

FINAL BUDGET PUBLIC HEARING

BOARD OF COUNTY COMMISSIONERS

SEPTEMBER 29, 2005

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 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, Deputy County Attorney Daniel E. Gallagher, Jr., Chief Deputy Board Services Tommy Q. White, Finance Director Ann Navan, Executive Assistants to the Board of County Commissioners Stacey Miller, Bonnie Stoner and Judy Hunter, and Supervisor of Minutes Diane J. Nice. The meeting was called to order at **5:02 P.M.** followed by the Pledge of Allegiance to the Flag. **(Proof of Publication was in order.)**

Chairman Devos said if the Commission will indulge her, there was someone in the audience she would like to recognize, Sheriff John Davenport, and announced he was named Outstanding Sheriff of the Year in the State of Florida and that's a really wonderful recognition.

A. County Administrator

Bruce D. Loucks, County Administrator, stated there were a number of issues from the previous budget hearing, a lot of hard work and tough decisions were made to get them to this point in time, this was sort of the coup de grâce where they put this to rest and begin the new fiscal year which starts Saturday, and they can all be proud of this budget.

B. County Budget Officer

1. **Proposed aggregate County millage rate**
2. **Discussion of percentage increase in millage over the rolled-back rate to fund the tentative budget**

Raymond Sandrock, Budget Director, explained the agenda is divided into three sections with public comment followed by Board discussion and action. Mr. Sandrock stated the proposed

aggregate County millage rate was 7.2407 mills which was 40.78% over the current year aggregate rolled-back rate of 5.1433 mills, certified property valuations of existing properties at January 1, 2005 increased by 27.44%, this percentage was reduced to 24.7% after the netting of new properties added for the first time and removing those properties damaged from Hurricane Charley, and additionally other funds with ad valorem revenues such as the MSTUs had valuation increases both below and in excess of the 27.44% within the General Fund. Mr. Sandrock stated the proposed millage rate increase of 0.6 mills in the Capital Projects Fund for priority projects has an impact to the roll back rate of 11.6%. Mr. Sandrock said the increase over roll back generates \$33,822,000 in new revenues, the additional revenue over roll back was proposed to be utilized to fund new positions and initiatives proposed, costs associated with opening new facilities, funding for increases in the Sheriff's budget as well as other Constitutional Officers, cola as well as pay for performance increases along with building a health insurance reserve to smooth out future rate increases, funding for the priority projects within the Capital Projects Fund, and funding reserve levels at the point that it's recommended for FY05/06 to position the County to remain fiscally stable as we continue to move through and finalize recovery.

3. Presentation of Proposed Budget

Mr. Sandrock advised the total proposed budget for FY05/06 is \$749,180,596 an overall increase of \$11,603,265 from the prior year's amended budget, some of the increases and decreases are for increases within the General Fund tied to valuation increases to be mainly used for reserves associated with recovery, Road Improvements Fund due to the timing of various project expenditures, Capital Projects Fund with some projects being completed and therefore lowering the budget, other additions associated with the priority projects, and last MSBU/TU increases due to property valuations and additional work programs. Mr. Sandrock stated there were not any changes made to the proposed budgets since the September 15, 2005 public hearing.

I. COUNTYWIDE FUNDS

Mr. Sandrock read into the record the following proposed budgets and millage rates on page 2 and stated the proposed Countywide Millage Rate of 5.3709 mills was over the rollback rate of 3.7435 mills by 43.47%:

