

EMERGENCY MEETING

BOARD OF COUNTY COMMISSIONERS

SEPTEMBER 10, 2004

An Emergency Meeting was held this day at the Murdock Administration Complex in Port Charlotte, Florida. The following were in attendance: Chairman Matthew D. DeBoer and Commissioners Adam Cummings, Sara Devos and Mac V. Horton. **(Commissioner D'Aprile was not present for this meeting due to a family emergency.)** Also in attendance were Assistant County Administrator Roger Baltz, Interim County Attorney Brendan Bradley, Chief Deputy Board Services Tommy Q. White and Deputy Clerk Karen S. Mitchell. The meeting was called to order at **9:04 A.M.** A short invocation was given by **Chairman DeBoer** followed by the Pledge of Allegiance to the Flag.

1. Update on Ivan

Wayne Sallade, Emergency Management Director, said if the 5:00 A.M. forecast track for Hurricane Ivan materializes in 96 hours which would be 2:00 A.M. Tuesday morning it would bring the storm into Sarasota County putting Charlotte County in the worst possible position - the right front quadrant of the storm containing the highest winds and the most intense rainfall along with high storm surge of 15 to 20 feet, and the biggest shortcoming of the residents was ignoring the lack of elevation. Mr. Sallade commented on the various elevations throughout the County, the hazard from the debris piles and possible evacuation routes other than I-75 which will become a huge parking lot. Mr. Sallade said he was requesting a mandatory evacuation of the manufactured home communities and the barrier islands by no later than noon Saturday; on Sunday they would start talking about a phase 2 evacuation which was all persons throughout the Punta Gorda community and west of US 41 in Port Charlotte and much of the Cape Haze peninsula particularly south of SR 776 in West County; and phase 3 which could come by later Sunday would be people in Port Charlotte living all the way up to say Midway Boulevard and the remainder of the Cape Haze peninsula. **Chairman DeBoer** noted they not only have no shelters in Charlotte County they have no refuge sites either this time because those refuge sites were damaged during Hurricane

Charley. (Discussion ensued regarding evacuation of the elderly and homebound, hospital closings, and handling evacuations of nursing homes and people with special needs.)

2. Resolution - Declaration of Emergency

Chairman DeBoer said when they pass the resolution it will incorporate the Florida Statutes because there were some extraordinary powers in that. Brendan Bradley, Interim County Attorney, explained the proposed resolution incorporates all of the powers in Chapter 252 of the Florida Statutes and one of those provisions allows for the local government to acquire and distribute with or without compensation supplies, materials and facilities, and in emergencies exercising the police powers of the state and the political subdivisions. **Commissioner Horton** asked how far inland will the storm surge affect. Mr. Sallade said the surrounding creeks were tributaries which would carry the water up into the inland neighborhoods and a 10 to 12 foot storm surge was a reality 12 hours before the storm arrives. **Commissioner Horton** opined then it would be over the rooftops, the bridges would be under water and West County needs to get out now. **COMMISSIONER DEVOS MOVED APPROVAL TO ADOPT RESOLUTION #2004-191, SECONDED BY COMMISSIONER CUMMINGS.** **Chairman DeBoer** clarified they were doing this today to allow time to get everything done and to allow this Board and staff to prepare. **CALL ON THE MOTION: DECLARED UNANIMOUS (4:0).**

3. Other Issues

a. Use of Administration Building for Employee Shelter

Chairman DeBoer said there was some concern regarding use of the Administration Building as an employee refuge, he and Mr. Baltz agree there were some very sensitive areas within the building and they felt those areas any supervisor oversees could be used by that department's employees if deemed safe to do so.

b. \$250,000 for Airport Authority

Chairman DeBoer reported a request from the Charlotte County Airport Authority (CCAA) for \$250,000, the CCAA was covered under the County's insurance and this fell under the 'continuity of services' section. Bob J. Pryor, Risk Management Division Manager, explained the insurance policy currently provides

\$200,000 worth of business interruption insurance, the Airport Authority (AA) has sustained major damage, there were no revenues coming in currently, the AA directors told him they were in a crisis state and funding was needed since the airport was in a total rebuild situation. **Chairman DeBoer** asked the AA's proportionate share of the premiums paid because he felt they had an obligation to allow the AA access to that amount of insurance coverage. Mr. Pryor said 2% or a total of \$4,000. **Chairman DeBoer** said he didn't a problem with allowing them that \$4,000 but the AA was going to have to go out and get loans to rebuild if they're going to stay in business. **Commissioner Devos** said the AA was critically important, she wanted to see the operation continue but she didn't know what that requires but she wouldn't feel comfortable giving them any amount of money beyond the \$4,000 without getting some answers and asked if it could be done in the form of a loan. **Chairman DeBoer** said he agreed the AA needs to come up with a business plan for the recovery but noted the Board doesn't know whether they will need some of that money to run their own operations since their revenues will be seriously impacted as well so they need to be very conservative and summarized \$4,000 was okay but not beyond that. Mr. Pryor said he would put that in writing to the AA today.

