Element,

now divided into the Natural Resources Element and Coastal Management Element. (Coastal Element part of the presentation to be rescheduled.)

Mr. Fenwick stated the Charlotte County Comprehensive Plan is on the Smart Charlotte 2050 website, encouraged everyone to view it and submit comments and pointed out the Comprehensive Plan is in draft format and the process will run through October 2009. Mr. Fenwick advised residents are concerned about protecting natural resources and introduced Inga Williams and Andy Stevens to discuss the Natural Resources Element.

Ms. Williams gave a slide presentation on the purpose of the workshop and the protection of Charlotte County's natural resources in compliance with the Comprehensive Plan Goals, Objectives, and Policies to address pollution control, air quality, and water quality noting the Surface Water Protection Overlay District. **Chairman Duffy** requested if the water on Babcock Ranch is surface water. Ms. Williams stated that is not surface water and pointed out the 50 feet buffer is in compliance with the Comprehensive Plan. **Commissioner Cummings** pointed out Telegraph Swamp on Babcock Ranch is included in the Overlay District. Ms. Williams and Mr. Stevens agreed. Mr. Stevens continued the slide presentation on conservation management plans including conservation easements on private lands with a requirement for property owners to implement land development strategies on the lands within conservation easements. Ms. Williams stated the last goal encompasses the protection of wetlands based on two categories of wetlands and advised Southwest Florida Water Management District officials concur with the proposed policies and encourage Charlotte County to take the lead since these proposals are more stringent than those of Sarasota County.

Commissioner Starr expressed concern about the 50 feet buffer requirement under Policy 1.4.12 that prohibits property owners for using or constructing anything on that area, stated he does not want to mandate what people can do with their property and deprive them of the use of their property, and he does not want Policies 1.4.10, 1.4.11, and 1.4.12 in the Comprehensive Plan. **Commissioner Cummings** pointed out Charlotte Harbor, in the National Estuary Program, was done for preservation purposes; stated low impact development may be done in the 50 feet buffer

area including Florida friendly plants that will enhance drainage; and best management practices need to be used.

Commissioner Loftus commented on protecting the Earth and estuary systems for future generations and agreed with the proposed policies. Chairman Duffy commented on the lack of reference made to bicycle paths under Policy 1.1.1 on Alternative Transportation and commented on 1.1.2 on Alternative Energy, 1.1.4 on Green Landscaping and Low Impact Techniques. Chairman Duffy concurred with Commissioners Loftus and Starr on the need to protect owners' property rights and suggested more information is needed. Commissioner Skidmore questioned if the 50 feet buffer represents a taking. Attorney Browne stated this is the first he has heard of it and he would provide additional information. Commissioner Skidmore suggested inclusion of options for golf carts as low impact transport and provisions for property owners to opt out of future land management costs through donations. Commissioner Starr suggested changing "shall" to "may" to allow people to opt out. Commissioner Starr noted Policy 1.4.8, Mandatory Connection to Water and Sewer, should be consistent with the simultaneous extension pursuant to Florida Statutes. Commissioner Starr stated Policy 2.2.8 should provide for management of the lands. Chairman Duffy pointed out the language on the first line of that policy. Commissioner Starr suggested including conservation easements as well as cash buy outs and donations. Commissioner Cummings referenced the language dealing with incentives for developers.

Commissioner Loftus referenced Policy 2.5.1 to protect farm and agricultural programs. Ms. Williams pointed out Policy 2.4.1 promotes agricultural practices. Commissioner Cummings concurred on the need to protect farm programs. Chairman Duffy requested clarification on Policy 2.2.3 on Habitat on Private Lands. Mr. Stevens stated this would allow on-site conservation with off-site relocation and sited gopher tortoises. Chairman Duffy questioned the purpose. Mr. Stevens explained the purpose is to conserve native soils. Commissioner Loftus recalled the Charlotte Harbor CRA established a Native Soils area. Chairman Duffy referenced another policy on protecting trees that she believes is very important. Chairman Duffy pointed out the lack of discussion on oil drilling off of Florida shore lines. Commissioner Cummings stated that provision is in the existing Comprehensive Plan. Ms. Williams concurred. **Chairman**

Duffy opposed off-shore drilling especially if it is close to the shore line.

Commissioner Cummings commented on off-shore oil drilling operations and the impact on operational costs and the economy, suggested looking at current living and economic conditions of affected shore-line communities, and opined the United States does not produce enough oil for its use e.g. 2% now and uses 25%.

Mr. Fenwick reminded the Board of upcoming Smart Charlotte meetings that are open to the public, updates to the website are done constantly, and encouraged citizens to review and submit comments on the website on the Comprehensive Plan. Mr. Fenwick thanked Board Members for their comments.

X. CITIZEN INPUT - ANY SUBJECT

Suzanne Graham stated she received an email from Raymond Sandrock on the \$2.5 per-lane mile cost and commented on the need for accurate costs in lieu of estimates; reminded the Board of CCU hook-up fees of \$4,000+; questioned funds in reserves for building public facilities; no date was established to bring back the Winchester project; and suggested reducing costs of 5-year CIP projects to put people back to work.

Ronda LaSalle, Rotonda West resident, commented on the differences in interpretations concerning access and use of private versus public beaches and pets on beaches and requested enforcement by the Sheriff's Office and the Board.

AA. County Administrator: None.

BB. County Attorney: None.

CC. Commissioner Comments:

Commissioner Starr advised Bob Pierce, Beaches and Shores Committee member, indicated concern about the Board declining to join the Florida Association on Beach Preservation membership at a cost of \$5,000. Commissioner Cummings stated, if the laws are

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in place, enforcement should be encouraged. (Board consensus to not change the decision on declining the membership.)

ADJOURNED: 12:25 PM

Signature on file in Commission Minutes
Chairman

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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