

BUDGET PUBLIC HEARING

BOARD OF COUNTY COMMISSIONERS

OCTOBER 7, 2004

A budget public hearing of the Board of County Commissioners was held at the Murdock Administration Complex in Room 119, Port Charlotte, Florida. The following members were in attendance: Chairman Matthew D. DeBoer and Commissioners Thomas C. D'Aprile, Adam Cummings, Sara Devos and Mac V. Horton. Also in attendance were County Administrator Bruce D. Loucks, Interim County Attorney Brendan Bradley, Chief Deputy Board Services Tommy Q. White and Deputy Clerk Karen S. Mitchell. The public hearing was called to order at **5:05 P.M.** followed by the Pledge of Allegiance to the Flag. (**Proof of Publication was in order.**)

A. COUNTY ADMINISTRATOR

1. Opening Comments

Bruce D. Loucks, County Administrator, explained this was the first of two budget public hearings which have delayed due to the hurricanes, the Board had been briefed previously on some potential future impacts the most immediate being the cost of their share with Federal Emergency Management Agency (FEMA). Dick Keen with Congressman Foley's Office, read a press release from the White House Press Secretary that an increase in the level of Federal funding for public assistance projects undertaken as a result of Tropical Storm Bonnie, Hurricanes Charley, Francis, Ivan and Jeanne has been authorized and the Federal share for each disaster has been increased to 90% of the eligible costs retroactive to the dates of the President's major disaster declarations. Mr. Loucks said one of the impacts they were concerned about was having to use reserves to fund things like debris removal, it was estimated these costs could run as high as \$21 million but now that figure was closer to \$9 million and thanked everyone who helped make this happen. Mr. Loucks said the other impact was to the assessed valuation of property in Charlotte County, budget changes will be recommended to adjust to and accommodate those impacts over the next one or two years which affect ad valorem and capital projects, and commended the Budget Officer and her staff for their tremendous efforts.

B. COUNTY BUDGET OFFICER

- 1. Opening Comments**
- 2. Proposed aggregate County millage rate**
- 3. Presentation of Proposed Budget**

Ann Navan, Budget Officer, stated the proposed aggregate County millage rate was 6.5640 mills which was 12.84% over the current year aggregate rolled-back rate of 5.8170 mills, valuations of existing properties at January 1, 2004 increased by 15.2%, a millage rate decrease of 0.1 mill in the County's general fund reduced the increase over roll back to 12.84% and the increase over roll back generates \$1.7 million in additional ad valorem revenues to the County mainly within the General Fund where an additional \$6.2 million is generated. Ms. Navan said these additional dollars as presented at the July workshops were to fund new staffing requests, cola as well as pay for performance increase, the opening of new facilities, increases in the Sheriff's budget request, continuing phosphate litigation, Department of Juvenile Justice cost shift from the State, increased community mental health costs and normal operating expenditure increases.

Ms. Navan advised the total proposed budget is \$621,166,141 an overall decrease of \$54.7 million or 8.1% from the prior year's amended budget, the chart on page 28 shows the major areas of increase or decrease from the prior year and the major areas of decrease were in the County's capital projects funds and the County's Utilities fund.

4. Changes since the July 16, 2004 Budget Workshop

Ms. Navan stated as a result of discussion and direction from the July 16, 2004 workshop as well as the MSBU public hearings held during July changes were made to the July line item budgets that were distributed, pages 8 through 14 of the material contain a listing by fund of the changes made to the budgets, many of the changes were "accounting type" changes such as moving the \$2 million for phosphate up to a line item designated for that purpose, the net of all the changes is a decrease of \$2,878,948 and changes per the Board's direction to the Countywide dredging program result in a \$6.6 million dollar decrease. Ms. Navan said she could read the individual changes into the record or the Board may adopt the changes to the July 16, 2004 proposed budget as

listed on pages 8 through 11. **COMMISSIONER DEVOS MOVED APPROVAL OF THE CHANGES TO THE PROPOSED BUDGET AS LISTED ON PAGES 8 THROUGH 11 OF THE MATERIAL, SECONDED BY COMMISSIONER D'APRILE.** Commissioner Horton asked if the \$200,000 increase for Mental Health was still in there. Ms. Navan said yes. **Commissioner Horton** asked if the budget still contained funding for contracts for services as they had last year. Ms. Navan said the funding was still there, nothing has been cut nor was it on the list for potential reductions and they added the \$200,000 for Mental Health. **CALL ON THE MOTION: DECLARED UNANIMOUS.**