	<u>Total</u>	<u>Millage</u>
	<u>Proposed Budget</u>	<u>Rate</u>
A. General Fund	\$127,175,265	4.2537
Sheriff - \$45,304,910		
\$24,119,763 - General Fund		
\$21,185,147 - Charlotte Public Safety Unit		
B. County Transportation Trust Fund	26,125,717	0.0000
C. Charlotte County Health Unit	1,604,797	0.1027
D. Capital Projects Fund	40,902,190	1.0145
E. Charlotte County Law Library	36,255	
F. Charlotte County Legal Aid	57,000	
G. Local Housing Assistance Trust Fund	6,514,975	
H. Special Grants Fund	2,027,619	
I. Tourist Development Tax Trust Fund	2,172,322	
J. One-Cent Sales Tax Fund	415,000	
K. Charlotte County Landfill	20,298,749	
L. Health Self-Insurance Trust Fund	19,467,479	
M. Self Insurance Fund	9,056,393	
N. Road Improvement Fund	60,425,547	
Total Countywide Proposed Budget	\$316,279,308	5.3709

PUBLIC COMMENT

Bruce Pomeroy asked where the One-Cent Sales Tax Fund comes from because many of the things promised from previous years haven't been done, said he understood \$800,000 of the \$1.2 million for the Englewood Beach roundabout was taken from 1998 sales tax funding, asked if the Board intended to hold to what the sales tax was intended for and said at a later date he'll be very happy to show you why.

Jack Donkel said he supports the Capital Improvements Program (CIP) budget specifically funding for the completion of Winchester Boulevard. Mr. Donkel stated since 1994 hundreds of citizens have advocated for the completion of the connection of the access

roads, three locations have been connected leaving the South Access Road a continuous unbroken road fronting C.R. 776 known in Charlotte County as South McCall Road, and thanked the Board for the eighth time they've funded the access roads. Mr. Donkel commented on Blueberry Drive, said for some reason it hasn't been done, it's been funded since 1997, and hopefully it'll be constructed this year.

Bob Waterhouse said he was at a loss trying to understand the budget as published in the newspaper when compared to what's on tonight's agenda, and noted the cost of government has increased by nearly \$170 million over the last three years. Mr. Waterhouse stated the estimated 2005 population for Charlotte County was 163,000; 34% of that population was over the age of 65 and either retired or on a fixed income, and growing; this segment has the least demand on services yet the County has asked this segment to fund a disproportionate share of the cost of government; opined the County can do it's part by reducing expenses and prioritizing projects; and noted Parks & Recreation has the largest non-constitutional budget in the County.

Mr. Sandrock addressed Mr. Pomeroy's question regarding the one-cent sales tax, explained \$415,000 relates back to the first sales tax extension that funded the new courthouse and the jail expansion, and represents funds in excess of what the projections were. Mr. Sandrock addressed the general budget question of how we move from one adopted budget to another, and explained during the year amendments are made to the budget such as from the receipt of grant funds or reimbursement for expenditures related to projects such as Murdock Village that result in an amended budget. Thomas F. O'Kane, Jr., P.E., Public Works Director, responded to Mr. Donkel regarding Blueberry Drive and extending the service road along C.R. 776, agreed it would have been nice to have had that one done a long time ago but said there was still some dispute between Florida Department of Transportation (FDOT) and Florida Department of Environmental Protection (FDEP) about treating stormwater in that area, and as soon as that's resolved staff will take this project to bid. Mr. O'Kane responded to Mr. Pomeroy regarding Beach Road and the roundabout, and explained the 1998 sales tax funds along with some gas tax funds were used for the sidewalks installed on both sides of Beach Road and along a portion of Gulf Boulevard.

