

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

SEPTEMBER 27, 2005

A regular meeting 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 J. Devos and Commissioners Thomas G. Moore, Adam Cummings, Thomas C. D'Aprile and Matthew D. DeBoer. Also in attendance were County Administrator Bruce D. Loucks, County Attorney Janette S. Knowlton, Chief Deputy Board Services Tommy Q. White, Executive Assistants to the Board Bonnie Stoner and Judy Hunter and Deputy Clerk Karen S. Mitchell. The meeting was called to order at **9:03 A.M.**

The **invocation** was given by Rabbi Simon Jacobson/Chabad, Punta Gorda, Florida, followed by the Pledge of Allegiance to the Flag.

CHANGES TO THE AGENDA

ADDITIONS:

**Regular
Agenda**

Agenda Item Y-4, Budget - Approve Budget Transfer #05-023 in the amount of \$320,000 from General Fund Contingency reserves to Interfund Transfer - Sheriff Corrections which represents the budgeted Cash Carried Forward portion of the FY04/05 Sheriff's Correction Budget.

CHANGES:

**Presentation
Agenda**

Agenda Item Z-3, Administration - Continuation of information and discussion of Babcock Ranch, including an interpretation of the Rural Land Stewardship Program (RLSP) - ~~10:00 A.M.~~ changed to 1:30 P.M.

Agenda Item Z-2 - Goldenrod wording correction:
"...tax increment revenues ~~of (40%)~~ will be pledged for the payment of the debt service on the bonds in a manner consistent with the Murdock Village Community Redevelopment Plan. ~~The remaining portion of the tax increment...for the area.~~"

CLARIFICATION:

Workshop
Agenda

Agenda Item Z-5, Administration - Funding for Community Land Trust and expenditure of Hurricane Housing Grant is at 2:00 P.M.

DELETION:

Presentation
Agenda

Agenda Item Z-4, Administration - Discuss upcoming legislative session and issues - Defer to October 11, 2005 Board Meeting

COMMISSIONER DeBOER MOVED APPROVAL OF THE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS.

SPECIAL RECOGNITION

Proclamations:

THE BOARD AGREED TO THE ISSUANCE OF A PROCLAMATION STIPULATING OCTOBER 3, 2005 THROUGH OCTOBER 7, 2005 AS "CUSTOMER SERVICE WEEK" ON MOTION BY COMMISSIONER D'APRILE, SECONDED BY COMMISSIONER MOORE AND DECLARED UNANIMOUS. Jackie Stevens accepted the proclamation.

THE BOARD AGREED TO THE ISSUANCE OF A PROCLAMATION STIPULATING OCTOBER 2, 2005 THROUGH OCTOBER 8, 2005 AS "4-H WEEK IN CHARLOTTE COUNTY" ON MOTION BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER MOORE AND DECLARED UNANIMOUS. Outstanding 4-H'er of the Year Michael Keeney accepted the proclamation.

Presentation:

Keep Charlotte Beautiful Coordinator Glenda G. Anderson presented **Commissioner DeBoer** with a check in the amount of \$10,000 from Cingular Wireless.

I. CITIZEN INPUT - AGENDA ITEMS ONLY

Paul Holmes addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said Mr. Kitson's vision was a town twice the size of Punta Gorda; it would be a huge negative impact to the environment, water and wildlife; and asked the Board to continue to implement the County's Comprehensive Plan (Comp Plan) with no changes to land use or density.

Brian Presley, Enterprise Charlotte Foundation Chair, Community Foundation Board Member and FGCU Board Member, addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said Mr. Kitson's proposal was the best outcome possible for Babcock Ranch, there's a great deal of misinformation occurring, this is about managing the growth and maintaining the environmental jewel which is the swamp and all the water rights, the proposal was not urban sprawl, it will be a positive revenue builder and it's the right thing to do.

Frank Walker addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said he was opposed because of the negative impact to water, the wetlands and the swamp. Mr. Walker noted the law states water must be allocated by the Water Authority (WA) so everyone needs to understand Mr. Kitson's limitations regarding his promises of water to Lee and Charlotte Counties, and asked the Board to proceed carefully.

John Boland addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said he was opposed to Mr. Kitson's plan and asked the Board to uphold the Comp Plan. Mr. Boland asked if Charlotte County was committed to giving the same deal to the next developer if Mr. Kitson rescinds his offer to purchase Babcock Ranch, noted the Rural Land Stewardship Program (RLSP) specifically exempts the project from Development of Regional Impact (DRI) review and stated this was not the right thing to do.

Grace Amodeo addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, distributed and read her prepared speech, summarized this will take time, any contract must be air-tight and the County shouldn't hurry through the process.

John Swingle, Sierra Club Florida Chapter Chair, addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said he was representing the 33,000+ Florida members who support preserving Babcock Ranch and the County's Comp Plan, opined Charlotte and Lee Counties have a unique opportunity to have vision and asked the Board to keep the long-term vision in mind instead of the short monetary gain.

Bob Burns, FGCU Executive Director, addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said they support Mr. Kitson's proposal to partner with FGCU for the environmental center, he personally supports this because it is a plan on 'how to plan' for this development and he felt Mr. Kitson was a man they could trust.

Ellen Peterson, Sierra Club Caloosa Group Chair, addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said they were very concerned, asked the Board to fully explore everything before giving away the farm, and opined the Board should get all the facts before starting negotiations.

Lane Diedrick, Enterprise Charlotte, addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said Mr. Kitson's vision was supported by research and dialogue, they see this as a unique opportunity for the County to preserve environmentally sensitive land, they support moving forward without great delay and reiterated he felt this was a great opportunity.

Russell Garrett, Charlotte Builders and Contractors Association, Inc. (CBCA) President n/k/a Charlotte/DeSoto Building Industry Association (CDBIA) and Florida Home Builders Association Director, addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said they represent 20,000 jobs in Charlotte, voiced support for the proposal, and said it will be a benefit to have 50,000 people move into a Planned Development (PD) rather than platted lands.

Bill Dryburgh addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said he knows everyone of the Board members personally, he knows the stewardship and love they have for this County, and he trusts the Board will take care of us.