5. Discussion of necessity to reduce operating and capital budgets to mitigate fiscal impacts of Hurricane Charley

Ms. Navan stated the devastation from Hurricane Charley will affect the County financial in two ways - the cost to the County from damages, and the drop in valuations expected in FY 05/06 as properties are valued as of January 1, 2005 and the County will not be rebuilt. Ms. Navan reviewed page 16 titled Potential Financial Impacts and summarized the County's 5% share after FEMA kicks in it's 90% was estimated to be \$8.75 million. Ms. Navan stated the estimated decline in property valuations was 20% or an \$8 million to \$12 million decline in ad valorem taxes for the General Fund and \$2 million to \$4 million for the Public Safety Fund. Ms. Navan referred to pages 19 and 20 titled Potential FY05 Budget Reductions and Other Opportunities, and explained staff has identified a number of ways to take dollars previously allocated throughout the line item budgets and place them into the reserves of these funds to help mitigate the impacts of the County's 5% FEMA share estimated at \$8.75 million as well as to offset the anticipated valuation decline next year. Ms. Navan stated staff was proposing a hiring delay of most new positions in the General Fund and freezing open positions in that fund as well and clarified this would not affect any positions in Community Development or Enterprise Funds. Ms. Navan summarized the reductions total about \$9 million with \$4.7 from departments that use ad valorem taxes and recommended taking these monies and putting them in reserves. **COMMISSIONER D'APRILE MOVED APPROVAL TO MOVE THE MONIES INTO RESERVES, SECONDED BY CHAIRMAN DeBOER.** Chairman DeBoer noted if the Board was able to recoup any of these expenses then certainly they can go back and reallocate those monies but said right now this was the prudent thing to do. **Commissioner Devos** agreed but said this was hard to do because

they know these are needed in the community. **Commissioner D'Aprile** asked if the \$9 million was restrictive funds. Ms. Navan responded the Transportation Trust Fund was a restricted fund but there were some costs the County will have to pick up that were eligible to be covered by gas tax dollars. **CALL ON THE MOTION: DECLARED UNANIMOUS.** **Chairman DeBoer** referred to the letter they received from Sheriff Cameron offering cuts to his budget totaling \$630,400 and recommended the Board put that into the reserves as well. **COMMISSIONER D'APRILE MOVED APPROVAL TO ACCEPT THE \$630,400 IN CUTS TO THE SHERIFF'S BUDGET AND MOVE THE MONIES INTO RESERVES, SECONDED BY COMMISSIONER HORTON.** **Commissioner Horton** asked if the Sheriff planned to buy any vehicles next year. William Cameron, Acting Sheriff, said only about 15 replacement vehicles. Mr. Loucks said the County has some vehicles to be replaced but only the most critical. **Commissioner Horton** requested a list of replacement vehicles by the next hearing. **Commissioner Devos** said she had asked the Sheriff the same question not only about cars but about the problems in the Sheriff's IT department. **Chairman DeBoer** commented on the negative impacts of deferring the hiring and suggested trying to capture all those positions into a special grant request and include all those patrol cars that need to be replaced that aren't in the budget and add all that to those special appropriations they're working on through one of the departments up in Washington. **CALL ON THE MOTION: DECLARED UNANIMOUS.** Ms. Navan referred to page 20 and said a detailed listing of possible capital equipment reductions totaling \$369,510 was on page 24. **Chairman DeBoer** opined the greatest concern they still have left was more in ad valorem taxes. Ms. Navan agreed, said page 25 contained a listing of capital projects that were ad valorem funded and suggested they put that \$4.3 million into reserves as well. **Chairman DeBoer** said if they were to take the \$4.3 million and add that to the \$9.8 million they've already cut and the \$2 million for phosphate they'd have about \$16.3 million which would cover a large part, and added although the phosphate fight has been near and dear to all of them it was time their neighbors stepped up and took the fight over. **Commissioner Cummings** said he hoped they would still be able to make a contribution and agreed they need to look to their neighbors but he didn't want to send the message they were out of the game. **Commissioner D'Aprile** said he felt **Commissioner Cummings** will be successful in finding help for this cause. **Commissioner Horton** asked if the \$11.7 million for Capital Projects Fund on page 2 was all ad valorem dollars. Ms. Navan responded it was a combination

