

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

April 11, 2006

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 Thomas G. Moore, and Commissioners Thomas C. D'Aprile, Adam Cummings, and Matthew D. DeBoer. Also in attendance were County Administrator Bruce D. Loucks, Deputy County Attorney Daniel Gallagher, Jr., Chief Deputy Board Services Tommy Q. White, Executive Assistant to the Board Judy Hunter, and Deputy Clerk Gail Manley. The meeting was called to order at **9:01 A.M.**

The **invocation** was given by **Commissioner Matthew D. DeBoer**, followed by the Pledge of Allegiance to the Flag.

CHANGES TO THE AGENDA

DELETIONS:

**Parks,
Recreation &
Cultural
Resources**

Agenda Item Q-3, Budget Office - Approve Budget Transfer #06-019 for \$673,350 from 1998 Sales Tax Reserves for Mid County Library to the Mid County Regional Library project budget. These funds address citizen concerns regarding the canal walkway and to meet commercial buffer codes, purchase additional equipment and Library books and materials. (Budget Action: Approve budget transfer #06-019 in the amount of \$673,350.00. Funding for this expenditure comes from the 1998 sales tax extension reserve for Mid County Library.)

**Regular
Business**

Agenda Item Y-3, Budget Office - Approve continuation of negotiations for the purchase of

a 65 acre (±) parcel in West County located north of Buck Creek and to the west of County Road 775 (Placida Road); and develop funding strategies to accomplish the purchase (Budget Action: Subsequent transfers and amendments to be brought to the Board for approval once specifics of this transaction are known.) Specifics of the conditions of offer and funding options would be brought back to the Board for consideration and approval.

Agenda Item Y-4, Parks, Recreation & Cultural Resources - Approve Budget Amendment #06-A25 and CIP Amendment #06-C15 for \$3,500,000.00 from unallocated sales tax for Oyster Creek Regional Park. These amendments are in order to provide for substantially complete park development and meet today's construction cost environment. (Budget Action: Approve Budget Amendment #06-A25 and CIP Amendment #06-C15 in the amount of \$3,500,000.00. Funding for this expenditure comes from the 2002 One-Cent Sales Tax Extension.)

COMMISSIONER DEBOER MOVED APPROVAL OF THE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER D'APRILE, AND DECLARED UNANIMOUS (4:0).

I. SPECIAL RECOGNITION

Proclamations:

THE BOARD AGREED TO THE ISSUANCE OF A PROCLAMATION STIPULATING THE WEEK OF APRIL 23 THROUGH APRIL 29, 2006 AS "NATIONAL VOLUNTEER WEEK" ON MOTION BY COMMISSIONER DEBOER, SECONDED BY COMMISSIONER CUMMINGS, AND DECLARED UNANIMOUS (4:0). CAROL DUNEKIRCHEN accepted the proclamation.

THE BOARD AGREED TO THE ISSUANCE OF A PROCLAMATION STIPULATING FOR THE MONTH OF APRIL 2006, THAT THERE BE RECOGNITION FOR "WANDA CARTER, ARTS AND HUMANITIES COUNCIL ARTIST OF THE MONTH" ON MOTION BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER DEBOER, AND DECLARED UNANIMOUS (4:0). WANDA CARTER accepted the proclamation.

THE BOARD AGREED TO THE ISSUANCE OF A PROCLAMATION STIPULATING TUESDAY, APRIL 25, 2006 AS "RED HAT SOCIETY DAY" ON MOTION BY COMMISSIONER DEBOER, SECONDED BY COMMISSIONER CUMMINGS, AND DECLARED UNANIMOUS (4:0). The Proclamation was accepted by representatives of the Red Hat Society.

Employee Recognition:

Bruce D. Loucks, County Administrator, and **Commissioner D'Aprile** recognized the following employees for their service with the County: **Five Years** - Jeffrey Barber, Public Works, Andrew Mitchell, Fire/EMS; **Ten Years** - Curtiss Owens, Fire/EMS; **Fifteen Years** - Hung Do, Public Works, Russ Laughlin, Parks, Recreation & Cultural Resources; and **Twenty Years** - Melvin "Max" Thomas, Public Works.

