

BOARD OF COUNTY COMMISSIONERS

JULY 11, 2006

A regular meeting of the Board of County Commissioner was held at the Murdock Administration Complex in Room 119, Port Charlotte, Florida. The following members were present: Commissioner Cummings, Chairman Moore, Commissioner DeBoer, Commissioner D'Aprile, and Commissioner Devos. Also in attendance were County Administrator Loucks, County Attorney Knowlton, Chief Deputy Board Services White, Executive Assistant Blair, Minutes Supervisor Nice, and Deputy Clerk Manley. The following members were absent: None.

The meeting was called to order at **9:00 AM**.

Invocation given by Pastor Peter Burnett, Port Charlotte International Church followed by the pledge of allegiance.

Changes to the Agenda

Change #1: Agenda Item IX, Change to "Hold a Board Workshop to review and receive Board direction on funding requests of Contracted Services."

Change #2: Agenda Item C-4, Change from "Public Hearing" to "Public Workshop" and change date from June 25, 2006 to July 25, 2006.

Change #3: Agenda Item W-1, Change date of proposed Public Hearing to August 22, 2006.

Change #4: Agenda Item Z-2, Defer to July 25, 2006.

COMMISSIONER D'APRILE MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER DEBOER.

Motion Carried 5:0.

Special Recognition

Proclamation

Dave Kern Day - July 11, 2006

COMMISSIONER DEBOER MOVED TO APPROVE PROCLAMATION, SECONDED BY COMMISSIONER CUMMINGS.

Motion Carried 5:0.

Dave Kern accepted the proclamation.

Employee Recognition

Pamela Andrews, 5 years, Environmental & Extension Services; Charles "Chuck" Mopps, 5 years, Public Works; Greg Schnitzel, 10 years, Building Construction Services; Edith Weigle, 10 years, Environmental & Extension Services; Rita Anderson, 15 years, Utilities; Stephen Bozman, 15 years, Utilities; Dennis Decker, 15 years, Utilities; Ed Earnest, Jr., 15 years, Utilities; George Ellison, 15 years, Utilities; Henry "Hank" Feeser, 15 years, Utilities; Sharon Harrison, 15 years, Utilities; Dawn Harrison, 15 years, Public Works; Judy Hawkes, 15 years, Utilities; Brenda Jones, 15 years, Utilities; Brent Jones, 15 years, Utilities; Maggie Kain, 15 years, Human Resources; Steve Kipfinger, 15 years, Utilities; Douglas Lucas, 15 years, Utilities; Sue McKean, 15 years, Utilities; Bernie Milosky, 15 years, Utilities; Tom Orlosky, 15 years, Public Works; Ann Payne, 15 years, Utilities; L. Diane Riddle, 15 years, Utilities; James Sabielny, 15 years, Utilities; James Stacy, 15 years, Utilities; Sheryl Thomas, 15 years, Utilities; Beth Sawyer, 15 years, Utilities; and Darlene Roman, 20 years, Human Services.

Presentation

Recognition of award received from the Florida City and County Management Association by the IT Department & Emergency Management Division.

No one was present to acknowledge the award.

I. CITIZEN INPUT - AGENDA ITEMS ONLY

Valerie Guenther indicated support of Agenda Item Z-3 to purchase both parcels.

Carol MacDougall commented in support of Agenda Item Z-3 for the purchase of Myakka El Jobean Park and Buck Creek lands and to move forward with the Florida Communities Trust (FCT) application.

James Marshall commented in favor of the Board acquiring the El Jobean park property under Agenda Item Z-3.

Ron Thomas expressed support for Agenda Item T-3 as a means to increase affordable housing.

David Goodrich commented on Agenda Item W-2 by requesting Mr. Loucks for the amount of funding to be paid by the golf courses.

II. COMMITTEE VACANCIES

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

Deep Creek Non-Urban Street and Drainage Unit Advisory Committee - one (1) volunteer who owns property and resides within Section 23 to serve for a two year term.
Englewood East Street and Drainage Advisory Committee - one (1) volunteer who is a landowners and who resides within the Unit to serve a three year term.

Commissioner DeBoer stated a vacancy exists on the Manchester Waterway Advisory Committee; discrepancies have occurred because the Advisory Committee was never formally established by the Board; and suggested the County Attorney resolve the issues so the position can be filled.

III. REPORTS RECEIVED AND FILED - None

IV. CONSENT AGENDA

COMMISSIONER CUMMINGS MOVED TO APPROVE IV. CONSENT AGENDA EXCEPT AGENDA ITEM L-1, SECONDED BY COMMISSIONER DEVOS.