of ad valorem and impact fees and clarified these projects do not include those projects funded by sales tax or gas tax dollars. **Commissioner Horton** asked if they could theoretically cut \$11.7 million of capital projects out of the total budget. Mr. Loucks said yes, explained the projects on page 25 don't have any activity to date and if they cut all \$11.7 million it would mean they would stop everything including projects currently underway. **Commissioner Horton** referred to page 2 and said the Road Improvement Fund of \$46.2 million was gas tax dollars which means those dollars can't be put into the General Fund to offset our expenses. Ms. Navan agreed. **Commissioner Horton** stated the \$23 million for the Landfill was not ad valorem so it couldn't be put into the General Fund either. Ms. Navan concurred. **Commissioner Horton** clarified the reason he was asking these questions was because citizens have asked him. **COMMISSIONER DEVOS MOVED APPROVAL TO MAKE THE CUTS PROPOSED ON PAGE 25 AND THE \$2 MILLION PHOSPHATE LINE ITEM ON PAGE 19 AND PUT THOSE ALSO INTO THE RESERVES, SECONDED BY COMMISSIONER HORTON.** **Commissioner Cummings** asked if the motion completely cut the phosphate or leaves the \$500,000. **Chairman DeBoer** said it completely cuts it. **Commissioner Cummings** said it would be easier to talk to their neighbors if there was some monies left. **COMMISSIONER CUMMINGS MOVED TO REMOVE \$500,000 FROM THE \$2 MILLION CUT ON PAGE 19, SECONDED BY COMMISSIONER HORTON.** **Chairman DeBoer** said he knows how hard **Commissioner Cummings** has worked on this but if everything doesn't come together to pay for the recovery and to mitigate tax increases next year, he wasn't in the fight because his fight was here at home. **Commissioner D'Aprile** said he agreed but he also felt they were going to come out okay and he just didn't want the phosphate people to feel they were out. **Commissioner Devos** said she remains a strong advocate of the phosphate fight, it's still an immediate need to protect their water resources and she felt this issue does have their neighbors' attention as it poses an immediate threat. **CALL ON THE MOTION TO AMEND THE MAIN MOTION BY REDUCING THE \$2 MILLION BY \$500,000: DECLARED UNANIMOUS. CALL ON THE MOTION TO MAKE THE CUTS PROPOSED ON PAGE 25 AND \$1.5 MILLION FROM THE PHOSPHATE LINE ON PAGE 19: DECLARED UNANIMOUS.** **Chairman DeBoer** summarized the cumulative effect of what they've done in terms of cuts that were put into reserve puts them right about in middle. Ms. Navan said the cuts totaled \$15.3 million. **Commissioner Horton** said he was concerned regarding the property valuations because he'd heard the reduced valuations could become retroactive and affect this year's budget.

Chairman DeBoer responded the proposed legislation from the Property Appraisers Association is retroactive to this current year and if it goes through it would be devastating. **Commissioner D'Aprile** said the new way of applying the 50% rule could have a positive impact on taxes for 2005, i.e., if the house was habitable taxes were still due. **Chairman DeBoer** said the latest rumor he'd heard was that the legislature would pass this tax relief bill but the process would be putting it back as a local option meaning people can apply to the Value Adjustment Board for relief to the current budget they were working on right now.