Presentation:

Sherry Montgomery, Office Coordinator, Communications and Marketing, advised the Charlotte County Citizens' Academy is graduating its seventh class, advised the next class begins May 3, 2006, classes meet five consecutive Wednesdays, and participants get an overview of everything that goes on in the County. Bruce D. Loucks, County Administrator, recognized the following participants who completed the seventh Charlotte County Citizen's Academy: Pat Brinkman, Joe Cullen, Joann Dillon, Diane Gant, Jennifer Kern, Steve Lawrence, James Marshall, Barbara Moore, Kenneth Moore, Lori Olson, Marivic Page, Matthew Philpitt, Joe Pierce, and Brad Sargent. (Commissioner DeBoer was not present for the remainder of the meeting.)

II. CITIZEN INPUT - AGENDA ITEMS ONLY

None.

III. COMMITTEE VACANCIES

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

Affordable Housing Advisory Committee

- one (1) volunteer to represent the building industry for a term to expire March 8, 2007 and one volunteer "Member at Large" for a term to expire March 12, 2008.

Buena Vista Area Waterway Unit

- one (1) volunteer for a term ending September 7, 2006.

Construction Board of Adjustments & Appeals

- one (1) member to serve as the Engineer Representative. Must be a Florida registered engineer - term will expire in February 2008.

Deep Creek Non-Urban Street and Drainage Unit Advisory Committee

- one (1) volunteer who resides in the unit for a two-year term.

Grove City Street & Drainage MSBU Committee

- one (1) volunteer needed. Applicant must be a landowner and a full-time resident residing within the Unit.

Gulf Cove Waterway Unit

- Request 6 volunteers (5 regular members and 1 alternate member) to sit on the Gulf Cove Waterway Advisory Committee. The terms of the regular members will be pulled by lot number at the first meeting (1-3 year terms) and the term of the alternate member will be for two years.

Little Gasparilla Island Advisory Committee

- one (1) volunteer for the Hideaway Beach Club Owner's Association, representing the Association through 1/22/2007, one member of the Little Gasparilla Island POA to represent the Association, one member of the Placida Beach Club Owner's Association to represent the Association and two members At Large.

Manchester Waterway Benefit Advisory Committee

- one (1) volunteer needed. The volunteer must be a resident property owner within the boundaries of the unit. The committee meets monthly or bi-monthly as required. (Appointee on Agenda.)

Murdock Village Community Redevelopment Agency Advisory Committee

- one (1) Contractor Representative.

Planning & Zoning Board Representative

- one (1) applicant who must reside in District #4 for a term that expires May 2008.

IV. REPORTS RECEIVED AND FILED

1. Charlotte County Community Redevelopment Agency 2005 Annual Report.
2. Murdock Village Community Redevelopment Agency 2005 Annual Report.

IV. CONSENT AGENDA

COMMISSIONER CUMMINGS MOVED APPROVAL OF THE FOLLOWING ITEMS, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS (3:0).

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 04/05
Memorandum #1A Status of Contingency Reserves - FY 05/06
Memorandum #2 Total Disbursements for the period March 22, 2006 through April 4, 2006 in the amount of \$17,654,257.81.
Memorandum #3 Quarterly Report Unclaimed Excess Money
Memorandum #4 Excess Funds on Tax Deed Applications

B. Minutes Division

Agenda Item B-1, Approval of Minutes

- | | | |
|-----------|------------------|---|
| 9:00 A.M. | January 10, 2006 | BCC Regular Meeting |
| 9:00 A.M. | January 17, 2006 | Land Use Public Hearings |
| 2:00 P.M. | January 17, 2006 | Executive Session - Charlotte County vs. Mosaic |
| 9:00 A.M. | January 24, 2006 | BCC Regular Meeting |

Agenda Item F-2

Resolution #2006-050 to borrow an amount not to exceed \$4,600,000 from the Pooled Commercial Paper Loan Program to accomplish certain waterway improvements in the Alligator Creek MSBU and certain road improvements in the Englewood East MSBU. These projects are included in the FY 05/06 Capital Improvements Program.