Carl "Vaau" from Lee County addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said he helped collect 17,000 signatures many from Charlotte County to save the Babcock Ranch in it's entirety, this was excellent Scrub Jay habitat so a survey was needed, there were also wild turkey and hog out there, the FGCU satellite campus will continue to grow but they have proved to be very poor stewards of the land, asked the Board not to rush into the 4-party agreement before the State makes their decision and reiterated their request for the Board to save the ranch.

Jack Taylor addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said he was a retired marine biologist, he has resided in Florida since 1958, stated growth was not inevitable, environmental stewardship was very important so it was important to maintain this property and asked the Board to turn down the proposal and preserve the ranch in its entirety.

Glen Gould, Punta Gorda Chamber of Commerce, addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said they have the opportunity to preserve 74,000 acres, this plan was worth looking into and he wanted to urge the Board to move forward.

Peter Bartolott addressed **Agenda Item Z-3, Continuation of information and discussion of Babcock Ranch**, said this was a vision of everything the Board represents and opined Mr. Kitson was a visionary developer who only wants time to incorporate the County's needs into the plan that's in the community's best interest.

Terry Weldon, Government and Public Affairs Manager for Comcast, address addressed **Agenda Item D-2, Approve a Resolution consenting to Comcast Corporation's acquisition of Time Warner Cable, Inc., resulting in Comcast being the County's sole cable television provider**, said she wanted to respond to concerns that

were raised yesterday, referred to her letter to the County Attorney which she was assured was shared with the Board members, said the letter only outlines some key components to a hurricane emergency disaster plan they have in place, and she wanted to propose setting up individual meetings with each of the Board members to discuss this plan and to address any additional concerns the Board may have.

Commissioner Cummings requested a point of personal privilege and said he wanted to respond to a couple comments. **Commissioner Cummings** stated what urban sprawl is or is not is identified in Administrative Rule 9J5, he felt that particularly in the media the positions of the folks that spoke here today appear very polarized but he wasn't sure that it's as far apart as it may appear on the surface, and both sides appear to support maintaining the existing businesses on the ranch. **Commissioner Cummings** said there was a comment that the State 'couldn't do it' which was absolutely not true, the State chose not to do it, they had a proposal that got the acquisition that everyone had agreed to, the State refused to give the same money to the local governments to implement the plan that they were willing to give to a developer and that was in January, and they had the deal done for \$480 million. **Commissioner Cummings** said there was a lot of merit in the discussions, what they're talking about was a deliberative process where they weigh the consequences of the decision before making that decision, and he made reference to page 7 of Mr. Kitson's brochure.

RECESS: 10:15 A.M. - 10:25 A.M.

VI. PUBLIC HEARING AGENDA

Z. 10:00 A.M.

Agenda Item Z-1, Economic Development - Murdock Village Community Redevelopment Plan (Proof of Publication was in order.)

Debrah Forester, Redevelopment Manager, explained the proposed resolution was for an amendment to Section 5.08 of the Murdock Village Community Redevelopment Plan to incorporate relocation policies, the Planning and Zoning (P&Z) Board unanimously adopted the amendment which was found to be in conformity with

the Comprehensive Plan (Comp Plan) and the Murdock Village Community Redevelopment Agency Advisory Committee unanimously voted to recommend approval of the amendment. **THERE BEING NO ONE WISHING TO SPEAK FOR OR AGAINST, COMMISSIONER DeBOER MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER MOORE AND DECLARED UNANIMOUS. COMMISSIONER DeBOER MOVED APPROVAL TO ADOPT RESOLUTION #2005-188, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS.**

Agenda Item Z-2 - Economic Development - Consider approval to authorize, by Resolution, the issuance of community redevelopment revenue bonds; and consider approval, by Resolution, the execution of an Interlocal Agreement between the County and the Murdock Village Community Redevelopment Agency to begin to use tax increment revenues from the Community Redevelopment Trust Fund for community redevelopment purposes.

Mrs. Forester explained the proposed resolutions would authorize issuance of community redevelopment revenue bonds and authorize execution of an Interlocal Agreement with the Murdock Village Community Redevelopment Agency to use tax increment revenues from the Murdock Village Community Redevelopment Trust Fund for community redevelopment purposes. **Commissioner DeBoer** noted there were two different goldenrods and asked if the County Commission sitting as the Murdock Village CRA removed the sentence dealing with the tax increment revenues of 40%. Mrs. Forester said that language was taken out of the interlocal agreement, she made the same change to the goldenrod and explained the change was made to provide greater flexibility as they didn't want any limit to the amount of tax increment that could be used in the bond resolution. Mark Lawson of Bryant, Miller & Olive, P.A. and Special Council on Redevelopment Issues, clarified the original interlocal agreement was drafted by the County's consultants and legal team with a consensus of the County's financial team, and it had a 40% provision in terms of how much increment would be available for this particular issue but it was removed as they didn't want to make a policy decision. **Commissioner DeBoer** summarized the 40% was never adopted by the Board. Attorney Lawson responded no. **THERE BEING NO ONE WISHING TO SPEAK FOR OR AGAINST, COMMISSIONER DeBOER MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER MOORE AND DECLARED UNANIMOUS.** Attorney Lawson requested a point of order, stated this item was required by

statute to have a public hearing to deal with the issuance of bonds for community redevelopment purposes, it was a two-pronged item as it deals with the bond resolution and an interlocal agreement, and it was the Board's decision whether they want to reopen the public hearing to discuss the interlocal agreement but both items need to be discussed under the public hearing. **COMMISSIONER DeBOER RESCINDED THE CLOSING OF THE PUBLIC HEARING, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS.** Commissioner DeBoer clarified the Board was having a public hearing to consider both the approval to authorize by resolution the issuance of community redevelopment revenue bonds, and the execution of the interlocal agreement between the Charlotte County and the Murdock Village Community Redevelopment Agency to begin to use tax increment revenues from the community redevelopment trust fund for community redevelopment purposes; and the public can discuss either one. Charlotte Ventola said she would like to know the ramifications of the 40% Tax Increment Financing (TIF) funds, it appeared there wasn't any provision for repayment of the interest the County has been paying for all the land acquisitions and she didn't feel they should give 100% of the TIF funds to a developer without requiring some kind of repayment for all the costs the County has incurred. **Chairman Devos** said it was her understanding they will revisit this. Mrs. Forester said yes they will and asked that Mr. Acres provide additional explanation. Gary Akers, Stifel, Nicolaus & Company Financial Advisor, explained the intent of removing the 40% is not to put the County in a position they couldn't receive anything, there was concern whether 40% of the TIF would be sufficient to pay the bonds and without having all the information at this time it appeared to be more prudent for the County to be able to negotiate that in the future and this permits the County to get more than 40% if needed to pay the debt. Attorney Lawson said the interlocal agreement makes it clear the reimbursement obligation the agency has shall extend and continue until the County has been completely and fully reimbursed by the agency for all payments on the bonds advanced or paid by the County which was consistent with the Board's policy direction and the redevelopment plan that's embodied in the interlocal agreement. Grace Amodeo asked if the 40% will be set aside in order to pay the interest or what. **Chairman Devos** explained it was felt it was best to remove any percentage until they know exactly what the dollar values are and it will be discussed again at a later date.