I. COUNTYWIDE FUNDS

Ms. Navan read into the record the following proposed budgets and millage rates and said the reductions the Board just approved don't impact the total budget, only reallocate the dollars down into reserves. Ms. Navan stated the proposed Countywide Millage Rate of 4.7709 mills was over the rollback rate of 4.2297 mills by 12.8%:

	<u>Total</u>	<u>Millage</u>
	<u>Proposed Budget</u>	<u>Rate</u>
A. General Fund	\$107,623,517	4.2537
Sheriff - \$39,314,101		
\$20,182,103 - General Fund		
\$19,131,998 - Charlotte Public Safety Unit		
B. County Transportation Trust Fund	30,656,968	0.0000
C. Charlotte County Health Unit	1,345,818	0.1027
D. Capital Projects Fund	11,728,092	0.4145
E. Charlotte County Law Library	30,912	
F. Charlotte County Legal Aid	108,134	
G. Local Housing Assistance Trust Fund	4,045,406	
H. Special Grants Fund	1,278,220	
I. Tourist Development Tax Trust Fund	1,860,232	
J. Public Improvement Cert. Sinking Fund	0	
K. One-Cent Sales Tax Fund	352,000	
L. Charlotte County Landfill Fund	23,011,265	
M. Health Self-Insurance Trust Fund	17,875,153	
N. Self Insurance Fund	7,637,108	
O. Road Improvement Fund	46,220,627	
Total Countywide Proposed Budget	\$253,773,452	4.7709

PUBLIC COMMENT

THERE BEING NO ONE WISHING TO SPEAK FOR OR AGAINST, COMMISSIONER DEVOS MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER HORTON AND DECLARE UNANIMOUS. COMMISSIONER DEVOS MOVED APPROVAL TO ADOPT THE COUNTYWIDE MILLAGE RATE AND BUDGET AS READ INTO THE RECORD BY MS. NAVAN, SECONDED BY COMMISSIONER HORTON AND DECLARED UNANIMOUS.

II. AD VALOREM - MUNICIPAL SERVICE TAXING UNITS (MSTUs) (Must be separately adopted)

Ms. Navan read the proposed millage rates, increases and decreases of the rollback rates of the proposed budgets for each of the Special Districts as listed on pages 3 and 4 of the agenda.

A. Greater Charlotte Street Lighting District

Ms. Navan stated the proposed ad-valorem tax for this district is 0.2000 mills, which is a 8.03% decrease over the rollback rate of 0.2175 mills for a total proposed budget of \$4,035,899.

B. Stump Pass Beach Renourishment Unit

Ms. Navan stated the proposed ad-valorem tax for this district is 0.1927 mills, which is a 19.77% increase over the rollback rate of 0.1609 mills for a total proposed budget of \$3,148,613.

C. Port Charlotte Bicycle Path Unit

Ms. Navan stated the proposed millage rate is 0.0000 mills, which is the same as last year for a total proposed budget of \$0.00

D. Don Pedro/Knight Island Street/Drainage Unit

Ms. Navan stated the proposed millage rate is 1.7100 mills, which is a 20.89% increase over the rollback rate of 1.4145 mills for a total proposed budget of \$2,542,370.

E. Manasota Key Street/Drainage Unit

Ms. Navan stated the proposed millage rate is 1.0000 mills, which is a 189.66% increase over the rollback rate of 0.3452 mills for a total proposed budget of \$664,003.

F. South Charlotte Marl Street/Drainage Unit

Ms. Navan stated the proposed millage rate is 0.0000 mills, which is a 100.00% decrease over the rollback rate of 4.7501 mills for a total proposed budget of \$56,687.

G. Ackerman Waterway District

Ms. Navan stated the proposed millage rate is 0.0000 mills, which is a 100.00% decrease over the rollback rate of 0.1679 mills for a total proposed budget of \$74,658.

H. Alligator Creek Waterway Unit

Ms. Navan stated the proposed millage rate is 0.4900 mills, which is a 14.72% increase over the rollback rate of 0.4271 mills for a total proposed budget of \$740,049.

I. Charlotte Public Safety Unit

Ms. Navan stated the proposed millage rate is 1.8524 mills, which is a 14.16% increase over the rollback rate of 1.6227 mills for a total proposed budget of \$38,750,868.