Agenda Item F-3

Budget Amendments #06-A21, #06-A22, and #06-A23 to adjust account lines based upon actual grant carryover amounts from FY05. FY06 appropriations will be adjusted based upon actual grant carryover amounts from FY05.

G. Community Development

Agenda Item G-1

Resolution #2006-051 and accompanying conservation easement adopting a Certification of a Sending Zone as requested in Petition #CSZ-06-02-03 for Jerry and Kristina Paul.

Agenda Item G-2

Resolution #2006-052 and accompanying restrictive covenant adopting a Certification of a Sending Zone as requested in Petition #CSZ-06-01-01 for Hunter Creek Estates, LLC.

Agenda Item G-3

Resolution #2006-053 approving DRC-PD-05-02 Final Detail Plan, permitting Mitsubishi Automobile Agency to construct the Mitsubishi Automobile Agency development.

Agenda Item G-4

Set a joint public workshop with the Punta Gorda City Council and the Charlotte County School Board for May 1, 2006 at 2:00 p.m., at the Charlotte County School Board Administration

Building, 1445 Education Way, or as soon thereafter as possible, to discuss land use and school facility planning.

H. Economic Development

Agenda Item H-1

Set a Public Hearing for April 25, 2006 at 2:00 p.m. to consider the Professional Service Committee's recommendation on the Murdock Village Redevelopment Initiative - Sale and Disposition of Real Property (RFP No. 2006000119) and to give staff direction.

J. Environmental & Extension Services

No items.

K. Facilities Construction and Maintenance

Agenda Item K-1

Budget Transfer #06-020 in the amount of \$150,000.00 for remodeling efforts for the Environmental Health Department, located in Room 203, Building B at the Murdock Administration Center.

Agenda Item K-2

Budget Transfer #06-016 in the amount of \$140,000.00 to purchase and install an emergency generator at the South County Annex for use by the Supervisor of Elections.

L. General Services

Agenda Item L-1

Approve deletion of property inventory items for the month of April 2006.

Agenda Item L-2

Award Bid # 06-186, Stormwater Structures-Olean Boulevard, to the lowest responsive, responsible bidder, General Contracting

Services, Inc. of Port Charlotte, Florida, for a total estimated cost of \$2,721,368.31.

Agenda Item L-3

Award File #06-232 for the purchase of two (2) E-One Cyclone II Rescue Pumper Fire Trucks, to Emergency-One, Inc. of Ocala, Florida at the purchase price of \$743,898.00 (Piggyback off Orange County Bid # Y5-1072.)

Agenda Item L-4

Approve Change Order #2 to Contract #05-130, Wireless Fuel System, with SCI Distribution, LLC of Clearwater, Florida, for the amount of \$25,000.00 with a total revised contract amount of \$154,691.10.

Agenda Item L-5

- a) **Approve File # 06-240**, to "Piggyback" the Los Angeles County Contract #42595, Office Supplies, Supply & Deliver, with Office Depot BSD of Savage, Maryland at the percentage discounts specified on the attached documentation for the period from date of award through and including January 1, 2010.
- b) **Authorize** the County Administrator to approve renewal options of two (2) additional one-year terms at the same prices, terms and conditions by mutual consent and only if this option of renewal is exercised by Los Angeles County in accordance with the Contract terms.

Agenda Item L-6

Approve Amendment #15 to Agreement for Combined Parks & Recreation Projects, Group 1 Parks, South County Regional Park, Contract No. 99-169, with Johnson Engineering, Inc., for a not-to exceed amount of \$30,000.00.

Agenda Item L-7

- a) **Approve Budget Amendment #06-A24 and CIP Amendment #06-C16** in the amount of \$1,100,000.00 from Sales Tax

Extension Fund Reserves to the South County Regional Park budget.

- b) **Approve Amendment #5 to Contract #03-295**, South County Regional Park - Construction Management, with Matthews/Taylor Construction, LLC, for the guaranteed maximum price of \$947,956.00 for the diving well and pool locker/restroom building.