Motion Carried: 5:0.

Clerk of the Circuit Court

A. Finance Division

(1) RECOMMENDED ACTION: Adoption of Clerk's Finance Memoranda
BUDGETED ACTION: None

Memorandum #1 - Status of Contingency Reserves - FY04/05
Memorandum #1A - Status of Contingency Reserves -FY05/06
Memorandum #2 - Total disbursement for the period June 20 through June 30, 2006 in the amount of \$16,289.064.40
Memorandum #3 - Excess Funds on Tax Deed Applications

B. Minutes Division

(1) RECOMMENDED ACTION: June 9, 2006, 9:00 a.m. Joint Meeting - BCC and City of Punta Gorda June 13, 2006, 9:00 a.m. BCC Regular Meeting
BUDGETED ACTION: None

Board of County Commissioners

C. Commission Office

(1) RECOMMENDED ACTION: Appoint Ted Boiman as a representative of the Buena Vista Area Waterway Advisory committee to fill the current vacancy. BUDGETED ACTION: None

(2) RECOMMENDED ACTION: a) Appoint Evelyn Loeffler and Melissa Levine to fill vacant Residential Representative Positions on the Community Redevelopment Agency Advisory Committee (CRAAC) and; b) Appoint Jim Herston as the Business Owner/Representative to fill the vacancy left by Jerry Dupper's resignation on the Community Redevelopment Agency Advisory Committee (CRAAC).
BUDGETED ACTION: None

(3) RECOMMENDED ACTION: Reappoint members to the Grove City Street and Drainage Advisory Committee. BUDGETED ACTION: None

Reappoint Carolyn J. Spradlin and Patricia A. Shinske for three-year terms.

(4) *RECOMMENDED ACTION*: Set a public workshop for July 25, at 2:00 p.m. or as soon thereafter as may be heard, to discuss the redevelopment of Charlotte Harbor after Hurricane Charley. *BUDGETED ACTION*: None

D. Administration - No items

E. County Attorney

(1) *RECOMMENDED ACTION*: Approve contract with Wilkins Frohlich, P.A. in the amount not to exceed \$100,000 for legal and technical assistance necessary to resolve the Manasota Key Bert J. Harris, Jr. Real Property Protection Act cases. *BUDGETED ACTION*: Funding for this item is from County Attorney's Legal Services account.

Agreement 2006-032

F. Budget Office - No items

G. Community Development

(1) *RECOMMENDED ACTION*: a) Approve Final Plat FP 05-12-12 - Paradise Shoppes of Port Charlotte and b) Approve Developer's Agreement and Letter of Credit Surety #SM219836W, drawn on Wachovia Bank in the amount of \$436,488.84.

Agreement 2006-033

(2) *RECOMMENDED ACTION*: a) Approve Final Plat FP 04-03-03 Anglers Club at Boca Grande and B) Approve Developer's Agreement and Cash Surety Bond in the amount of \$22,850.85. *BUDGETED ACTION*: None

Agreement 2006-034

(3) *RECOMMENDED ACTION*: Approve FP 05-11-10, Final Plat for Bel Aire at Windward. *BUDGETED ACTION*: None

H. Economic Development - No items

J. Environmental Services

(1) RECOMMENDED ACTION: Request the Board of Commissioners consider and adopt amendment to Resolution No: 91-184, the Solid Waste Disposal System Revenue Bonds. This amendment will enable the Solid Waste Management Division to transfer funds to Public Works for specific debris clean up costs associated with the August 13, 2004 Hurricane Charley event, and provide the mechanism to allow the division to pay for future tropical storm clean up events. BUDGETED ACTION: Funds are budgeted in the Charlotte County Landfill Fund.

Resolution 2006-100

K. Facilities Construction and Maintenance - No items

L. General Services

(1) RECOMMENDED ACTION: Request Board a) approve Amendment #1 to Contract #03-210, Design-Build Fire/EMS Vehicle Maintenance Facility, with Mathews/Taylor Construction, L.L.C. in the amount of \$152,300 for a total Contract Amount of \$1,889,981 and b) Approve Budget Transfer 06-036 and CIP Amendment 06-C29. BUDGETED ACTION: \$268,653 is necessary to accommodate design changes due to site relocation and changes in project scope (include sheriff's vehicle maintenance building, eliminate hurricane shelter). Approve Budget transfer in the amount of \$268,653.