J. Sandhill Municipal Service Taxing Unit

Ms. Navan stated the proposed millage rate is 0.8500 mills, which is a 5.64% increase over the rollback rate of 0.8046 mills for a total proposed budget of \$198,883.

Ms. Navan stated the proposed aggregate County millage rate is 6.5640 mills which is 12.84% over the current year aggregate rolled-back rate of 5.8170 mills. **Chairman DeBoer** stated there were no changes from the July hearing on these. Ms. Navan said correct.

PUBLIC INPUT

THERE BEING NO ONE WISHING TO SPEAK FOR OR AGAINST, COMMISSIONER DEVOS MOVED TO THE CLOSE PUBLIC HEARING, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS.

BOARD DISCUSSION AND ACTION

COMMISSIONER DEVOS MOVED APPROVAL OF THE AGGREGATE COUNTY MILLAGE RATE OF 6.5640 MILLS WHICH IS 12.84% OVER THE CURRENT YEAR AGGREGATE ROLLED-BACK RATE OF 5.8170 MILLS, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS. COMMISSIONER D'APRILE MOVED APPROVAL OF THE MUNICIPAL SERVICE TAXING UNITS BUDGETS AND MILLAGE RATES AS READ INTO THE RECORD BY MS. NAVAN AND LISTED ON PAGES 3 AND 4, SECONDED BY CHAIRMAN DeBOER. Commissioner Horton referred to the Stump Pass Beach Renourishment Unit and asked if the \$3.1 million was what's going to be generated in one year or an accumulation of what's being carried over. Ms. Navan said it's an accumulation. Commissioner Horton asked if the \$2.5 million for the Don Pedro/Knight Island Street/Drainage Unit included the bridge project. Ms. Navan said yes. CALL ON THE MOTION: DECLARED UNANIMOUS.

III. NON-COUNTYWIDE FUNDS AND NON-AD VALOREM MUNICIPAL SERVICE BENEFIT UNITS (MSBUS)

Ms. Navan stated the Board may adopt by one motion the budgets of the following funds totaling \$317,180,659 as listed on pages 5, 6 and 7 of the agenda:

A. Special Revenue Funds

Special Assessment - Road Revolving	\$	184,010
Special Assessments - Boaters Revolving Fund		1,153,476
Special Assessment - Water Improvement		3,952
Special Assessment - Canal Maintenance Fund		215,089
Drug Abuse Trust Fund		179,013
Charlotte County Fire Rescue Department		23,401,817
Barrier Islands Fire Service Unit		160,631
Court Costs Fund		0
Fine and Forfeiture Fund		2,611,012
Student Driver Fund		125,925

Public Defender - Guardianship Fund	0
Impact Fees Trust Fund	22,002,915
Law Enforcement Trust Fund	6,508
Native Tree Replacement Trust Fund	371,715
Open Space/Habitat Acquisition Trust Fund	38,734
Community Development Block Grant Fund	0
Utility Regulatory Fund - Cable TV	0
Utility Regulatory Fund - Solid Waste	411,000
Enhanced 9-1-1 System	902,569
Vehicle Purchase Program	1,423,431
Parks Equipment Replacement Fund	100,617
Economic Incentive Program	247,521
One-Cent Sales Tax Extension Program	6,092,000
One-Cent Sales Tax Extension 2002 Fund	70,466,000
IT Equipment Replacement	215,453

B. Proprietary/Enterprise Funds

Sanitation Districts

Charlotte	\$ 11,826,141
West Charlotte	0

Utilities

Charlotte County Utility Fund	\$ 60,495,437
Charlotte County Utility Connection Fee Fund	17,641,609
Charlotte County Utility Debt Service Fund	25,220,248
Charlotte County Utility Renewal & Replacement Fund	4,741,534
South Gulf Cove Municipal Service Water & Sewer	3,295,649
Charlotte County Utility System Growth Fund	1,093,678
Pirate Harbor Water Unit	297,264

Internal Service Funds

Fleet Management Fund	\$ 2,169,932
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C. MSBUs

Stormwater Utility Districts

Mid-Charlotte	\$ 3,345,951
Oyster Creek/Newgate Waterway	0
South Charlotte	875,163
West Charlotte	1,004,147

