

**FINAL BUDGET PUBLIC HEARING**

**BOARD OF COUNTY COMMISSIONERS**

**OCTOBER 21, 2004**

The Final 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 present: 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, and Deputy Clerk Diane J. Nice. The meeting 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**

Bruce D. Loucks, County Administrator, stated this is the final public hearing on the proposed budget for FY 04/05, the public hearings were postponed from September due to hurricanes; adjustments have been made totaling \$15 million; and acknowledged the efforts of County employees involved in the budget process.

**Chairman DeBoer** requested Barbara T. Scott, Clerk of the Circuit Court, deliver the good news. Mrs. Scott stated 2004 has been an unusual year for County residents and for the Clerk's Office due to reductions in Article V funding that required cuts to implement cost savings; the number of documents being recorded as a result of Charley have significantly increased; the Clerk's Office budget for FY 2003-04 was conservative and realistic; as a result of unanticipated fees and implemented cost savings, over \$1 million in excess fees for the fiscal year ending September 30, 2004 will be returned to County taxpayers; and advised the Clerk's budget request for next fiscal year has been reduced from the prior year by over \$900,000.

**B. County Budget Officer**

Ann Navan, Budget Officer, explained the agenda is divided into three sections with public comment and Board discussion and action; reported the proposed aggregate County millage rate is

6.5567 mills which is 12.72% over the current year aggregate rolled-back rate of 5.8170 mills; property valuations as of January 1, 2004 rose 15.2%; a millage rate decrease of .1 mill in the County's General Fund reduces the increase over the rollback to 12.72%; the increase over rollback generated \$9.7 million in additional ad valorem revenues to the County among various funds mainly within the General Fund; additional monies were originally planned to fund staffing requests, COLA, pay-for-performance, increases in the Sheriff's budget request, and continuing phosphate but as a result of the hurricanes many of the additional monies have been reallocated towards Reserves to mitigate fiscal impacts to the County. Mrs. Navan stated the total advertised budget for FY 2004-05 is \$621,824,943 which is an overall decrease of \$54.1 million or 8% from the prior year's amended budget, the major areas of decrease are in the County's Capital Projects Fund and Utilities Fund due to completion of capital projects, under MSBUS a reduction to the Boca Grande Street and Drainage Unit rate has been requested that will reduce the total budget by an additional \$21,497, and referenced page 8 listing changes made from the October 7, 2004 Budget Public Hearing resulting from the redirection of funds from operating expenditures and capital projects and deletion of the Farabee Road Capital Assessment resulting in a \$658,802 net increase to the budget for a total County budget of \$621,824,943:

CHANGES FROM TENTATIVE ADOPTED BUDGET 10/07/04

<b>TOTAL COUNTY BUDGET AT 10/07/04 PUBLIC HEARING</b>		<b>\$621,166,141</b>
<b><u>OTHER SPECIAL REVENUE FUNDS</u></b>		
<b><u>10/07/04 PUBLIC HEARING:</u></b>	<b>\$203,378,887</b>	
<b>MSBU's AND TU's - 10/07/04</b>	<b>\$ 67,914,093</b>	
Farabee Road St/Dr - Capital	812,413	
(Remove for One Year)	<u>(812,413)</u>	
<b>Total Changes to Farabee Road St/Dr Capital Fund</b>	<b>\$ (812,413)</b>	<b>(812,413)</b>
<b>FARABEE ROAD ST/DR - CAPITAL PROPOSED BUDGET 10/21/04</b>	<u><b>0</b></u>	

<u>MSBU'S AND TU'S PROPOSED BUDGET</u> <u>10/21/04</u>	<u>\$ 67,101,680</u>	
<u>OTHER SPECIAL REVENUE FUNDS</u> <u>PROPOSED BUDGET 10/21/04</u>	\$202,566,474	
<u>CAPITAL FUNDS 10/07/04</u> <u>PUBLIC HEARING</u>	\$134,858,719	
Capital Projects Fund 10/07/04 Public Hearing	11,728,092	
Correction of millage extension	8,219	
Carryover of CIP Projects From FY 04	<u>1,462,996</u>	
<b>Total Changes to Capital Projects Fund</b>	<b>\$ 1,471,215</b>	<b>\$1,471,215</b>
<u>CAPITAL PROJECT FUND</u> <u>10/07/04 PUBLIC HEARING</u>	\$ 13,199,307	
<u>CAPITAL FUNDS PROPOSED</u> <u>BUDGET 10/21/04</u>	\$136,329,934	
<u>TOTAL EXPENDITURE CHANGES</u> <u>FROM 10/07/04</u>		<u>\$ 658,802</u>
<b>PROPOSED TOTAL COUNTY BUDGET</b> <b>10/21/04</b>		<b>\$621,824,943</b>