Commissioner DeBoer questioned the difference between the \$152,300 for Amendment #1 and the budget action of \$268,653. Andrew Baker recalled a change in venue with Vehicle Maintenance and explained a deficit of \$116,000 existed regarding site mitigation in the original design contract but not in the account.

COMMISSIONER DEBOER MOVED TO APPROVE AMENDMENT #1 TO CONTRACT #03-210, DESIGN-BUILD FIRE/EMS VEHICLE MAINTENANCE FACILITY, WITH MATHEWS/TAYLOR CONSTRUCTION, L.L.C. IN THE AMOUNT OF \$152,300 FOR A TOTAL CONTRACT. AMOUNT OF \$1,889,981. B) APPROVE BUDGET TRANSFER 06-036 AND CIP AMENDMENT 06-C29. BUDGETED

ACTION: \$268,653 IS NECESSARY TO ACCOMMODATE DESIGN CHANGES DUE TO SITE RELOCATION AND CHANGES IN PROJECT SCOPE (INCLUDE SHERIFF'S VEHICLE MAINTENANCE BUILDING, ELIMINATE HURRICANE SHELTER). APPROVE BUDGET TRANSFER IN THE AMOUNT OF \$268,653, SECONDED BY COMMISSIONER DEVOS.

Commissioner DeBoer stated he pulled the item because Florida Statutes require encumbrance of the total amount of a contract for award and thanked Mr. Baker for admitting to and correcting the mistake.

Motion Carried 5:0.

(2) **RECOMMENDED ACTION:** Approve Change Order #3 to Contract #05-130, Wireless Fuel System, with SCI Distribution, LLC, of Clearwater, Florida in the amount of \$50,000 with a total revised contract amount of \$204,691.10. **BUDGETED ACTION:** Items will be placed into inventory and charged to the various departments when installed on vehicles.

(3) **RECOMMENDED ACTION:** Request Board: 1) approve Amendment #2 to Contract 05-223, CC Event Center - Design/Build, with Mathews/Taylor in the amount of \$100,000 for a total amount of \$2,750,250 and 2) authorize Chairman to sign the Amendment. **BUDGETED ACTION:** Funding is available in Capital Projects #C720110.

(4) **RECOMMENDED ACTION:** Rescind award of Bid Item No. 23, Meconium Aspirator on Bid No. 06-258, Medical Supplies Charlotte County Fire/EMS with Progressive Medical International for \$0.34 per each and Re-award same item to Moore Medical LLC for \$3.95 per each. **BUDGETED ACTION:** FY06/07 Proposed Budget - \$123,200.

(5) **RECOMMENDED ACTION:** Request Board: 1) approve award of Bid #06-290, Tapping Saddles, to be utilized by the Charlotte County Utilities Department, with Mainline Supply Company of Fort Myers, FL for the unit prices as listed on the attached, for the term from date of award up to and including December 31, 2006, with option to renew for two additional one-year terms at the same prices, terms and conditions, by mutual consent; and 2) authorize Administrator to approve two additional one-year renewals. **BUDGETED ACTION:** FY 06 Budget is estimated to be approximately \$200,000.

(6) *RECOMMENDED ACTION:* Request the Board of Commissioners approve deletion of the property inventory Items listed on the attached for the month of July, 2006. *BUDGETED ACTION:* Not Applicable

M. Human Resources - No items

N. Human Services - No items

P. Information Technology - No items

Q. Parks, Recreation & Cultural Resources - No items

R. Public Safety - No items

S. Public Works - No items

T. Real Estate Services

(1) *RECOMMENDED ACTION:* Approve the attached Resolution approving the release of a twenty-foot (20') wide force main easement, and further authorizing the Director of Real Estate Services to execute the County Deed releasing said easement. (Owner: Coast to Coast Land Developers, L.L.C.) *BUDGETED ACTION:* None required.

Resolution 2006-101

(2) *RECOMMENDED ACTION:* Approve the attached Resolution approving the release of a portion of a canal maintenance easement, and further authorizing the Director of Real Estate Services to execute the County Deed releasing said portion of said easement. (Owners: David and Janet Hupp) *BUDGETED ACTION:* None required

Resolution 2006-102

(3) *RECOMMENDED ACTION:* Approve the Resolution authorizing the Chairman, or his designee to execute the Agreement for Purchase and Sale of Real Property, described as: Lots 13, 14, 15, Block 124, Davis Addition to Punta Gorda Subdivision, as recorded in Plat Book 1, Page 20 of the Public Records of Charlotte County,

Florida. (Bruno & Patricia L. Gigante) BUDGETED ACTION: Funding provided by a Community Development Block Grant (CDBG). .