c. Clean-up for Private Property

Chairman DeBoer said Mr. Keen and Congressman Foley have been working diligently on this, the greater part of the problem was if they just go onto private property they might find themselves in the position of having to fund 100% of the cost whereas on public ROWs at the very least FEMA picks up 75%, 12.5% was paid by the state and 12.5% was the County's cost and they were trying to be very careful because they only have so many dollars. **Chairman DeBoer** said the second issue was one of continued liability to repair private property if it's damaged during the clean-up process. Dick Keen with Congressman Foley's office explained FEMA was precluded from providing funding for the clean-up of private property, they have requested FEMA to implement a policy where this would be permitted due to health and safety issues primarily in mobile home parks, FEMA was reviewing this on a case-by-case review and opined it will be forthcoming for mobile home parks in Charlotte County but the problem was doing the actual debris inspections and they were

going to push today to get them to allow the individual onsite in Charlotte County to make that decision without an inspection but he didn't know if they were going to be successful. **Commissioner Devos** asked that the September 21, 2004 Board agenda have a discussion item for a full or part-time federal lobbyist and that Mr. Keen be included. **Chairman DeBoer** asked staff to pull up the lobbyist they used before. **Chairman DeBoer** said, "If we are able to get a resolution to this before we meet on the 21st because I'm assuming the Board's going to cancel the 9/14 meeting, the question I would pose that if the same cost-sharing is secured, and a release of liability or right-of-entry as Mr. Keen said the Corp uses, is obtained and remembering we still have the ability to assess properties if we have to for that other 12.5% and that's the worst case scenario, do they want staff to move ahead." **COMMISSIONER DEVOS MOVED APPROVAL AS STATED BY CHAIRMAN DeBOER, SECONDED BY COMMISSIONER HORTON AND DECLARED UNANIMOUS (4:0).**

d. C.O. for New Commercial Building

Chairman DeBoer said he put this on the agenda so that Mr. Evetts knows for sure he has the Board's support to do whatever he needs to do especially with commercial buildings to get them back online. **Jim Evetts**, Chief Building Official, said in the future they may have to hire some consultants but for now they were okay regarding commercial buildings. **Commissioner Horton** asked if the fees were being waived. Mr. Evetts said budget-wise they were an enterprise fund and fees must be charged to be able to operate. **Commissioner Horton** opined they should consider waiving fees since people were suffering. **Commissioner Devos** agreed. **Chairman DeBoer** said he wasn't sure about waiving fees because the County must have revenue streams until they know where they are financially. **(Discussion ensued regarding impacts if they continue to waive fees, anticipated increase in the number of permits, damaged property breakdown, the 50% damage rule and the different 80% damage rule for mobile homes.)**

e. 9/14 BCC Meeting

COMMISSIONER HORTON MOVED TO CANCEL THE SEPTEMBER 14, 2004 BOARD MEETING, SECONDED BY COMMISSIONER CUMMINGS AND DECLARED UNANIMOUS (4:0).

f. Space for Mediators (Tom Gallagher)

Commissioner Cummings updated the Board on the insurance problems encountered by residents with their insurance companies, Tom Gallagher's office along with the Treasurer's Office have agreed to create a mediation center at the Carousel Mall and the goal was to resolve 80% to 90% of the issues without going to court.

g. Temporary Housing on Airport Road

Commissioner Horton opined the 92 acres won't be near enough to meet the needs and reported there have been private property owners who want to volunteer the use of their property. **Chairman DeBoer** said his understanding was people said they would volunteer the use of their property but when contacted by FEMA or the Corp those same people were asking for compensation for the trailers to be there and he felt the most appropriate thing to do was for those folks to put their verbal offers in writing.

Chairman DeBoer clarified that when the Board passed the resolution the power the Board ceded was to the Administrator or his designee and he wanted to make sure this was clear. (**Board consensus was Roger Baltz as designee.**) **Commissioner Devos** asked the plans for Monday. Roger Baltz Assistant County Administrator, responded the decision and details would be made sometime today. **Chairman DeBoer** commended the Governor and Congressman Foley for their efforts and the entire Board was very proud of all the employees and citizens.

MEETING ADJOURNED: 10:40 A.M.

Matthew D. DeBoer
Chairman

ATTEST:

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

By: _____
Deputy Clerk

/ksm