COMMISSIONER MOORE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DeBOER AND DECLARED UNANIMOUS. COMMISSIONER DeBOER MOVED APPROVAL TO ADOPT RESOLUTION #2005-189 AUTHORIZING THE ISSUANCE OF COMMUNITY REDEVELOPMENT REVENUE BONDS AND RESOLUTION #2005-190 AUTHORIZING THE EXECUTION OF THE INTERLOCAL AGREEMENT, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS.

II. COMMITTEE VACANCIES

Charlotte County is seeking volunteers to serve on the following committees:

Murdock Village Community Redevelopment Agency Advisory Committee (CRAAC)

- one (1) Contractor representative

Planning & Zoning Board Representative

- one (1) applicant of District #4, term expires in May, 2008

Punta Gorda CRA

- one (1) applicant for a 4-year term

Chairman Devos asked if there was a time limit for people to apply for the CRA and if not she would like to establish a 30 day window. COMMISSIONER DeBOER MOVED APPROVAL TO SET A 30-DAY WINDOW FOR APPLICATIONS FOR A FOUR-YEAR TERM FOR THE PUNTA GORDA CRA, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS. Commissioner DeBoer referred to Agenda Item X-1, Approve the increase to the Vital Statistics Fee Schedule, noted the modulars on Loveland Boulevard that were supposed to become the Health Department have been sitting there for months and said he would like the County to tell Dr. Goggin that he should do whatever was necessary to get those back up. **Chairman Devos** agreed.

III. REPORTS RECEIVED AND FILED

None.

IV. CONSENT AGENDA

**COMMISSIONER DeBOER MOVED APPROVAL OF THE FOLLOWING ITEMS,
SECONDED BY COMMISSIONER MOORE AND DECLARED UNANIMOUS.**

CLERK OF THE CIRCUIT COURT

A. Finance Division

Agenda Item A-1, Adoption of Clerk's Finance Memoranda

Memorandum #1 Status of Contingency Reserves - FY 03/04

Memorandum #1A Status of Contingency Reserves - FY 04/05

Memorandum #2 Total Disbursements for the period September 9,
2005 through September 20, 2005 in the amount of
\$8,805,384.48

B. Minutes Division

No agenda items.

BOARD OF COUNTY COMMISSIONERS

C. Commission Office

No agenda items.

D. Administration

Agenda Item D-1

**Set a Workshop on Tuesday, October 11, 2005 at 3:00 P.M., or as
soon thereafter to discuss the Jail Expansion.**

E. County Attorney

Agenda Item E-1

**Work Order #2005-1 amending Agreement #2003-025 increasing the
contract with Bryant, Miller and Olive in the amount of \$250,000
to continue legal and technical assistance and advice in the
implementation of the Murdock Village Community Redevelopment
Plan.**

F. Budget Office

Agenda Item F-2

Extend the 2005 Tax Roll from the Property Appraiser to the Tax Collector prior to the Value Adjustment Board completion of its final meetings to avoid delay in the issuance of tax notices.

G. Community Development

Agenda Item G-1

Set a Public Hearing for October 11, 2005 and October 25, 2005 at 10:00 A.M. to consider the revision to the Waterfront Property Ordinance.

H. Economic Development

No agenda items.

J. Environmental & Extension Services

No items.

K. Facilities Construction and Maintenance

No items.

L. General Services

Agenda Item L-1

File #05-227, Work Order #2, Phase 1, Feasibility Study - RO Water Treatment Plant under Contract #05-042, Engineers of Record with Malcolm Pirnie, Inc. of Tampa, FL in the amount of \$590,000.

Agenda Item L-2

Bid #05-383, Water/Wastewater Chemicals with the exception of antiscalant to various firms/prices for the period October 1, 2005 up to and including September 30, 2006, with option to renew for two (2) additional one-year terms at the same prices,

terms and conditions, by mutual consent; and **Authorize** the County Administrator to approve two additional one-year renewals.

Agenda Item L-3

Bid #05-403, Fabricated Signs to Vulcan Signs of Foley, AL for the period October 1, 2005 up to and including September 30, 2006 at the submitted prices; and **Authorize** the County Administrator to approve two additional one-year renewals.

Agenda Item L-4

File #05-455, Cellular Telephones, Air Time and Service with Nextel South Corporation of Ft. Lauderdale, FL under Piggyback of Western States Contracting Alliance, Wireless Communication Services and Equipment, under authority of Master Price Agreement 12-00115 from December 19, 2005 through and including June 30, 2006; and **Authorize** the County Administrator to approve renewal options up to two (2) additional one-year terms, at the same prices, terms and conditions, by mutual consent.

Agenda Item L-5

Sole Source purchase of File #05-354, Badger Meters to Badger Meter, Inc., at the unit prices quoted for an estimated annual cost of \$900,000, term of contract October 1, 2005 through and including September 30, 2006; and **Authorize** the County Administrator to approve renewal options for up to two (2) additional one-year terms, at the same prices, terms and conditions, by mutual consent.

Agenda Item L-6

Bid #05-392, Cleaning Services - Charlotte County Facilities to United States Service Industries of Ft. Myers, FL for the annual cost of \$380,019 for the period of October 1, 2005 up to and including September 30, 2006; and **Authorize** the County Administrator to approve renewal options up to two (2) additional one-year terms, at the same prices, terms and conditions, by mutual consent.