BOARD DISCUSSION AND ACTION

Commissioner D'Aprile said Mr. Waterhouse brings up a very good point, the County has a larger deficit than they've ever had before, reiterated the public needs to be educated regarding the budget process and where it comes from, clarified a lot of the increases in the County's expenditures were coming from the City of Punta Gorda such as with the Courthouse and the Auditorium, and opined the City should share these expenses and not be subsidized by the County because the City receives 10% of the sales tax revenues which equates to about \$10 million to \$11 million. **COMMISSIONER CUMMINGS MOVED APPROVAL OF RESOLUTION #2005-199 ADOPTING A FINAL COUNTY-WIDE MILLAGE RATE FOR CHARLOTTE COUNTY FOR THE FISCAL YEAR 2005-2006 OF 5.3709 MILLS WHICH IS GREATER THAN THE ROLLED-BACK RATE OF 3.7435 MILLS BY 43.47 PERCENT AS READ BY MR. SANDROCK, SECONDED BY COMMISSIONER D'APRILE.** Commissioner **DeBoer** stated he was somewhat conservative as a person but also it's his political philosophy so he will be voting against these. **CALL ON THE MOTION: CHAIRMAN DEVOS AND COMMISSIONERS CUMMINGS, D'APRILE AND MOORE VOTED "YES" AND COMMISSIONER DeBOER VOTED "NO."** **MOTION CARRIED: (4:1).** **COMMISSIONER CUMMINGS MOVED APPROVAL OF RESOLUTION #2005-200 ADOPTING A FINAL COUNTY-WIDE BUDGET AS AMENDED OF \$316,279,308 FOR CHARLOTTE COUNTY FOR THE FISCAL YEAR 2005-2006 AS READ BY MR. SANDROCK, SECONDED BY COMMISSIONER MOORE.** **CALL ON THE MOTION: CHAIRMAN DEVOS AND COMMISSIONERS CUMMINGS AND MOORE VOTED "YES" AND COMMISSIONERS D'APRILE AND DeBOER VOTED "NO."** **MOTION CARRIED: (3:2).**

II. AD VALOREM - MUNICIPAL SERVICE TAXING UNITS - MSTUS

Mr. Sandrock read into the record 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

Mr. Sandrock stated the proposed ad-valorem tax for this district is 0.2000 mills, which is a 34.62% increase over the rollback rate of 0.1486 mills for a total proposed budget of \$5,029,162.

B. Stump Pass Beach Renourishment Unit

Mr. Sandrock stated the proposed ad-valorem tax for this district is 0.1927 mills, which is a 35.24% increase over the rollback rate of 0.1450 mills for a total proposed budget of \$6,878,820.

C. Port Charlotte Bicycle Path Unit

Mr. Sandrock 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

Mr. Sandrock stated the proposed millage rate is 1.7100 mills, which is a 24.03% increase over the rollback rate of 1.3787 mills for a total proposed budget of \$3,716,630.

E. Manasota Key Street/Drainage Unit

Mr. Sandrock stated the proposed millage rate is 0.8000 mills, which is a 29.33% increase over the rollback rate of 0.6186 mills for a total proposed budget of \$991,528.

F. South Charlotte Marl Street/Drainage Unit

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

G. Ackerman Waterway District

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

H. Alligator Creek Waterway Unit

Mr. Sandrock stated the proposed millage rate is 0.4900 mills, which is a 14.36% increase over the rollback rate of 0.4285 mills for a total proposed budget of \$798,062.

I. Charlotte Public Safety Unit

Mr. Sandrock stated the proposed millage rate is 1.8524 mills, which is a 32.30% increase over the rollback rate of 1.4001 mills for a total proposed budget of \$52,083,531.

J. Sandhill Municipal Service Taxing Unit

Mr. Sandrock stated the proposed millage rate is 0.8500 mills, which is a 9.198% increase over the rollback rate of 0.7784 mills for a total proposed budget of \$252,383.

Mr. Sandrock stated the proposed aggregate County millage rate was 7.2407 mills which was a 40.78% increase over the current year aggregate rolled-back rate of 5.1433 mills.

PUBLIC INPUT

Bruce Pomeroy voiced support for the Sheriff's budget and for more officers. Mr. Pomeroy commented on Stump Pass, suggested extending the pier at the Englewood Beach and opined it was getting expensive to live in Charlotte County.

Charles Penland, South Gulf Cove, opined everyone in the County should pay for Stump Pass just like they do for the Courthouse.