Agenda Item L-8

Approve award of Bid #06-208 Cape Horn Blvd. Walkway/Trail - Phases 2 & 3, to Neubert Construction Services, Inc. of Fort Myers, Florida in the amount of \$393,731.36.

Agenda Item L-9

- a) **Award Bid #06-197**, Care Facility Expansion, to the lowest responsive, responsible bidder, Robert Wayne Commercial Builder, Inc. of Port Charlotte, Florida, at the Base Bid price of \$395,000, plus Alternate #1-Option #1 of \$51,000.00 for a total project cost of \$446,000.00.
- b) **Approve** 15% contingency in lieu of the standard 5% for the purpose of administrative change orders.
- c) **Approve Budget Transfer #06-022** from General Fund-Contingency Reserves in the amount of \$512,900.00 to cover the cost of contract for the CARE building.

M. Human Resources/Risk Management

No items.

N. Human Services

No items.

P. Information Technology

No items.

Q. Parks, Recreation & Cultural Resources

Agenda Item Q-1

- a) **Approve** the historical marker application and text for The Charlotte County Courthouse.
- b) **Approve** the historical marker application and text for The Placida Bunk House.

Agenda Item Q-2

Approve and **authorize** the Chair to sign a Memorandum of Understanding (MOU) by and between Charlotte County and the Retired and Senior Volunteer Program (RSVP) of Charlotte County.

Agenda Item Q-4

Approve Budget Transfer #06-018 for \$300,486.00 to allow for payment processing of book invoices by credit card.

Agenda Item Q-5

Grant #2006-017 between Florida Communities Trust (FCT) and Charlotte County, for 75% of the acquisition cost, or \$374,925.00, FCT Contract Number ___-CT-_____, 05-020-FF5, Bayshore Park Phase II (Bayshore Live Oak Park), CSFA #52002.

R. Public Safety

Agenda Item R-1

Budget Transfer #06-017 in the amount of \$719,000.00 to allocate funding to begin hiring the personnel and purchase the fire engine & equipment for new Station #16 located in Punta Gorda just north of the Washington Loop area.

S. Public Works

Agenda Item S-1

Set a Public Hearing for April 25, 2006, at 10:00 A.M., or as soon thereafter as it may be heard, to consider an Ordinance to create the Little Gasparilla Island Waterway Unit.

T. Real Estate Services

Agenda Item T-1

Resolution #2006-054 approving the release of portions of two (2) ten-foot (10') wide utility and drainage easements located in Port Charlotte Subdivision, Section Fifty Two; and portions of a twenty-five (25') wide platted canal maintenance easement and a recorded twenty-foot (20') wide canal maintenance easement, both located in Port Charlotte Subdivision, Section forty-four, all in Charlotte County, Florida; and **Authorize** the Director of Real Estate Services to execute County Deeds releasing said portions of the above described easements. (Owners: Douglas J. Harms, Jr. and Robert M. Albertsen)

Agenda Item T-2

Approve Declaration of Covenants and Restrictions at Oyster Creek Regional Park in Charlotte County, Florida, pursuant to US Army Corps of Engineers (USACE) permit authorization (SAJ-2004-9690), recorded in Official Records Book 2949 at Pages 75-94 (20 pages) of the Public Records of Charlotte County, Florida.

V. Tourism Development

No items.

W. Utilities

Agenda Item W-1

Approve Negotiated Settlement and Release **Agreement #2006-016** (Contract No. 2006-233) between Sarasota County, Florida, and Charlotte County, Florida, stating that within 30 days of the execution of the Agreement, Sarasota County shall pay Charlotte County \$305,874.69 as settlement in full for water sold from Charlotte County to Sarasota County (2.0 MGD Contract).

V. REGULAR AGENDA

Y. Regular Business

Agenda Item Y-1, Budget Office - Consider request for funding related to the Edison College Nursing Program.