Mrs. Navan requested questions from Board Members. There were none. Mrs. Navan advised page 9, entitled Changes by Funds since the October 7, 2004 Public Hearing that effect Contingency Reserves, shows that \$15.8 million has been added in total to Contingency Funds and pages 10 through 13 reflect a breakdown of the changes by fund.

**I. COUNTYWIDE FUNDS**

Mrs. Navan stated the proposed County-wide millage rate of 4.7709 mills is over the rollback rate of 4.2297 mills by 12.80% and read into the record the following proposed budgets and millage rates:

	<u>Total</u>	<u>Millage</u>
	<u>Proposed Budget</u>	<u>Rate</u>
A. General Fund	\$107,623,517	4.2537
Sheriff - \$38,683,701		
\$19,551,703 - 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	13,199,307	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	<u>46,220,627</u>	
<b>Total Countywide Proposed Budget</b>	<b>\$255,244,667</b>	<b>4.7709</b>

**Chairman DeBoer** stated two Commissioners have requested the floor to discuss specific requests. **Commissioner Devos** requested Board consideration on the number of jail inmates suffering from mental illness; advised Dr. Gerald N. Ross, Charlotte Community Mental Health Services, Inc. Executive Director and CEO, is developing a mental health court to decrease the number of prisoners suffering from mental illness in the jail and provide needed treatment at a cost of \$50,000 to begin the program with an anticipated State match next year as well as establish a post-traumatic Charley center at a cost of \$150,000; Dr. Ross is present to answer questions; and advised the Children's Services Council discussed and fully supported both of the requests at a recent meeting. **Chairman DeBoer** expressed awareness of the requests, stated a subsequent request will be brought to the Board regarding substance abuse among the jail population after some studies have been performed as a result of discussions of the Public Safety Coordinating Council, and indicated support for the requests. **Commissioner D'Aprile** reported a request for \$50,000 above the \$35,000 has been made from the St. Vincent DePaul Community

Pharmacy to fill Dr. Tom Ferrara's position as Administrator on a full time basis, to cover increased rent and utility expenses in order to allow the Pharmacy to continue services in outlying communities three days a week, and commented in support of the request. **COMMISSIONER HORTON MOVED FOR APPROVAL TO ALLOCATE \$150,000 FOR THE MENTAL HEALTH SERVICES AS DESCRIBED AND \$50,000 FOR ST. VINCENT DePAUL PHARMACY AND TO REDUCE RESERVES BY \$200,000.** Commissioner Devos corrected the amount for Mental Health Services as \$200,000. **COMMISSIONER HORTON MOVED FOR APPROVAL OF THE REQUEST FOR \$200,000 FOR MENTAL HEALTH SERVICES AS DESCRIBED AND \$50,000 FOR ST. VINCENT DePAUL PHARMACY AND TO REDUCE RESERVES BY \$250,000, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS.**

PUBLIC COMMENT

None. **COMMISSIONER HORTON MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEVOS AND DECLARED UNANIMOUS.**

BOARD DISCUSSION AND ACTION

**COMMISSIONER HORTON MOVED APPROVAL OF RESOLUTION #2004-219 ADOPTING A FINAL COUNTY-WIDE MILLAGE LEVY FOR CHARLOTTE COUNTY FOR THE FISCAL YEAR 2004-2005 OF 4.7709 MILLS WHICH IS GREATER THAN THE ROLLED-BACK RATE OF 4.2297 MILLS BY 12.80 PERCENT, SECONDED BY COMMISSIONER DEVOS AND DECLARED UNANIMOUS.** **COMMISSIONER DEVOS MOVED APPROVAL OF RESOLUTION #2004-220 ADOPTING A FINAL COUNTY-WIDE BUDGET AS AMENDED OF \$255,244,667 FOR CHARLOTTE COUNTY FOR THE FISCAL YEAR 2004-2005, SECONDED BY COMMISSIONER HORTON AND DECLARED UNANIMOUS.**

II. AD VALOREM - MUNICIPAL SERVICE TAXING UNITS - MSTUs

Mrs. Navan read into the record the millage rates and budgets for each of the MSTUs:

**Total**  
**Proposed Budget**

A. Greater Charlotte Street Lighting District

The proposed ad-valorem tax is 0.2000 mills, An 8.03% decrease over the rollback rate of 0.2175 mills.