Jack Donkel voiced support for the paving program and the culvert replacements in Englewood East, commented on the 1995 flooding due to the County illegally removing the flood gate at Jennings Boulevard, noted it took five years to get the improvements but only because **Commissioner DeBoer** took a stand, commented on the Butterford canal, asked why one was paid by MSTU special assessment the other by stormwater control, and opined there were double-standards for billing.

Leon Levassuer noted the County's and the School's budgets together were over \$1 billion but there's only about 50,000 to 60,000 homes in the County, without homeowners no businesses would survive, the County would become a ghost and opined something was drastically wrong.

Mr. Sandrock clarified the \$750 million County budget included many items beyond just the general government such as utilities, the landfill, MSTU/Bus, and there just wasn't a direct connection between the total budget amount and the millage rate. Danny Quick, P.E., County Engineer, responded to the issue of Stump Pass, explained a detailed feasibility study was done about five years ago in conjunction with FDEP, and it showed the most economically feasible way to keep the pass open was through maintenance dredging. Mr. Quick stated the Stump Pass Renourishment Unit was paid mostly by Gulf front property owners and all of West County was taxed via ad valorem taxing for Stump Pass maintenance dredging. Mr. Quick responded to Mr. Donkel, recalled the structures at Gillot and Jennings were completed several years ago with whatever funding was available at the time. Mr. Quick explained the West County Stormwater Utility Advisory Committee agreed to fund the Rich structure because it benefited a wide and very large region of West County. **Chairman Devos** added that through the West Coast Inland Navigation District (WCIND) tax everyone in the County pays for Stump Pass. **Commissioner DeBoer** recalled the first two times Stump Pass was dredged it was paid entirely by WCIND.

BOARD DISCUSSION AND ACTION

Commissioner D'Aprile said he wanted to clarify that he wasn't unhappy with staff or anyone else regarding this budget, he was just opposing for personal reasons. Mr. Loucks addressed Mr. Levassuer, explained when looking at the average homeowner's tax bill about 50% goes to the School Board, and the remainder was split between the Constitutional Officers and the Board of County Commissioners for departmental operating expenses and capital improvement programs. **COMMISSIONER CUMMINGS MOVED APPROVAL OF RESOLUTION #2005-201 ADOPTING MILLAGE RATES TO BE LEVIED WITHIN EACH OF THE AD VALOREM DISTRICTS FOR FISCAL YEAR 2005-2006 AS READ INTO THE RECORD BY MR. SANDROCK, SECONDED BY COMMISSIONER MOORE.** Commissioner DeBoer opined there were things that could be cut. **CALL ON THE MOTION: CHAIRMAN DEVOS AND COMMISSIONERS CUMMINGS AND MOORE VOTED "YES" AND COMMISSIONERS D'APRILE AND DeBOER VOTED "NO." MOTION CARRIED: (3:2).** **COMMISSIONER CUMMINGS MOVED APPROVAL OF RESOLUTION #2005-202 ADOPTING THE FINAL BUDGETS EACH OF THE AD VALOREM DISTRICTS FOR FISCAL YEAR 2005-2006 AS READ INTO THE RECORD BY MR. SANDROCK, SECONDED BY COMMISSIONER MOORE. CALL ON THE MOTION: CHAIRMAN DEVOS AND**

COMMISSIONERS CUMMINGS AND MOORE VOTED "YES" AND COMMISSIONERS D'APRILE AND DeBOER VOTED "NO." MOTION CARRIED: (3:2).

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

Mr. Sandrock explained the applicable assessment rates for these MSBUs were listed on pages 5, 6 and 7 totaling \$363,076,103 and these do not need to be read individually into the record.

PUBLIC COMMENT

Bruce Pomeroy indicated he was concerned with the County's bid process, opined a simplified process with sealed bids was needed, commended Public Works staff for raising the culvert on his street and opined this should be looked into for other areas.

Jack Donkel reiterated there was a disparity in the way the people in West County were treated, and commented on the current problems with the Oyster Creek/Newgate Waterway because of the water that streams into it from the old Oyster Creek canal.