Raymond Sandrock, County Budget Director, advised for the previous three years the County funded a contribution of \$30,000.00 per year for the Edison College Nursing Program; a letter was received on February 17, 2006 from Edison College requesting continuation of the funding at the same level; and discussion held through Commissioner Comments about the request at the March 28, 2006 Board meeting; and Ann Wilcox from Edison College was requested to appear at this meeting to provide some background as to how funding has been used in the past, and is anticipated to be used in the future. Ann Wilcox, stated that through the support of the County, Fawcett Hospital, Charlotte Regional Medical Center, Peace River Regional Medical Center and Auxiliary, Englewood Hospital, the Community Foundation of Southwest Florida, numerous individuals and businesses and a grant from the Federal Government, Edison College Nursing Program will graduate its first class on May 4, 2006; the second class has begun, and as long as funding is received, a class will graduate every year. Ms. Wilcox advised Edison is addressing a critical need and shortage of nurses in Charlotte County, and the program supports a direct need for many people in the community. Ms. Wilcox informed the Board the Nursing Program had a line-item Federal Grant that it thought would be ongoing, but found it was a commitment only for 2006; the Nursing Program has not yet found on-going financial support, and Edison College seeks continued support from the County for the Nursing Program. **COMMISSIONER D'APRILE** advised this is a positive, enlightening program, more nurses are needed, and the demand is necessary. **COMMISSIONER D'APRILE MOVED TO CONSIDER THE FUNDING, SECONDED BY COMMISSIONER CUMMINGS FOR DISCUSSION.** **Commissioner Cummings** recalled that initially it was thought the numbers would be up in order for the program to be self-sustaining, and inquired if there is a plan in the next three years for transition. Ms. Wilcox advised the program would be evaluated by the Regulatory Board of Nursing in 2007, it is hoped State funding will be picked up at that time, but it is not certain, and she does not want the program stopped for lack of funding. **CHAIRMAN MOORE REQUESTED THE MOTION BE MODIFIED TO "APPROVED" INSTEAD OF "CONSIDERED", AND COMMISSIONERS D'APRILE AND CUMMINGS AGREED. CALL ON THE MOTION: APPROVED UNANIMOUS (3:0).**

Agenda Item Y-2, Commission Office - Select and appoint one (1) applicant to serve as a member of the Manchester Waterway Benefit Unit Advisory Committee.

Chairman Moore advised all three (3) votes (ballots) were cast for Frederick T. (Ted) Iddings, Jr. to serve as a member of the Manchester Waterway Benefit Unit Advisory Committee, and Mr. Iddings will be notified of the appointment.

X. CITIZEN INPUT - ANY SUBJECT

None.

CC. County Administrator

Bruce D. Loucks, County Administrator, advised Charlotte County has been approached by a seaside city in China of approximately 300,000 residents that expressed interest in becoming a sister city to Charlotte County; that there are probably other cities to be looked at as well if there is interest in developing a sister city relationship; and requested the Board's thoughts on moving forward with this, or exploring other cities that have similar interests, demographics and economics. **Chairman Moore** stated he has no problem doing it, nor has great passion about it. **Commissioner Cummings** said he has no particular objections, but does not know enough about the subject matter to have an opinion. Mr. Loucks suggested the continued exploration of other possible candidates, and that the matter be brought back to the Board.

DD. County Attorney

None.

EE. Commissioner Comments

Commissioner D'Aprile said there seems to be a discrepancy between the Phosphate Industry and the proposal the Board made at the last meeting, and suggested there be an Executive Meeting of all Board members and the Attorneys to discuss what has taken place in the past, what the last meeting agreement was, and why there is a misunderstanding between the parties. **Commissioner**