Street/Drainage Units

Boca Grande (Maintenance)	\$ 105,016
Burnt Store Village (Maintenance)	325,372
Charlotte Ranchettes (Capital)	0
Charlotte Ranchettes (Maintenance)	198,005
Cook & Brown Street (Capital)	4,378
Cook & Brown Street (Maintenance)	162,380
Deep Creek Non-Urban (Maintenance)	833,076
Englewood East Non-Urban (Capital)	0
Englewood East Non-Urban (Maintenance)	1,473,584
Farabee Road (Capital)	812,413
Farabee Road (Maintenance)	173,224
Gardens of Gulf Cove	1,662,391
Greater Port Charlotte (Capital)	33,086
Greater Port Charlotte (Maintenance)	5,780,133
Grove City	2,466,156
Gulf Cove (Maintenance)	651,634
Harbour Heights (Capital)	488,801
Harbour Heights (Maintenance)	376,193
Lemon Bay (Capital)	153,096
Lemon Bay (Maintenance)	248,968
Northwest Port Charlotte Non-Urban (Capital)	2,626,261
Northwest Port Charlotte Non-Urban (Maintenance)	1,716,841
Peace River Shores (Maintenance)	257,444
Placida (Maintenance)	2,992,966
Punta Gorda Non-Urban (Capital)	1,908,861
Punta Gorda Non-Urban (Maintenance)	1,067,805
Rotonda Broadmoor Subdivision	739,970
Rotonda Heights	205,615
Rotonda Lakes	650,081
Rotonda Long Meadow	1,471,974
Rotonda Meadows	830,595
Rotonda Meadows and Villas	0
Rotonda Pinehurst	777,754
Rotonda Pine Valley	1,225,206
Rotonda Sands	514,559
Rotonda Villas	0
Rotonda West (Maintenance)	1,899,542
Rotonda White Marsh	1,388,227
Sabal Palm Drive	238
South Burnt Store (Maintenance)	5,075,070
South Gulf Cove (Capital)	8,222,796
South Gulf Cove (Maintenance)	1,363,181
South Punta Gorda Heights (Maintenance)	97,413

South Punta Gorda Heights East (Maintenance)	672,023
South Punta Gorda Heights West (Capital)	0
South Punta Gorda Heights West (Maintenance)	176,556
Suncoast Boulevard	12,378
Three Rivers	10,996
Town Estates	166,767
Tropical Gulf Acres (Capital)	0
Tropical Gulf Acres (Maintenance)	700,329

Waterway Maintenance Units

Buena Vista (Maintenance)	\$ 99,924
Gulf Cove (Maintenance)	227,234
Harbour Heights (Maintenance)	3,996
Hayward Canal Area	7,423
Lee Branch Creek	14,077
Manchester (Maintenance)	165,851
Northwest Port Charlotte (Maintenance)	415,385
Pirate Harbor (Maintenance)	873,037
South Gulf Cove (Capital)	0
South Gulf Cove (Maintenance)	285,637

Beach Nourishment Unit

Palm Island Beach Nourishment Unit	\$ 48,460
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PUBLIC INPUT

John "Drummond" said he lived in Harbour Heights where there was a lot of damage, the increase for Harbour Heights to \$1.70 means \$55 extra a year which was a lot and he felt the rate should be held to \$1.15 for maybe two years.

The following speakers voiced opposition to the proposed assessments for Farabee Road: Greg "Bedder", John McQueen, Ralph Chestain, Steve "Kopel", Kent "Kanahil", Robert Griffin, John McQueen, Craig Beeman, James Wynn and Alma Land.

Emrey Smith with Ben Hill Griffin, Inc. spoke in support of paving Farabee Road, said the drainage work has never been properly addressed which paving won't solve and agreed with their neighbors that there were a number of property owners not included in this MSBU who reside in DeSoto County and said they all hope the County will address this since everyone uses the same road.

Robert Larsen spoke in opposition to the South Charlotte Stormwater Utility assessment and said his tax bill doubled and \$1,300 toward drainage wasn't fair when the bonafide agricultural lands were exempt.