\$4,035,899

**Total**  
**Proposed Budget**

**B. Stump Pass Beach Renourishment Unit**

The proposed ad-valorem tax is 0.1927 mills,  
a 19.77% increase over the rollback rate  
of 0.1609 mills.

\$3,148,613

**C. Port Charlotte Bicycle Path Unit**

The proposed millage rate is 0.0000 mills,  
the same as last year.

0

**D. Don Pedro/Knight Island Street/Drainage Unit**

The proposed millage rate is 1.7100 mills,  
a 20.89% increase over the rollback rate  
of 1.4145 mills.

2,542,370

**E. Manasota Key Street/Drainage Unit**

The proposed millage rate is 0.8000 mills,  
a 131.72% increase over the rollback rate  
of 0.3452 mills. (The millage rate read into the  
record as 1.000 mills at the October 7, 2004 Public  
Hearing should have been 0.8000 mills and the  
proposed budget for this Fund did not change.)

664,003

**F. South Charlotte Marl Street/Drainage Unit**

The proposed millage rate is 0.000 mills,  
A 100.00% decrease over the rollback rate  
Of 4.7501 mills.

56,687

**G. Ackerman Waterway District**

The proposed millage rate is 0.0000 mills,  
a 100.00% decrease over the rollback rate  
of 0.1679 mills.

74,658

Total  
Proposed Budget

H. Alligator Creek Waterway Unit

The proposed millage rate is 0.4900 mills, a 14.72% increase over the rollback rate of 0.4271 mills.

\$ 740,049

I. Charlotte Public Safety Unit

The proposed millage rate is 1.8524 mills, a 14.16% increase over the rollback rate of 1.6227 mills.

38,750,868

J. Sandhill Municipal Service Taxing Unit

The proposed millage rate is 0.8500 mills, a 5.64% increase over the rollback rate of 0.8046 mills.

198,883

PUBLIC COMMENT

None. COMMISSIONER HORTON MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEVOS AND DECLARED UNANIMOUS.

BOARD DISCUSSION AND ACTION

COMMISSIONER DEVOS MOVED APPROVAL OF RESOLUTION #2004-221 ADOPTING MILLAGE RATES TO BE LEVIED WITHIN GREATER CHARLOTTE STREET LIGHTING DISTRICT, STUMP PASS BEACH RENOURISHMENT UNIT, PORT CHARLOTTE BICYCLE PATH UNIT, DON PEDRO / KNIGHT ISLAND STREET AND DRAINAGE UNIT, MANASOTA KEY STREET AND DRAINAGE UNIT, SOUTH CHARLOTTE MARL STREET AND DRAINAGE UNIT, ACKERMAN WATERWAY DISTRICT, ALLIGATOR CREEK WATERWAY UNIT, CHARLOTTE PUBLIC SAFETY UNIT, AND SANDHILL MUNICIPAL SERVICE TAXING UNIT FOR FISCAL YEAR 2004-2005, SECONDED BY COMMISSIONER HORTON AND DECLARED UNANIMOUS. COMMISSIONER DEVOS MOVED APPROVAL OF RESOLUTION #2004-222 ADOPTING FINAL BUDGETS FOR GREATER CHARLOTTE STREET LIGHTING DISTRICT, STUMP PASS BEACH RENOURISHMENT UNIT, PORT CHARLOTTE BICYCLE PATH UNIT, DON PEDRO / KNIGHT ISLAND STREET AND DRAINAGE UNIT, MANASOTA KEY STREET AND DRAINAGE UNIT, SOUTH CHARLOTTE MARL STREET AND DRAINAGE UNIT, ACKERMAN WATERWAY

**DISTRICT, ALLIGATOR CREEK WATERWAY UNIT, CHARLOTTE PUBLIC SAFETY UNIT, AND SANDHILL MUNICIPAL SERVICE TAXING UNIT FOR FISCAL YEAR 2004-2005, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS.**