Cummings stated it is always the Board's prerogative to discuss issues further, and expressed concern that "misunderstandings" seem to occur each time a settlement or agreement is had on a very specific issue, and attempts are made to expand a settlement beyond what was clear. **Commissioner Cummings** advised he believes the record is perfectly clear and everyone involved understood what was going on at the time. **Commissioner Cummings** stated he said point blank that the County would go ahead and comment on the Federal permits and request a public hearing, and is the manner in which issues are addressed without going to litigation. **Commissioner Cummings** explained the Federal permit is an entirely different set of issues, which are addressed more thoroughly in a Federal permit than in the State, and are those that the Board has the most concerns about, where they talk about the cumulative impacts. **Commissioner D'Aprile** said the Minutes clearly agree with **Commissioner Cummings'** comments, but believes it is important to discuss it in an Executive Session so the Board can resolve where it stands on the matter, what will be done about it in the future, and determine what Mr. Carr and the Phosphate Industry is referring to. **Commissioner Cummings** said what Mr. Carr and the Phosphate Industry referred to is the letter that the Board sent to the Army Corps of Engineers making comments on the Federal permit for the Altman Tract and requesting a public hearing on the permit. **Chairman Moore** indicated he had a conversation with Gray Gordon, Vice President Public Affairs Mosaic Fertilizer, LLC recently and requested that a letter be sent to the Board stating specific concerns; that he supports **Commissioner D'Aprile's** request, and looks forward to an Executive Session in the very near future. **Commissioner Cummings** advised he received comments and calls with concerns over the letter that was sent to the Water Authority denying permission for the pipeline to Punta Gorda, and explained the reason for the letter being sent. **Commissioner Cummings** stated this is a step-in-the-process and expects a successful conclusion. **Chairman Moore** stated SWFWMD has made significant, dramatic changes to its rules, and he believes it will strength the Water Authority. **Chairman Moore** advised the Bloodmobile would be at the Murdock Administration Complex Wednesday morning, April 12, 2006. **Commissioner Cummings** reported that there has been a lot of discussion that if the Water Authority were allowed to do the Babcock Ranch water, or other potential water sources in South County, there would be grant money available. **Commissioner Cummings** stated it is true

that SWFWMD would provide some grant funding for interconnects and the feasibility study, but not for the water supply development itself. **Commissioner Cummings** advised he suspects that when the countywide study staff is working on is received, what will be seen is that most of the water that is reported to be available on Babcock Ranch is floored in water; the geology is the same throughout most of South County; and the same thing can be done in the Urban Service Area without the need of building another interconnect. **Commissioner Cummings** stated rather than starting from scratch in a new place, there is an opportunity to expand an existing system, preserve more land, and create a well field at the same time. **Commissioner Cummings** pointed out as it is presently structured, the Babcock Agreement requires the County to lease the well sites from the State; now that the agreement is approved, the land is already preserved; there is now an opportunity to preserve additional land on the wildlife corridor near the Urban Service Area, and save money at the same time, because an existing source is being expanded, and another interconnect does not have to be built elsewhere. **Commissioner D'Aprile** advised he was not familiar with much of the information provided by **Commissioner Cummings** and inquired why the Water Authority will not grant money for land water except under certain circumstances. **Commissioner Cummings** explained the reason for developing alternative sources is an attempt to use less ground water to avoid over pumping of the aquifer, which is drying up the headwaters at Peace River and several other areas, and causing sinkholes. **Commissioner Cummings** stated this is incentive-based, and the resources available are being directed toward projects that don't contribute to those problems, and helps push the demand onto other sources that have fewer environmental consequences; and expressed concern with the amount of withdrawal from surface waters in the Peace River Basin. **Commissioner Cummings** pointed out he was told point blank that the Babcock Ranch and I-75/US 41 corridor projects do not qualify for grant funding, whether done by the Water Authority or Charlotte County. **Chairman Moore** stated he continues to have optimism about the entire program.

RECESS 10:02 A.M. - 10:10 A.M.

VII. PUBLIC HEARING AGENDA

AA 10:00 A.M.

Agenda Item AA-1, Public Works - Consider an Ordinance amending the territory of the Tropical Gulf Acres Street and Drainage MSBU. (Proof of Publication was in order.)