Ron "Morsell" addressed the cart path project in Burnt Store Lakes and asked if it was legal to operate handicap/medical motorized vehicles as well as motor scooters or golf carts. Thomas O'Kane, Public Works Director, responded yes.

Ralph Spolzino, Burnt Store Lakes Board of Directors Presidents, spoke in support of the proposed enhancements.

Jim Brown, Burnt Store Lakes Property Owners Association Vice President and South Charlotte County Coalition Secretary Treasurer, voiced support of Mr. O'Kane's plan and said he wanted to stress the overriding issues of traffic and safety in this community.

Bruce Wood spoke in support of the Burnt Store Lakes improvements.

Carmen "Jerome" said he was strongly opposed to the proposed golf cart path and roundabouts and there was no vote by the residents.

Wynetta "Lidecker" said she was a property owners in Burnt Store Lakes, requested a list of the people who are for or against the projects and said she would also like a vote on this.

Gary Mitchell, Burnt Store Lakes Board Member, said according to the questionnaire sent out a majority of the residents support the projects and this was fulfilling plans for the community.

Ron "Malatke" voiced support for the Burnt Store Lakes projects because something needed to be done to slow down the speeders and protect the bikers and walkers.

Sean Howard, Burnt Store Lakes Board Member, spoke in support of the projects, said the Board has the betterment of the community in mind and they see only positives from the proposed changes.

Tyler Wilson said he was opposed to the cart path, 4-laning Burnt Store Road was a higher priority and the barricades need to come down.

George "Lidecker" opined the roundabout situation could be solved with stop signs, said the cart path posed a safety concern because of kids driving golf carts and he was opposed to both issues.

Vincent "Desabato" agreed with Mr. Larsen in being opposed to the South Charlotte Stormwater Utility assessment, said his taxes had also doubled on his 20 acres and to his knowledge no one was contacted.

COMMISSION DEVOS MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS.

BOARD DISCUSSION AND ACTION

Commissioner Devos asked if the Farabee Road work included the drainage and stormwater issues. Mr. O'Kane said it includes drainage along the side of the road but it was a much larger issue not addressed by the South Florida Water Management District (SFWMD). **Commissioner Devos** asked if the new road would flood. Mr. O'Kane said yes. **Commissioner Devos** said she'd promised Mr. Betterton she would approach staff to see if this was one of the MSBUs that could be put on hold for the year with the understanding the work would be more expensive next year, the work needs to occur and Mr. Betterton had told her felt he could get an equitable agreement from the property owners regarding the right and best way to pay for the work. **Commissioner Devos** said according to staff there weren't enough dollars to cover the marl road maintenance and she preferred to have the residents come up with a way to get this done but she didn't know how to address the lack of funding to maintain the road for the next year. Mr. O'Kane explained they programmed one more grading cycle but due to the heavy truck traffic it only lasts a few days. **Commissioner Devos** said she couldn't support that, she knows some type of paving will have to occur and if the Board agrees to hold off paving for one more year then either the residents come up with a plan to pay for it or the County will decide on a plan. Mr. O'Kane suggested staff work up the cost for one more year of marl road maintenance for the next hearing. **Commissioner Devos** said