Mrs. Navan alerted the Board that a gentlemen wanted to speak on **I, Countywide Funds**. **Chairman DeBoer** announced public comment procedures. Archibald M. Hood, a Punta Gorda Isles resident, commented on the increase in aggregate property taxes from \$73.5 million in 2004 to \$85.5 million in 2005 that calculates to an approximate 16.2% increase; stated a lot of people have learned that insurance does not always totally compensate for damages and property owners must pay the difference; reported the TRIM notice included a letter from the Property Appraiser indicating that no relief would be forthcoming for 2004 since the State Legislature has not provided any tax relief; City of Punta Gorda residents do not have any Legislative representatives to work on tax relief; stated Charlotte County residents need tax relief not added tax burdens like the perpetual burden for upkeep of the U.S. 41 South beautification project that has also created a safety hazard due to impediments to visibility; and requested the Board to reject the proposed increase and hold taxes to the 2004 property tax levels and establish an open line to the Legislature. **Chairman DeBoer** explained the tax rate has been decreased in this budget and suggested Mr. Hood schedule an appointment to explain what is being done. **Chairman DeBoer** requested additional public comments and there were none.

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

Mrs. Navan explained as a result of the October 7, 2004 Public Hearing, Public Works staff identified approximately \$173,000 in the Farabee Road Maintenance Unit budget that could accomplish four grading cycles within the Unit; funds for drainage work that was going to be done in conjunction with paving can also be applied to grading costs; and if the funds are depleted, an internal loan can be done from the Transportation Trust Fund; and pointed out the Marine Advisory Committee's recommendation, on revised page 14, to redirect Boater Fee Funds to Reserves for canal cleaning was not addressed at the October 7, 2004 Public Hearing. **Chairman DeBoer** explained his primary focus is on Public Safety, he has met with Sheriff's Office representatives about the

\$64,400 for hull replacement and radars for two boats and the \$8,777 for dive team equipment; the Marine Advisory Committee has done a commendable job on compiling the list; pointed out if the two Sheriff's Office requests are not funded here, then the monies would have to come out of the General Fund; he has spoken to City of Punta Gorda Manager Willard Beck regarding the Punta Gorda Fire Department boat replacement and learned that Mr. Beck does not believe the replacement is necessary, Mr. Beck requested an opportunity to discuss the need for City and County fire boats when the County's boat is docked in the City's marina; and Mr. Beck stated it is critical to fund the Punta Gorda Police Department boat replacement. **Commissioner Cummings** requested \$7,500 to fund the Sundown Patrols as a Public Safety need. **Commissioner D'Aprile** commended the Marine Advisory Committee for their efforts and recommendations but agreed with the requests brought up by **Chairman DeBoer** and **Commissioner Cummings**. **COMMISSIONER DEVOS MOVED FOR APPROVAL TO FUND REQUESTS MADE BY THE CHARLOTTE COUNTY CIVIL AIR PATROL FOR \$7,500, CHARLOTTE COUNTY SHERIFF'S OFFICE FOR \$64,400 AND \$8,777, AND THE CITY OF PUNTA GORDA POLICE DEPARTMENT FOR \$39,058 AND REDUCE THE AMOUNT BEING REDIRECTED TO BE ADJUSTED BY THE APPROPRIATE AMOUNT WITH THE BALANCE OF REDIRECTED FUNDS FOR USE AS CANAL CLEANUP MATCHING FUNDS TO OBTAIN FEDERAL GOVERNMENT FUNDS, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS.** **Chairman DeBoer** advised numerous requests have been received to reduce the budget for the Boca Grande Street and Drainage Unit; staffs from Budget and Public Works have reviewed the budget and work program; the basic difference was that monies were going into Reserves for future capital improvements and the five-year Capital Improvement Program reflected the monies were going to be directed to a future possible paving project beyond the five-year plan; the Board's policy is to wait until paving is needed, establish debt service with pay back based upon actual costs and use of the asset on a year-by-year basis; and the proposed rate has been reduced from \$70 to \$30. **COMMISSIONER D'APRILE MOVED FOR APPROVAL TO REDUCE THE BOCA GRANDE STREET AND DRAINAGE MAINTENANCE UNIT RATE FROM \$70 TO \$30, SECONDED BY COMMISSIONER DEVOS.** **Chairman DeBoer** explained adoption of the budget will occur after public input, the proposed rate will be \$30, the rate cannot be increased over that amount but it may be reduced, and the budget will be lowered by \$29,497. **CALL ON THE MOTION: DECLARED UNANIMOUS.**