Agenda Item L-8

Contract #04-308B, Design/Build Fire Station(s) with Mathews-Taylor Construction, LLC for the design phase of Fire Station #15 at the cost of \$60,020; **Contract #04-308C Design/Build Fire Station(s)** with Mathews-Taylor Construction, LLC for the design phase of Fire Station #16 at the cost of \$60,020; and **Authorize** the Chair to sign the contracts.

Agenda Item L-9

Request for Proposal #05-410, CDBG Disaster Recovery Sub-Grant Management Services to Meridian Community Services Group, Inc. of Tallahassee, FL for a fee of 8% of the sum of the grant award; and **Authorize** the Chair to sign the contract.

Agenda Item L-10

Bid #05-404, Lift Station #202 Rehabilitation to Strickler Bros., Inc. of Ft. Myers, FL in the amount of \$223,125.

Agenda Item L-11

Change Order #3, Contract #03-447, Design - Burnt Store Road Improvements with Wilbur Smith Associates of Pt. Charlotte, FL for additional analysis and contamination review services in the amount of \$7,907.55 and a revised contract amount of \$764,745.11.

Agenda Item L-12

Bid #05-418, Stackable Chairs to Borroughs Mfg. Corporation of Cape Coral, FL for a total cost of \$85,439.20.

Agenda Item L-13

Rescind proceeding with MaintStar of Irvine, CA, Request for Proposal #04-232B, Enterprise Asset Management System / Computerized Maintenance Management Solution Software (EAMS/CMMS) for the replacement of the existing Burke CMMS software used by Public Works.

Agenda Item L-14

Renew Bid #02-184, Maintenance & Repair of 800 MHz Communication Infrastructure with Motorola, extending the contract from October 1, 2005 through and including September 30, 2006, for an annual cost of \$162,073.20.

Agenda Item L-15

Bid #05-367, Water Quality Analysis to three firms at the unit prices for October 1, 2005 up to and including September 30, 2006, with option to renew at the same prices, terms and conditions, by mutual consent; and **Authorize** County Administrator to approve the annual renewals at the same prices, terms and conditions.

Agenda Item L-16

Bid #05-375, Tom Adams Bridge Rehabilitation to Coastal Marine Construction, Inc. of Venice, FL for a total cost of \$2,597,422.58; and **CIP Amendment #06-C01** for \$785,000.

Agenda Item L-17

Bid #05-428, Renovation of Murdock Library to Magnum Builders of Sarasota, Inc. of Sarasota, FL in the amount of \$1,011,022.

M. Human Resources

No items.

N. Human Services

No items.

P. Information Technology

No items.

Q. Parks, Recreation & Cultural Resources

Agenda Item Q-1

Grant #2005-034 Florida Department of State Division of Library and Information Services, State Aid to Libraries Grant Program for 2005-2006, Charlotte County Library based on local expenditures from FY03/04 with funding estimated at \$162,501; and **Grant #2005-035** Florida Department of State Division of Library and Information Services, State Aid to Libraries Grant Program for 2005-2006, Charlotte-Glades Multi-County Library System base amount of \$50,000.

R. Public Safety

Agenda Item R-1

Grant #2005-036 for the Emergency Management Grant which provides funding in the amount of \$105,806 minus \$2,847 for satellite communications service for a total of \$102,959, Contract #06BG-04-09-18-01-062 with Department of Community Affairs (DCA) funded from the Emergency, Preparedness & Assistance Trust Fund.

Agenda Item R-2

Agreement #2005-041, Agreement #2005-042 and Agreement #2005-043 with Nextel South Corp for leasing of space on three County-owned communications towers on El Jobean Road, Edgewater Drive and Airport Road, respectively.

S. Public Works

Agenda Item S-1

Resolution #2005-198 supporting the Florida Beach Erosion Control Program Phase 1 and provide matching funds for annual monitoring of the completed erosion control project.

T. Real Estate Services

Agenda Item T-1

Resolution #2005-191 authorizing the Chair to execute a County Deed releasing portions of two (2) six-foot wide utility and drainage easements located in Lots 2 and 3, Sandhill Crossings, in Charlotte County, Florida to S & J Leasing, Inc., a Florida Corporation.

Agenda Item T-2

Resolution #2005-192 authorizing the Chair to execute a County Deed releasing a portion of a twenty-foot (20') wide canal maintenance easement located in Lot 493, Block 2091, Port Charlotte Subdivision, Section 40, in Charlotte County, Florida to Martin R. Fenton.

Agenda Item T-3

Resolution #2005-193 authorizing the Chair to execute a County Deed releasing a portion of a twenty-foot (20') wide canal maintenance easement located in Lot 642 Block 2091, Port Charlotte Subdivision, Section 36, in Charlotte County, Florida to Michael L. and Julie K. Jackson.

Agenda Item T-4

Resolution #2005-194 authorizing the Chair to execute a County Deed releasing a portion of a ten-foot (10') wide utility and drainage easement located in Lot 19, Block 2836, Port Charlotte Subdivision, Section 45, in Charlotte County, Florida to Christopher S. Danitz.

V. Tourism Development

No items.

W. Utilities

Agenda Item W-1

Agreement #2005-044 authorizing the Chair to execute the assignment documents required by the "Replacement Reclaimed Water Supply Contract (Agreement No. 94-181 and Agreement No. 94-182) including Exhibit C to the Assignment, County's Consent.

X. Health Department

Agenda Item X-1

Resolution #2005-195 amending Resolution #96-206 by amending the fees charged by the Health Department for certified copies of birth and death certificates.