she could support keeping it the same for now with the caveat it could change at the next meeting. Mr. O'Kane said he misspoke regarding bringing back marl road maintenance costs and explained the maintenance assessment can't be raised because the maximum had already been set. Linda Free, Public Works Fiscal Supervisor, stated capital dollars can't be used for maintenance so they only have the advertised rate of \$20 an acre. **Chairman DeBoer** said it might be possible to do an internal loan but that would then raise the maintenance assessment next year to compensate for whatever gets done this year. Ms. Navan said another option was to lower the capital assessment somewhat and loan that money to the maintenance district. **Commissioner Devos** said she supports the MSBU for Burnt Store Lakes. **Commissioner D'Aprile** said it was obvious to him the people were happy with the way Farabee Road was now and he felt they should leave it the way it is until the population warrants a change. **Commissioner Horton** said no one who lives on marl roads likes marl roads until they find out what it's going to cost to blacktop them, the only people who will benefit from paving Farabee Road were the commercial folks, and if the County's goal was to get all roads paved to be able to better maintain them and budget accordingly, then they need to continue going down that road. **Commissioner Horton** said those that would benefit were the couple commercial entities on that road, an MSBU was supposed to have equal benefit but that's not the case here and he felt they need a better way to assess cost to the people who were actually using the road. **Commissioner Horton** asked what the \$173,000 in maintenance would do. Mr. O'Kane responded one grading cycle plus some old pipe replacements on the roadway. Ms. Free clarified this was part of the South Charlotte Marl MSTU and that's where the major increase lies in that it's going from ad valorem at \$5.50 per mill to the \$20 per acre so the agricultural properties under the MSTU were very very low. **Commissioner Horton** summarized they need to address blacktopping and maintaining Farabee Road but he didn't think this method of assessment was fair and he would like to see this come back to a future Board. **Commissioner Devos** said where she needs guidance was how does the County maintain the road during the year, given that the property owners were only being charged \$20 an acre which was insufficient, while Mr. Betterton works toward an equitable plan the property owners could agree to. **Commissioner Horton** said she'd summarized his thinking pretty well. **Commissioner Cummings** recalled in past years the County had subsidized the road maintenance. Mr. O'Kane agreed. **Commissioner Cummings** said this was part of the County's

effort to get all marl roads paved. Mr. O'Kane said the sod trucks coming from DeSoto County turning onto the road were the recent issue. **Commissioner Cummings** added that dump trucks were also an issue due to the mobile home park out there for temporary housing. **Commissioner Cummings** said maybe this situation would fit in with the list of recovery projects for funding but one way or the other they need to find an alternative funding source to get these roads paved. **Chairman DeBoer** said maybe there's a distinction they failed to make regarding marl roads which was urban versus agricultural areas and he didn't have a problem separating those areas because for the agricultural folks marl roads were fine. **COMMISSIONER D'APRILE MOVED APPROVAL TO CUT THE FARABEE ROAD CAPITAL DOWN TO \$0.00 ASSESSMENT AND INSTRUCT STAFF TO COME BACK AT THE SECOND HEARING WITH A ROAD MAINTENANCE PROGRAM THAT TAKES CARE OF THE PATROL GRADING, SECONDED BY COMMISSIONER DEVOS AND DECLARED UNANIMOUS.** **Commissioner D'Aprile** said he supports the safety measures for Burnt Store Lakes but asked if a vote was required. Brendan Bradley, Interim County Attorney, explained this was a County project and not an expenditure by the homeowners association so a vote was not required. **Commissioner Horton** asked why they can't use stop signs. Mr. O'Kane said the traffic count didn't warrant 4-way stops and the roundabouts were intended to be more than just a traffic control, they were also supposed to be a landscape feature at some point in the future. **Commissioner Horton** asked if the walkways, trees and other features would all be in the County right-of-way (ROW). Mr. O'Kane said yes. **Commissioner Horton** said then the homeowners weren't really losing any of their property frontage. Mr. O'Kane agreed. **Commissioner Cummings** said he didn't think this was something absolutely required that has to be done but it does appear to be something the community wants to do so he'll support keeping it in for tonight. **Commissioner Devos** said she continued to support this. **COMMISSIONER DEVOS MOVED APPROVAL TO ADOPT RESOLUTION #2004-211 AS AMENDED AND THE BUDGETS ON PAGES 5, 6 AND 7 AS READ INTO THE RECORD BY MS. NAVAN, SECONDED BY COMMISSIONER BY COMMISSIONER D'APRILE.** **Commissioner Horton** asked staff to meet with the two speakers regarding the South Charlotte County Stormwater Utility. **Commissioner Horton** said the other one was the speaker from Harbour Heights who wants the assessment left at \$1.15 because of all the damage so someone needs to meet with him as well. **CALL ON THE MOTION: DECLARED UNANIMOUS.**

MEETING ADJOURNED: 7:56 P.M.

Signature on file in Commission Minutes
Matthew D. DeBoer
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

/ksm