Dawn Harrison, Municipal Services District Representative, advised this item expands the territory of the Tropical Gulf Acres Street and Drainage MSBU; this is a first-time assessment for property owners who have received a benefit but never actually paid into the district, and a cleanup of the territory. **Commissioner D'Aprile** requested clarification that the area was receiving benefits of the MSBU, but not paying into it. Ms. Harrison replied affirmatively. Tom Strawson advised he lives in Tropical Gulf Acres and agrees roads and drainage are needed; that Tropical Gulf Acres is an affordable living area, but under the present plan of taxation will no longer be affordable; and the assessment costs should be compatible with what residents can afford. There was inquiry from a member of the audience if someone could speak on any subject. **Chairman Moore** advised the public hearing on any subject had already been held but would check with the Board to determine if anyone else will be allowed to speak. **COMMISSIONER D'APRILE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER CUMMINGS AND DECLARED UNANIMOUS (3:0).** **Commissioner Cummings** requested clarification that this agenda item only adds property to the unit and provides future ability for issuing debt and collecting back on those debts, but does not actually issue the debt or change the tax roll or amount, and has nothing to do with how much property owners pay on their assessment. **Commissioner Cummings** stated that property owners during the budget process may have concern for how much will be paid on given properties, but the item today only adds to the territory. Ms. Harrison stated that is correct. **Commissioner D'Aprile** inquired if there was an estimate of how much money is involved in improving the area roads and drainage. Ms. Harrison said at this time there is an estimate of \$500.00 per lot for the paving for 20 years. Ms. Harrison said if they are to move forward with the drainage improvements and the paving there is considerable expense involved because there are grass roads, drainage that does not exist, and a lot of

issues to be dealt with. **Commissioner D'Aprile** said he would like to receive the numbers and have Mr. O'Kane enlighten him on some of the issues; that the residents know what is needed, but don't want to be forced from an area by being overtaxed by the MSBU. Thomas E. O'Kane, Public Works Director, advised this information is currently being compiled and will go forward with the process in July 2006; and the property owners will receive notice of what the assessment will be for the 20 years, or whatever period the Board decides upon. Mr. O'Kane pointed out this is a follow-up from two years ago when an eleven-year paving, maintenance, and drainage program was proposed; the residents were firm in not wanting to move forward with the program; the Board allowed a year for Tropical Gulf Acres to put a group together to decide on how this would be done; no group was put together, and the Board requested Public Works to put a complete package together; and explained it is much more expensive today than it was two years ago. **Commissioner D'Aprile** requested that several time period options be given. **Chairman Moore** requested clarification on the cost to do drainage and roads. Mr. O'Kane said he is not prepared to give numbers today, but at one point in time it was estimated at \$30 Million, if done within a few years. Bruce D. Loucks, County Administrator indicated there is also interest cost, and spreading the costs out over 20 years would reflect the interest cost for a 20-year timeframe as well. **Chairman Moore** inquired what the current MSBU assessment is. Ms. Harrison advised it is about \$25.00 per lot. **Commissioner Cummings** said there is a legitimate point raised in this area being a source of affordable housing; believes Tropical Gulf Acres is an example of a problem shared in a number of MSBU's; and commented on other possible options. **COMMISSIONER CUMMINGS MOVED FOR APPROVAL TO ENACT ORDINANCE #2006-031, SECONDED BY COMMISSIONER D'APRILE.** **Chairman Moore** stated the Board has always had the authority to override the various MSBU's delay in providing services as needed, and perhaps should have used that authority some years ago. **Commissioner Cummings** agreed with **Chairman Moore**. **Commissioner D'Aprile** agreed it is the responsibility of the Board to be certain the roads are done, but must also consider the financials of the property owners and not overtax. **Chairman Moore** suggested this be added to the Board's list of workshops. **CALL ON THE MOTION: DECLARED UNANIMOUS (3:0).**

Agenda Item AA-2, Public Works - Consider an Ordinance amending the Suncoast Waterway Unit. (Proof of Publication was in order.)

Dawn Harrison, Municipal Services District Representative, advised this item amends the Suncoast Waterway Unit; that in 1992 and 1995 Resolutions were adopted for a special dredging assessment; and at this time Suncoast Waterway Unit requests an ongoing maintenance assessment so dredging can be done as needed. Vincent Vurro advised this is a small waterfront community and spoke in support of the Ordinance. Randy Ahrens advised the canals need dredging, and commented on a drainage area that also needs attention. Marvin Dunlevy, past President of South Gulf Cove Homeowners Association, expressed concern that the locks and boat launch are the responsibility of the property owners, but open to the public, and stated everyone should pay for them. **Chairman Moore** informed Mr. Dunlevy that the subject matter must pertain to the specific area under this agenda item and that he should return in order to discuss the matter at the appropriate time. **Commissioner Cummings** stated because the Agenda is progressing so quickly today he has no objections to a second Citizens Input-Any Subject after the Agenda is completed. **COMMISSIONER D'APRILE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER CUMMINGS AND DECLARED UNANIMOUS (3:0). COMMISSIONER D'APRILE MOVED FOR APPROVAL TO ENACT ORDINANCE #2006-032, SECONDED BY COMMISSIONER CUMMINGS AND DECLARED UNANIMOUS (3:0).**