ITEMS FOR DISCUSSION

F. Budget Office

Agenda Item F-1, Approve the Resolution authorizing the borrowing of \$1,300,000 from the Pooled Commercial Paper Loan Program to fund the purchase of the First Christian Church

Commissioner D'Aprile said he hadn't had a chance to review the business plan he received yesterday, he had concerns regarding the \$260,000 annual loan principal repayment starting December 6, 2006 for five years, the County was the bank and asked the interest being charged. Robert Hebert, Recovery Director, said according to Mr. Sandrock there would be a 2% interest rate but he didn't know the loan pool interest rate. Tommy Q. White, Chief Deputy Board Services, stated right now it was 2.9%. Mr. Hebert added they were also in the process of beginning a capital fund campaign to actually retire the mortgage down as quickly as possible with private donations from the community and they hoped to accomplish this within the next six months. **Commissioner D'Aprile** asked the rental rate the not-for-profits will have to pay. Mr. Hebert responded \$8 per square foot. **Commissioner D'Aprile** said he understood there might be some grants to help subsidize this. Mr. Hebert said yes they were working on that right now. **Commissioner D'Aprile** noted the Board funding of these not-for-profits increases each year and

he wondered if this was proper or should there be a cap. **Chairman Devos** agreed most of the organizations that will be occupying this facility receive grant dollars but in turn they will be giving money back in the way of rent, Children's Services Council was the lead agency to help facilitate the distribution of grant opportunities, and opined the Board may want to consider hiring an administrator for the Children's Services Council. **Commissioner D'Aprile** asked if there were any savings through the purchase of this building. Mr. Hebert said if an agency currently funded by the Board moves into this facility and gets free rent, the County grant amount would be reduced by the amount that agency would have paid in rent. **Commissioner DeBoer** stated of all the items on today's agenda this bothers him the most, it breaks his heart when he gets put in a position of voting against something simply because of the lack of information received, he found many areas of conflict within this, he felt the Board deserved better support from staff than they got on this project, and somebody needs to start getting the information to the Board members so he's not put in the position of voting against creating a place for Big Brothers and Big Sisters when he was voted Big Brother of the Year because it makes him feel terrible. **COMMISSIONER D'APRILE MOVED APPROVAL TO ADOPT RESOLUTION #2005-197, SECONDED BY COMMISSIONER CUMMINGS.** **Commissioner DeBoer** stated he was going to vote in favor of this just because it was his prayer that somehow or another things gets pulled together and work for the kids but the business side of him knows there wasn't sufficient information or a plan to go ahead with this. **CALL ON THE MOTION: DECLARED UNANIMOUS.**

D. Administration

Agenda Item D-2, Approve a Resolution consenting to Comcast Corporation's acquisition of Time Warner Cable, Inc., resulting in Comcast being the County's sole cable television provider

Chairman Devos recalled railing against Comcast during the recovery from Hurricane Charley, opined people had no service for way too long especially those who were displaced and needed new service, stated she had been assured by Comcast she would be kept in the loop about changes to their practices but she never heard from them once and she wants assurance regarding having a disaster plan. **Commissioner DeBoer** agreed. **COMMISSIONER DeBOER**

MOVED TO DELAY ACTION ON AGENDA ITEM D-2 UNTIL THE CHAIR RECEIVES THE INFORMATION SHE REQUIRES, SECONDED BY COMMISSIONER CUMMINGS AND DECLARED UNANIMOUS.

G. General Services

Agenda Item L-7, (a) Approve the Guaranteed Maximum Price (GMP) for Contract #04-308, Design/Build Fire Station(s) with Mathews-Taylor Construction, LLC in the amount of \$1,998,618 to construct Fire Station #8; (b) authorize Chairman to sign the Amendment to Contract #04-308 for the GMP; and (c) approve contingency in the amount of \$113,000

Chairman Devos requested an update on the status overall. Dennis R. DiDio, Fire/EMS Director, stated Stations 8, 15 and 16 were the three additional fire stations in the five year plan, Station 8 was a year behind, and Stations 15 and 16 were on track. **Chairman Devos** asked the status of the damaged stations. Chief DiDio reported Station 1 was on schedule with a completion date of November 18th; Station 12 was in the redesign stage as it will be completely rebuilt; Station 11 was out to design but it hasn't been determined yet if it must be rebuilt; Stations 5 and 6 have been repaired; Station 4 was into the remodeling phase which will be going out to bid; Stations 13 and 14 were brand new and there were no issues; and Stations 9 and 10 have been repaired. **Chairman Devos** said she was concerned because they were a year out from the storm and she wanted staff to do whatever was necessary to expedite these projects. Chief DiDio stated if Station 11 in Harbour Heights was deemed not feasible to repair they would have a problem because the vehicle maintenance facility was there and they can't shut that down; and second of all with the vehicle maintenance building it's been five years now with the Scrub Jay issue and they still don't know what's going on with the permit. Chief DiDio added that Station 7 was demolished, those folks were now at the Fire Academy and they were working on an agreement with the Airport to put the new firehouse on two acres on the Airport grounds. **Chairman Devos** asked the Chief to keep the Board updated. **COMMISSIONER DeBOER MOVED APPROVAL OF AGENDA ITEM L-7, SECONDED BY COMMISSIONER CUMMINGS AND DECLARED UNANIMOUS.**

V. REGULAR AGENDA

Y. Regular Business

Agenda Item Y-1, Public Works - Approval to execute the Resolution authorizing an application to the Florida Department of Transportation (FDOT) for a Florida Highway Beautification Council Grant, and any subsequent agreements or documents associated with the grant. The Charlotte Harbor Community Redevelopment Agency Advisory Committee (CRAAC) will be voting on a recommendation on the use of future Tax Increment funds as matching funds for this grant application at their September 22, 2005 meeting. The Board is asked to consider their recommendation for inclusion into the grant application; their recommendation will be distributed to the Board under a separate memorandum.

Danny Quick, P.E., County Engineer, explained this item was to approve making application to the Florida Department of Transportation (FDOT) for a grant in the amount of \$259,000 for costs associated with implementing Phase I of the U.S. 41 Revitalization Project for landscaping and irrigating U.S. 41 from the bridges north to approximately Bayshore Drive. Mr. Quick said the County match could be the decorative lighting that was planned for both the northbound and the southbound bridges over the Peace River as well as design and construction of welcome signage on the north sides of both bridges. **Chairman Devos** asked if the City Council was going to share the cost of the decorative lighting. Mr. Quick responded it was his understanding the City Council was still considering paying 50% of the decorative lighting on both the northbound and southbound bridges and he would keep them informed. **Chairman Devos** said for the record the more she hears about the lighthouse the more she needs to see what that's supposed to look like and where it's going. Mr. Quick said at this time that's in the concept stage, a feasibility report was being submitted to FDOT that outlines the current concept and requests input back on what FDOT would permit and allow within the U.S. 41 rights-of-way. Debrah Forester, Redevelopment Manager, clarified the concept plan was put together by Wilson-Miller, this application was only for Phase I for the welcome signage, and if they proceed with Phase II to do the lighthouse they would make sure they have consensus from the community. Mrs. Forester stated staff