Larry Singleton voiced opposition to the \$30 MSBU increase for Gulf Cove.

Al Barlow said he was opposed to the \$30 MSBU increase in Gulf Cove and noted there was no adopted work program for this area.

Ed "Nose" addressed the Buena Vista MSBU, said he understood the 100% increase was going to be used for outfalls but this was a waterway unit not a street and drainage unit, asked if this assessment complied with County Code and Florida Statutes, and asked that it be rolled back to the previous \$100 assessment.

Aleshia Macomber distributed a handout of last year's adopted resolution, said last year for South County on page 8 there's a section that says acreage with a not-to-exceed per parcel, she owns one agricultural parcel of 10 acres in Mid-County but on her MSBU she was being charged per acre, and she wanted to know why one area of the County was being charged on a different basis than another.

Charles Penland, South Gulf Cove, opined many things weren't being done right on MSBUs, said a lot of their meetings were being held in homes instead of under the Sunshine Law, one of the items dealt with automatic locks, and he doesn't mind paying when it's necessary but the assessment should go back down to \$25 instead of staying at \$50.

John Killeen, Gulf Cove MSBU, said there were a number of drainage problems and he supported the \$30 increase.

Tom Vick, Buena Vista Waterway Unit, said we understand only the residents south of Edgewater will be assessed this year, he's north of Edgewater and over 90% of these residents want like to be removed from the MSBU, and he's receiving calls from residents south of Edgewater who feel the same and some still don't know why their assessment doubled.

Herb Koenig said he lives north of Edgewater, he understood they weren't going to get any assessment nor will they get any services which he wants, they need dredging desperately in his area, and they need help.

Bette Lyttle, Gulf Cove, said there seems to be a consistent discrepancy in their MSBU fund balance, the residents were frustrated because no one was listening or answering their questions, she's seen a document that indicated a \$350,000 balance at the end of this fiscal year and if that's true why do they need an increase.

Roger Wilson, Rock Creek Drive, indicated many boats from north of Edgewater pass his house and asked why doesn't keeping the entrances clear help the northern side of Edgewater. **Chairman Devos** said Rock Creek Drive wasn't in that MSBU.

Edward Hatten, Bedford Drive, said the needs of the residents north versus south of Edgewater Driver were totally different, those north of Edgewater should be withdrawn from this MSBU and indicated they just want to be left alone so he can continue to live in Charlotte County.

Vaughn "Locks", a disabled veteran, addressed the Englewood East Non-Urban Street & Drainage Unit, questioned improving roads that aren't used and opined roads should be improved and paid for by new homeowners.

Thomas F. O'Kane, Jr., P.E., Public Works Director, commented on the Placida Road median at the entrance to the Catholic church and said it's only temporary until Winchester South was built. Mr. O'Kane addressed the issue of sealed bids, explained that's the only way they receive bids for construction work in the County, and the lowest responsible bidder gets the project. **Commissioner DeBoer** added their bidding process must comply with Florida Statutes which it does in every respect. Mr. O'Kane clarified in a developing County like this water and sewer weren't always placed on roadways before they're paved even though that's his preference. Mr. O'Kane addressed the comments on Gulf Cove, recalled speaking to a number of residents after the previous public hearing, advised Public Works staff will meet with the homeowners' association and the MSBU committee in the fall to build consensus for a work program, stated drainage work was needed because they have over 100 complaints, and funding was needed to make those repairs. Mr. O'Kane addressed Ms. Macomber's comments, said he spoke with her after the last meeting, they discussed the possibility of exempting all the agricultural properties in the Mid-County area as they did in South County, and he'd referred her to Agricultural and Natural Resources Committee (ANRAC). Mr. O'Kane referred to the Grassy Point outfalls and said all the previous funding was used to keep the channels clear as they go out into the harbor but whenever there's a big storm the sands shift causing silting. Judy Hunter, Executive Assistant to the Board and formerly with Public Works, addressed Mr. Donkel's questions, explained when the improvements for the Oyster Creek/Newgate Waterway area an MSBU was created and assessment was put on several lands in West County to pay for that project, Mr. Donkel said it should have been funded through the whole of the West Charlotte Stormwater Utility Unit, back in June of 1995 when the storm event took place the stormwater utility unit wasn't in place as it is today, and today those types of projects would in deed be funded under the Utility Unit and maintained thereafter under that Unit. Mrs. Hunter addressed Mr. Barlow's opposition to the \$30 assessment increase, explained after the Board adopts the proposed assessment tonight the work program that creates this