Agenda Item AA-3, Public Works - Consider an Ordinance amending the territory of the Farabee Road and Drainage MSBU. (Proof of Publication was in order.)

Dawn Harrison, Municipal Services District Representative, advised this item is to expand the territory of the Farabee Road and Drainage MSBU to the Charlotte County line in order to help the property owners fund the maintenance, and possibly future paving, for this area. **THERE BEING NO ONE WISHING TO SPEAK FOR OR AGAINST COMMISSIONER CUMMINGS MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS (3:0). COMMISSIONER CUMMINGS MOVED FOR APPROVAL TO ENACT ORDINANCE #2006-033, SECONDED BY COMMISSIONER D'APRILE AND DECLARED UNANIMOUS (3:0).**

Chairman Moore advised the Agenda was complete and consensus of the Board is to re-open Citizen Input-Any Subject.

X. CITIZEN INPUT - ANY SUBJECT (Continued)

Marvin Dunlevy, of South Gulf Cove, stated the Committee that comes to the Board from the Homeowners Association is made up of people who live on the water, and those persons make decisions for everyone else without giving proper notification. Mr. Dunlevy inquired if funds from the MSBU can be used to build a park; if so, he does not believe it is right; and advised it has been done, but the park is not attractive, or nicely designed. **Chairman Moore** stated he could not get into a dialogue with Mr. Dunlevy, but clarified the South Gulf Cove MSBU Ordinance was changed to include beautification, so park areas would be included in the things the MSBU has the right to do. **Chairman Moore** advised when members of an MSBU change, advertising is done for people interested in belonging to the MSBU Committee, and recommended Mr. Dunlevy apply. Rick Cavalier explained PrimAmerica Development is active in the community and owns the Punta Gorda Golf Course site at US 17 and I-75. Mr. Cavalier indicated the Airport Overlay District (AOD) was created in 2002, and renamed by Amended Ordinance in 2004 to the Enterprise Charlotte Airport Park (ECAP); and that the County held workshops concerning a new north/south connector road for ECAP Piper Road. Mr. Cavalier advised the golf course clubhouse was damaged beyond repair when Hurricane Charley hit the Punta Gorda area; and based upon information learned at the workshops that funding was in place and the road moving forward, PrimAmerica decided not to re-open the golf course, but instead wait for the road to begin. Mr. Cavalier stated businesses previously considering location in his development have gone elsewhere; there are new businesses interested, but there is still no road, utilities, or leadership for the connector road project; and indicated it is important for the County to execute its plans for ECAP, push forward on the road and utilities, and assign a leader to provide the attention that ECAP requires. Alan Arena of Rotonda West spoke on the water rates and 5-tiered price enhancement proposal, and requested the Board reconsider the rates. Charlotte Ventolla indicated there is an attempt to bring some areas up to a standard that the residents did not originally intend to be at; and perhaps there should be some consideration as to whether the residents of the areas that are

complaining chose to live in a certain area with the amenities they have, if they want new amenities, or if it is the County that wants them to have the new amenities and level of service, and are attempting to bring them into an infill or quasi infill condition. Ms. Ventolla pointed out there is a lot of undeveloped property, and inquired if citizens develop in the areas and don't want the services, would the County tell them in 5 or 10 years that because there are many of them in the area they must up the service; and stated her problem is who wants the new amenities and new level of service.

MEETING ADJOURNED: 11:00 A.M.

Signature on file in Commission Minutes

Thomas G. Moore

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**

gm