was also asking the Board to consider setting aside next year's TIF funds for the final design work and to build and install the welcome sign. **Commissioner Cummings** asked about the fencing. Mr. Quick said yesterday FDOT indicated it was okay for the County to remove the fence. **Commissioner Cummings** said he hoped there would be something more attractive than hurricane fencing. Mr. Quick responded staff would follow-up on a more decorative alternative. **Commissioner Cummings** said he was okay with removing the fence provided it was deemed safe to do so. **Commissioner DeBoer** said he hopes they will have a discussion or workshop on this before moving ahead, he hadn't seen any lighthouse plans nor plans for sidewalks on the FDOT property, as **Commissioner Cummings** said with the fencing he didn't think they could just remove the fencing so hopefully they'll do something with that and he thought the City Council had voted down funding the decorative lighting on the bridge. Bruce D. Loucks, County Administrator, clarified the City Manager told him the City Council asked that that issue be reconsidered and he will keep the Board posted. **Chairman Devos** said as the Chair she will send the mayor a letter and see if they have any success. **Commissioner DeBoer** said with all the destruction from the hurricane did he understand that property values increased enough to derive \$82,293 in tax revenues. Mrs. Forester said that was correct. **COMMISSIONER D'APRILE MOVED APPROVAL TO ADOPT RESOLUTION #2005-196, SECONDED BY COMMISSIONER DeBOER AND DECLARED UNANIMOUS.**

Agenda Item Y-2, Utilities - Board discussion, direction and possible approval of proposed Peace River Authority documents:
(a) Three-way contract between Charlotte, Sarasota, and Authority concerning sale of 2 MGD of water;
(b) Memorandum of Understanding with Sarasota concerning 2 MGD contract dispute;
(c) Second Amended Interlocal Agreement Creating the Authority;
and (d) Master Water Supply Contract

Mr. Loucks stated he'd just received a note, as the Board was aware there were concerns with item (c) and (d) regarding the issue of common rates but staff felt they were close to having that language confirmed or recommending to the Board they approve the contract with a revision to that language when it's forwarded to the Water Authority (WA); however, items (a) and (b) were still being negotiated with Sarasota County and asked that this item be deferred to this afternoon. **Chairman Devos**

asked if item (a) and (b) must move forward today. Janette S. Knowlton, County Attorney, responded yes item (a) and (b) were conditions preceded to (c) and (d), so if (a) and (b) don't go then the rest can't go. **COMMISSIONER MOORE MOVED TO TAKE ITEM Y-2 AFTER THE 1:30 P.M. AND 2:00 P.M. ITEMS, SECONDED BY COMMISSIONER CUMMINGS AND DECLARED UNANIMOUS.**

Agenda Item Y-3, Human Resources - Ratification of IUPAT Collective Bargaining Agreement

Magali Kain, Human Resources Director, explained this was the successor collective bargaining agreement with the International Union of Painters and Allied Trades (IUPAT), AFL-CIO that represents the County's general employees, the Union ratified the successor agreement on September 22, 2005 and requested Board approval to implement that contract and extend those same conditions to non-bargaining employees as listed in the goldenrod in items 1, 2, 4, 5, 6 and 7. **COMMISSIONER D'APRILE MOVED APPROVAL OF THE THREE YEAR COLLECTIVE BARGAINING AGREEMENT WITH AFFILIATE LOCAL 1010, DISTRICT COUNCIL 78, OF THE IUPAT, AND APPROVAL TO EXTEND THE SAME CONDITIONS OF EMPLOYMENT TO ALL NON-BARGAINING EMPLOYEES UNDER THE JURISDICTION OF THE BOARD OF COUNTY COMMISSIONERS, SECONDED BY COMMISSIONER CUMMINGS. CALL ON THE MOTION: CHAIRMAN DEVOS AND COMMISSIONERS CUMMINGS, D'APRILE AND MOORE VOTED "YES" AND COMMISSIONER DeBOER VOTED "NO." MOTION CARRIED: (4:1).**

Agenda Item Y-4, Budget - Request approval of Budget Transfer #05-023 in the amount of \$320,000 from General Fund Contingency reserves to Interfund Transfer - Sheriff Corrections which represents the budgeted Cash Carried Forward portion of the FY04/05 Sheriff's Correction Budget

Raymond Sandrock, Budget Director, explained this item requests approval of a budget transfer in the amount of \$320,000 to the Sheriff's Correction budget, this amount represents the amount of that budget that was Cash Carried Forward and it was an item generally done annually. **COMMISSIONER DeBOER MOVED APPROVAL OF AGENDA ITEM Y-4, SECONDED BY COMMISSIONER CUMMINGS AND DECLARED UNANIMOUS.**

XI. CITIZEN INPUT - ANY SUBJECT

Marlane Nibert distributed and read her memorandum to the Board detailing her concerns regarding the September 20, 2005 Land Use Hearings on Legislative item Petition PV-05-06-09 and Quasi-Judicial item Petition PP-05-06-07, recalled during the break Attorney Waksler and **Commissioner D'Aprile** had a lengthy conversation which was not specifically revealed as ex parte, said she felt that conversation could have influenced the Commissioner's decision and asked the Board to reconsider Petition PP-05-06-07. Janette S. Knowlton, County Attorney, asked if Ms. Nibert witnessed the conversation taking place or did she hear what the conversation was. Mrs. Nibert said she witnessed the conversation taking place but didn't know the exact content of the conversation until she moved closer and saw that Attorney Waksler had documents dealing with Up the Creek Partners issues. **Chairman Devos** stated it was her understanding that when ex parte communication was asked for **Commissioner DeBoer** said he'd had that communication with Attorney Waksler, the other two Commissioner's responded affirmatively indicating they had had that same communication, this will be reviewed, clarified the difference between a legislative and a quasi-judicial hearing, she knows these proceedings can be confusing for the public but that doesn't mean an impropriety was committed, they will take Ms. Nibert's comments very seriously and reiterated they will review the matter. Ms. Nibert responded she understood it was in the Board rules that ex parte disclosure should include specific details.