**PUBLIC COMMENT**

Alan Williams, a Boca Grande resident and member of the MSBU Street and Drainage Committee, read a statement that indicated the assessment, even reduced to \$30, is unacceptable since funds are available for the contemplated improvements. John Drennan, a Harbour Heights resident, stated the MSBU Street and Drainage rate is almost a 50% increase over last year's rate from \$115 to \$170; recalled his request to hold the increase back last year and no vote was taken on it; pointed out a lot of people's homes were damaged and cannot afford the increase; and requested the rate continue as \$115 for at least another year and the Board vote on it. **COMMISSIONER DEVOS MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS.**

**BOARD DISCUSSION & ACTION**

Commissioner D'Aprile reported a check made of Harbour Heights taxpayers confirmed support for the Committee's recommendation on the increased rate. **Commissioner Horton** requested an explanation on the use of the \$30. R. Alan Holbach, Public Works Maintenance and Operations Manager, stated a \$0 assessment would deplete an existing balance, recommended carrying a minimum balance in Reserves/Contingency to address unanticipated work, and pointed out Reserves have been drawn down over the last few years. **Chairman DeBoer** recalled this Unit was split from a larger Unit with funds allocated and spent over two years that necessitated a subsequent public hearing on the levy and stated a stable rate needs to be determined to support a minimum amount of maintenance and allow for a Contingency. **Commissioner Cummings** stated MSBUs that have been improperly funded are having road projects and infrastructure financed, it is the Board's desire to establish and maintain a base level of service for all MSBUs, opposed reducing the rate to \$0, and expressed reluctant support for the \$30 rate to maintain a reasonable level of Reserves. **Chairman DeBoer** opposed reducing the rate to \$0 in light of changes in adopted, amended, and actual budgets and maintenance costs and agreed with the \$30 rate. **COMMISSIONER DEVOS MOVED APPROVAL OF RESOLUTION #2004-223 AMENDING RESOLUTION #2004-211 SETTING ASSESSMENT RATES FOR FISCAL YEAR 2004-2005 FOR MUNICIPAL SERVICE BENEFIT UNITS, SECONDED BY COMMISSIONER HORTON AND DECLARED UNANIMOUS. COMMISSIONER HORTON MOVED APPROVAL OF RESOLUTION #2004-224 ADOPTING BUDGETS FOR SPECIAL REVENUE FUNDS,**

**DEBT SERVICE FUNDS, ENTERPRISE FUNDS AND MSBU FUNDS FOR FISCAL YEAR 2004-2005 AS SET OUT ON ATTACHED TABLE 1, SECONDED BY COMMISSIONER DEVOS AND DECLARED UNANIMOUS.**

**Chairman DeBoer** brought up Robert (Bucky) McQueen's request to allow a staging area for delivery of manufactured homes to a site with no extension of water or sewer, no one will be occupy the units, and as the units are sold through the Port Charlotte sales office they would be moved to their permanent locations. **Chairman DeBoer** suggested an agreement or letter be sent to Mr. McQueen allowing the temporary use for recovery purposes for 18 months to be extended only upon demonstration that such a market is still warranted as a result of recovery efforts, there will be no occupied units on the site, no utility extensions onto the site, and that a breach of the agreement would be considered for action under a Code Enforcement violation. **Commissioner D'Aprile** opined information available at the last meeting was not clear enough to make a determination on the requested use; advised subsequent to the meeting he researched the issue and met with Mr. McQueen; he has ascertained the site will not be developed as a sales depot or profit making venture; and commented in support of the activity subject to the conditions. **Commissioner Cummings** pointed out the use would be inconsistent with ECAP standards; there is a lot of difference in FEMA and a private entity undertaking this type of activity; expressed reluctance based upon the lawsuit, settlement, and subsequent issues; and stated there are other areas within the County zoned appropriately to locate these units. **Chairman DeBoer** concluded the Board does not want to address the request in this forum based upon the split discussion.

**MEETING ADJOURNED: 6:18 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**

**djn**