assessment gets approved. Mrs. Hunter stated Mr. "Nose" was correct that the Buena Vista Unit was strictly a waterway unit and no funds can be used to rehab outfalls. Mrs. Hunter addressed Ms. Macomber, recalled she was here last year and stated she was looking for equitable treatment of Mid-County Stormwater Utility agricultural lands. Mrs. Hunter addressed Mr. Penland who spoke of South Gulf Cove's dream projects, said that area was growing, the residents were very active, and encouraged him to attend the various MSBU meetings and get involved. Mrs. Hunter addressed those north of Edgewater who would like services within the Buena Vista area, and explained if there's no assessment on the lands there's no services that can be provided. **Commissioner Moore** commended the enthusiasm of the West County residents, especially the efforts of Mr. Pomeroy and Mr. Donkel. **Commissioner Cummings** referred to the comment that the assessment increase required a resident to sell one of the lots next to his house and asked if a conservation easement could be done. Mr. Loucks said yes and staff will bring back an amendment to a 1999 policy regarding a waiver of assessment on lots that have conservation easements.

BOARD DISCUSSION & ACTION

COMMISSIONER CUMMINGS MOVED APPROVAL OF RESOLUTION #2004-203 SETTING ASSESSMENT RATES FOR FISCAL YEAR 2005-2006 FOR MUNICIPAL SERVICE BENEFIT UNITS, SECONDED BY CHAIRMAN DEVOS. **Commissioner DeBoer** referred to the Charlotte Sanitation District, recalled they'd had some discussion about using some of the \$9 million out of the General Fund to reduce assessments for trash pick-up and possibly even assess people in the private areas a higher rate because they derive the biggest benefit, said that's one of the things he has a problem with regarding the General Fund, reiterated he still felt the Edgewater assessment of \$200 should be \$100 until the other issues were resolved, said he felt those north of Edgewater should be in their own district, and he will oppose the resolution for these reasons. **Commissioner D'Aprile** indicated he was never happy raising ad valorem but unfortunately that's what's happening because of various reasons and agreed with **Commissioner DeBoer** regarding the Buena Vista area. **CALL ON THE MOTION: CHAIRMAN DEVOS AND COMMISSIONERS CUMMINGS AND MOORE VOTED "YES" AND COMMISSIONERS D'APRILE AND DeBOER VOTED "NO." MOTION CARRIED: (3:2).** **COMMISSIONER CUMMINGS MOVED APPROVAL OF RESOLUTION #2005-204 ADOPTING BUDGETS**

FOR SPECIAL REVENUE FUNDS, DEBT SERVICE FUNDS, ENTERPRISE FUNDS AND MSBU FUNDS FOR FISCAL YEAR 2005-2006, SECONDED BY COMMISSIONER MOORE. Commissioner DeBoer noted he'd missed one on the last one which was Gulf Cove, said there were a lot of problems out there and he agreed with those speakers who said the assessment shouldn't be raised until they find out why all those involved out there just can't seem to agree with each other. CALL ON THE MOTION: CHAIRMAN DEVOS AND COMMISSIONERS CUMMINGS AND MOORE VOTED "YES" AND COMMISSIONERS D'APRILE AND DeBOER VOTED "NO." MOTION CARRIED: (3:2).

MEETING ADJOURNED: 6:45 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