Michael P. Haymans, Esq. with the law firm of Farr, Farr, Emerich, Sifrit, Hackett and Carr, P.A., spoke on behalf of Mobile Gardens Association, stated quasi-judicial hearing procedures requires identification for the record the person or persons involved in any ex parte communication as well as stating the substance of the communication, justice demands reconsideration of PP-05-09-07 (correct petition number is PP-05-06-07), opined this was a very important policy decision, recalled both staff and the Planning and Zoning (P&Z) Board recommended denial, and asked that this petition be brought back for a full Board vote. **Chairman Devos** responded she has been advised by the County Attorney that at the next Land Use meeting the Board will see if one of the Commissioners wants to make

that motion after all five of the Board Members have had time to review this matter.

Russell Garrod, Charlotte/DeSoto Building Industry Association (CDBIA) President, referred to the NAHI Report he submitted earlier, commented on increased revenues due to new housing, said he was going to suggest to the Affordable Housing Advisory Committee that the County could afford to waive various fees such as impact and permit fees regarding workforce housing, they won't be supporting an increase in impact fees based on that report and they want the excess revenues spent on things such as roads, infrastructure, school teachers, schools and police departments.

AA. County Administrator

No items.

BB. County Attorney

No items.

CC. Commissioner Comments

Commissioner DeBoer responded to Mr. Garrod, commented on the need for the building industry to review their comments in light of the growth management legislation and the impact fee committee that's working right now, said 90% or more of the builders depend on vacant lots in Charlotte County, if they keep going ahead the way they were going, they were going to have a moratorium, and this County government wasn't funded and couldn't get through the permitting process quick enough to increase the size and capacity of the infrastructure to allow permits to be issued. **Commissioner DeBoer** responded to Ms. Nibert and Attorney Haymans, opined this wasn't the proper venue for the allegations that were made, said those allegations were based on observation of a discussion but not hearing it, commented on statements made at the Land Use meeting, he encouraged everyone to look at the video and he didn't support a reconsideration just because of a job that wasn't done right in the first place. **Chairman Devos** commented on: her recent trip to Washington, D.C.; Osceola County's funding raising request earmarked for Habitat homes for Katrina victims; and the Florida

Association of Counties (FAC) meeting scheduled for October 18, 2005 in Ft. Myers regarding growth management reform and Senate Bills on the 'pay-as-you-grow plan', and someone needs to attend as this was an extraordinarily important meeting even though it's on the same day as the Board's Land Use hearings.

RECESS: 11:58 A.M. - 1:32 P.M.

V. REGULAR AGENDA

Y. Regular Business

Agenda Item Y-2, Utilities - Board discussion, direction and possible approval of proposed Peace River Authority documents: (a) Three-way contract between Charlotte, Sarasota, and Authority concerning sale of 2 MGD of water; (b) Memorandum of Understanding with Sarasota concerning 2 MGD contract dispute; (c) Second Amended Interlocal Agreement Creating the Authority; and (d) Master Water Supply Contract (Continued)

Chairman Devos stated earlier they tabled Agenda Item Y-2 to discuss it this afternoon but she didn't feel she had the level of comfort she needed to make such an important decision because she hadn't had the opportunity to read through the materials and she also wanted to time to speak with the County Attorney. **Chairman Devos** advised during the break her assistant checked everyone's schedule and she would like the Board to have a special meeting to discuss only Y-2 on Thursday, September 29, 2005 at 2:30 PM. **COMMISSIONER DeBOER SO MOVED, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS.**

VII. PRESENTATION AGENDA

Z. 1:30 P.M.

Agenda Item Z-3, Administration - Continuation of information and discussion of Babcock Ranch, including an interpretation of the Rural Land Stewardship Program

Syd Kitson, Kitson & Partners LLC Chairman and CEO, said he shared the commitment to preserving this unique piece of Florida, his goal was to permanently preserve 80% of the ranch using the Rural Land Stewardship Program (RLSP) to avoid urban

sprawl and he was committed to bringing community leaders together to plan this community. Mr. Kitson stated the Board will have the full plan to review before making any decision on the Comprehensive Plan (Comp Plan) Overlay, and they would not be asking for a final decision until probably February or March of 2006 but they would be asking for transmittal of the Overlay to the State and the Regional Planning Council (RPC) to initiate the review in November. Mr. Kitson explained the 4-party agreement commits the developer and the counties to a process, the deal with the State to purchase the 74,000 acres was contingent upon Comp Plan approval and visa versa, the 4-party agreement also commits the developer to the RLSP and the water allocations, and stated he was willing to put his commitments in writing which was what the 4-party agreement does. Mr. Kitson agreed he didn't own the water but said what was in place was the Town and County Water Utility Company who, subject to the appropriate permits, has the right of access and distribution along with an exclusive right subject to SFWMD approvals. Mr. Kitson said he was asking the Board to take action on one issue today and that was to agree to delay submitting the Comp Plan amendments to the Department of Community Affairs (DCA) to allow their initial Comp Plan amendment to be reviewed and submitted in this cycle, and they will submit their Comp Plan by September 30, 2005. **Chairman Devos** noted with the November 1, 2005 date in mind, the first Board meeting after that date would be November 8, 2005. **Commissioner DeBoer** asked if that meant that was the date they would have the transmittal hearing. **Chairman Devos** said yes. **Commissioner DeBoer** asked for clarification on a time line. **Chairman Devos** said Mr. Kitson was to have the information to staff by September 30, 2005. Mr. Kitson agreed. **Chairman Devos** said she wanted everyone to understand that in order for staff to complete their review in 30 days it will take 100% of staff's time on nothing but Babcock. Alan D. Reynolds, AICP, Wilson Miller Chief Executive Officer, gave a presentation on the Rural Land Stewardship Program (RLSP) which paralleled the material and detailed the following: Why do we need a Stewardship Plan, What is Rural Land Stewardship, What is the Babcock Ranch Stewardship Plan, History, Fred Babcock, An Award-Winning Legacy of Environmental Stewardship, The Ranch Today, Babcock Stewardship Goals, Rural Land Stewardship Program, Stewardship Criteria, Stewardship Sending Areas, Stewardship Receiving Area, Stewardship Credits, Stewardship Incentives, Stewardship and Acquisition, Stewardship and the DRI Process,

