

**PEACE RIVER MASTER WATER SUPPLY CONTRACT
AND INTERLOCAL AGREEMENT WORKSHOP**

BOARD OF COUNTY COMMISSIONERS

SEPTEMBER 13, 2005

A workshop 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 Sara Devos and Commissioners Thomas G. Moore, Adam Cummings, Thomas C. D'Aprile and Matthew D. DeBoer. Also in attendance were Assistant County Administrator Kelly Shoemaker, County Attorney Janette S. Knowlton, Chief Deputy Board Services Tommy Q. White, Executive Assistant to the Board of County Commissioners Judy Hunter, and Deputy Clerk Karen S. Mitchell. The workshop was called to order at **3:01 P.M.** followed by the Pledge of Allegiance to the Flag.

Chairman Devos explained Assistant County Administrator Roger Baltz, Assistant County Attorney Marty Burton, and CCU Director David G. Schlobohm would be making a presentation to the Board. Roger Baltz, Assistant County Administrator, gave a presentation to the Board which paralleled the material and detailed the following: Purpose, Summary: "The Big Picture", Charlotte County-average demand / Charlotte County-peak demand, Regional Expansion Project (REP), Process to date, Master Water Supply Contract Summary, Cost, and NEW criteria. (**Discussion ensued and various questions were raised regarding other water sources, deficit, and County-wide reverse osmosis.**) (Executive Assistant Judy Hunter was not present for the remainder of the workshop.) (Discussion continued regarding sharing of construction costs, PRMRWSA Master Water Supply Contract, DeSoto County's designation as an exclusive customer of the Authority, minimum flow levels must be established before more water can be withdrawn from the Peace River, and actively seeking other water sources.) Mr. Baltz summarized there is a very strong desire on the part of many of the members and the WA to move forward with these contracts, and he had received an email this afternoon that the DeSoto County Board had voted to approve both of these documents. **Commissioner Cummings** noted a year from now they'll be getting back the 2 mgd they're selling to Sarasota so it's a big element in helping Charlotte County address the short-term

gap. **Commissioner Moore** asked how much money Sarasota County was in arrears on the dispute. Mr. Baltz responded the past due amount was almost \$1 million. **Commissioner Moore** said he was very concerned about the shortfall. David G. Schlobohm, CCU Director, said he agreed. **Commissioner D'Aprile** agreed if they don't uphold this new proposal it might backfire on them. **Commissioner DeBoer** said the DeSoto County's exclusive customer designation really raises red flags to him and he wasn't ready to vote on this today. **Chairman Devos** agreed the deficit was a real worry, said it appears North Port was going to veto this and asked what would happen if they did. Mr. Baltz said it was his understanding, due to the way these documents were structured, that if anyone who's a signatory objects and refuses to sign, the process was done. Mr. Baltz said if that were to occur it might be simpler to do a new water supply contract based on this next anticipated expansion only. **Chairman Devos** said there were some areas she wasn't comfortable with but it wasn't enough for her not to support this because it was more important that they move forward and asked when they have to approve this. Mr. Baltz stated everyone was asked to be prepared to approve documents and contracts at the last WA Board meeting which was October 7, 2005. Mr. Baltz reiterated the purpose today was to present information and staff was not expecting Board action today. **Chairman Devos** asked if this would be on their September 27, 2005 meeting agenda. Mr. Baltz said yes. Janette S. Knowlton, County Attorney, said that between now and when this comes back to the Board they were going to work out a process as to how they were going to address the \$1 million dispute with Sarasota County. **Commissioner Cummings** noted the side agreement with Sarasota County gets the water back to us sooner but it also ensures that during the intervening year when they would still continue selling the water, Sarasota County will begin paying the full cost directly to the WA so Charlotte County won't continue subsidizing them at \$26,000 a month. **Commissioner D'Aprile** asked if any changes were expected before they vote on this. Mr. Baltz responded he hadn't heard of anything substantial. **Chairman Devos** summarized the Board has two weeks to discuss their issues and concerns with staff. Marty Burton, Assistant County Attorney, pointed out when the contracts come back to the Board there will be a memorandum of understanding between Sarasota and Charlotte Counties addressing the issue of the \$1 million, and additionally there will be a 3-way agreement between Sarasota

County, Charlotte County and the Authority to handle the change in the 2 mgd which will be going to the Authority to be put down in the ASR. Attorney Burton added staff wants it to be clear that the money goes from Sarasota County directly to the Authority so there aren't any more problems arising about any more differences between what the contract means.

MEETING ADJOURNED: 4:20 P.M.

Signature on file in Commission Minutes

Sara J. Devos
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