Stewardship - an effective antidote to sprawl, Recognition and Support for Stewardship, RLSP Process - Steps 1 through 4, and Next Steps. Janette S. Knowlton, County Attorney, stated she had asked Cari Roth, a land use attorney and one of the leading experts on the RLSP, to piggyback off Mr. Reynolds' presentation, and eventually she will be coming back to the Board with a formal request asking to add Attorney Roth to their legal team to review the Babcock proposal should the Board want to move forward with this. Cari L. Roth, Esq., of Bryant, Miller and Olive, P.A., commented on her background and the following points: 9J5's Urban Sprawl Rule, Comp Plan Overlay, implementation through local ordinances including those for the sending and receiving areas, and an interlocal agreement addressing transportation mitigation. **(Discussion ensued regarding specific thresholds, assistance from DCA, land conservation or sending areas as determined by the County, the interim overlay was not part of the standard RLSP, incentives, and developable units.)** Chairman Devos said it was her understanding what they need to decide today was whether or not they wish to continue to move forward, instruct staff to gather information, ask staff to continue to negotiate the 4-party agreement and delay transmittal of approved projects to DCA, and it was also her understanding that by moving forward they were not committing themselves to anything other than trying to become as knowledgeable as possible to make the right and best decision for Charlotte County. **COMMISSIONER DeBOER MOVED APPROVAL TO DIRECT STAFF TO INCLUDE THE BABCOCK PROPOSAL AND THE COMPREHENSIVE PLAN AMENDMENT PROCESS CURRENTLY BEING HELD UP, THAT THEY GIVE MR. KITSON UNTIL SEPTEMBER 30, 2005 TO SUBMIT THE PROPOSED AMENDMENT FOR STAFF REVIEW TO BE RETURNED TO THE BCC FOR TRANSMITTAL HEARING ON NOVEMBER 8, 2005 OR AS SET BY THE BOARD TO CONFORM WITH THEIR REQUIREMENTS, AND TO DIRECT STAFF TO BEGIN WORKING ON THE 4-PARTY AGREEMENT PERTAINING TO THE PROCESS AND THE REQUIREMENTS FOR THE PROCESS TO PROCEED TO EACH STEP, SECONDED BY COMMISSIONER MOORE.** Michael Konefal, Community Development Director, noted they still have to have a Planning and Zoning (P&Z) Board hearing before the transmittal hearing, requested staff be allowed to set the public hearing dates for both the P&Z Board and the Board. **Commissioner DeBoer** asked since the Board adopted the 1% reduction in it's goals in the Comp Plan, how much have they exceed that goal by. Mr. Konefal said he didn't know the exact percentage but he believed they'd met it each year. **Commissioner DeBoer** noted DCA should consider

the Board's overall performance not measure it project-by-project and said he would like the 4-party agreement to include something that says the agreement and the vested development rights be transferable only upon mutual consent of the parties. Mr. Kitson said he would agree to that. **Commissioner D'Aprile** said this will be a large complicated process, opined 'vision' is the thinking process far beyond the norm which brings on new horizons and benefits to all who accept it, said he was looking forward to working with all those involved, and he will work very hard for this project because it was very important to this County. **Commissioner Moore** stated this was a great opportunity, it was a collaborative process and he supported this project. **Commissioner Cummings** said he will support the motion and he was looking forward to staff's analysis regarding the good and bad aspects of the project. **CALL ON THE MOTION: DECLARED UNANIMOUS.**

RECESS: 2:45 P.M. - 3:07 P.M.

VIII. WORKSHOP AGENDA

Z. 2:00 P.M.

Agenda Item Z-5, Administration - Funding for Community Land Trust and expenditure of Hurricane Housing Grant

Robert Hebert, Recovery Director, explained staff has realized that there needs to be a commonality of some definitions and what structures need to look like in order to qualify and satisfy the needs of the grants and the intended purpose of them. Mr. Hebert stated the goal was for the Board to gain a better understanding of where they need to go because in the very near future Mrs. Helber and staff will be coming to the Board with critical decisions that need to be made as it relates to developing some of the programs that will be spending these funds. Michael Brown, Burlington Associates Partner, reviewed Community Land Trust (CLT) issues dealing with the mechanics, process, structure and options to help the County understand the CLT concept and implications. **(Chief Deputy Board Services Tommy Q. White was not present for the remainder of the meeting.)** Wight Greger, Florida Housing Coalition Senior Technical Advisor, reviewed some of the terms related to low, moderate, and extremely low-income levels as defined by Housing

and Urban Development (HUD) in Florida and which population is included in each. Brenda Bala, Housing Corporation Director, advised Interfaith Internation Network of Charlotte County (INC) received United Way funding of approximately \$200,000 for supplies. **(Discussion ensued regarding the need for exit strategies for those in FEMA housing, type and number of housing units, setting aside the first 125 acres of Murdock Village for workforce housing, support for scattered versus clustered housing, tax credits, the need to better address housing for low-income levels, and using CLT funds for rentals and rehab.)** **Chairman Devos** summarized there's tremendous interest in the CLT and opined if they think outside the box there could possibly be more monies available.

Chairman Devos recalled **Commissioner** DeBoer's earlier comments and asked for discussion on the Health Department even though this item wasn't on their agenda. **Commissioner DeBoer** said he'd received an email as well as he'd noticed the modular units delivered to the future site on Loveland Boulevard have been just sitting there but nothing is happening and he thought it might be best if they just took the initiative to offer Dr. Goggin whatever assistance was needed to get this done. **Chairman Devos** agreed. **Commissioner Moore** said he's frustrated too, Mrs. Shoemaker was working on the permitting problems and the latest he'd heard was there was an issue with Southwest Florida Water Management District (SWFWMD). Bruce D. Loucks, County Administrator, reported he was told yesterday by a representative from the State agency that the health departments fall under that they were bringing in somebody to do the administrative part of running the Health Department and that's who will be responsible for doing the trailers and some of the other administrative issues but it could be awhile because the State agency was only in the advertising stage. **Chairman Devos** said the bottom line was the message they need to send was they need that facility up and running. **Commissioner DeBoer** said he would like to send an email tonight to "the" boss telling him exactly what the County was offering in the way of help because this facility was needed to serve the people of Charlotte County. **(Board consensus.)**

MEETING ADJOURNED: 4:20 P.M.

Signature on file in Commission Minutes
Sara 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