Resolution 2006-103

V. Tourism Development - No items

W. Utilities

(1) RECOMMENDED ACTION: Request the Board to set a public hearing on August 8, 2006 at 10:00 a.m. or as soon thereafter as possible, to consider adoption of a resolution setting forth the new Utility water, sewer and reuse rates, other fees and charges effective with bills rendered on or after October 1, 2006, for all CCU customers. The resolution adopts rate increases for the five years beginning October 1, 2006 and each October 1st through 2010 (Fiscal Year 2007 - Fiscal Year 2011). BUDGETED ACTION: There is no impact on FY06 budget. The proposed FY07 budget reflects an increase in rates, fees and charges as based on the Rate Study.

(2) RECOMMENDED ACTION: Recommend Board approval a) Chairman to execute the Cooperative Funding Agreement Between the Southwest Florida Water Management District and Charlotte County for the design and construction of two reuse ponds to provide diurnal storage at the Deep Creek and Kings Island golf courses and modification of an existing stormwater management pond to serve the Victoria Estates golf course and b) Subsequent to approval of a), approve Budget Amendment 06-A32 totaling \$414,000 and CIP Amendment 06-C28 totaling \$896,000 (C350606). BUDGETED ACTION: Budgeted amount is \$896,000, CIP350601 - Reclaimed Water Expansion. Funds being added from SWFWMD Grant in FY06 \$414,000 for total project funding of \$1,310,000.

Agreement 2006-035

(3) RECOMMENDED ACTION: Request the Board to set a public hearing on August 8, 2006 at 10:00 a.m. or as soon thereafter as possible, to approve an Ordinance to dissolve the Pirate Harbor Water Unit and add the service area to the Utility Resolution as of October 1, 2006. BUDGETED ACTION: None required.

X. Building Construction Services - No items

Y. Constitutional - No items

V. [REGULAR AGENDA](#)

Z. Regular Business

(1) **RECOMMENDED ACTION:** Authorize Industrial Development Authority Resolution be brought to the July 25, 2006 meeting for consideration.

BUDGETED ACTION: None

Betty Williams introduced John Stokes, Nabors Giblin law firm, and explained a fee structure will be established if creation of the Industrial Development Authority (IDA) is approved by the Board. Mr. Stokes explained IDAs have been created by the State but each county must implement the Authority; the primary purpose of creating the IDA is to promote economic development through issuing tax exempt bonds at very competitive rates; primary uses including private water and sewer utilities, health care facilities, not-for profit, 501-3-C, accute care facilities, senior care and skilled care facilities, and manufacturing facilities under a special classification of \$10 million or less in size. Mr. Stokes advised the Board, as the local agency, has the the ability to issue tax exempt bonds for private entities as well as for transportation, utilities, health and safety needs but the Authority would receive and review applications and make recommendations based on statutory criteria for the public purpose and economic benefit to the Board for final approval of issuance for the debt. Mr. Stokes informed the Board about the public hearing process necessary to issue tax exempt bonds to a private entity; advised Lee, Sarasota, and Collier Counties have very active IDAs; IDAs serve as the issuer of the bonds but not the financing; the bonds issued are not a debt, liability, or obligation of the County; and offered to answer questions about the Authority's statutory power and operations.

Commissioner D'Aprile requested the size of business that may apply. Mr. Stokes advised the lower interest rate would have to be weighed against additional costs associated with a tax exempt issue including fees of bond counsel and the IDA; explained \$3 million would be the minimum size issue where advantages of the

lower rate would offset costs of the issue; interest on a issue for \$6 million and above is clearly present; and a significant interest benefit would be realized from a \$20 to \$30 million issue. **Commissioner D'Aprile** concluded this would not be economically feasible for small businesses. Mr. Stokes recalled the \$10 million cap for manufacturing was established in 1986 in the new Tax Code and several attempts have been made to increase the cap.

Commissioner DeBoer confirmed the \$10 million cap is specific to manufacturing types of businesses and recalled the County has issued industrial revenue bonds. Mr. Stokes responded affirmatively to the \$10 million cap and explained as the IDA becomes more active, it will establish uniform guidelines for application procedures thereby saving the County money, and the income from bond issues can be used for economic development. **Commissioner DeBoer** requested the key rate. Mr. Stokes stated rates vary, Florida Statutes are ambiguous because they have not established rates, and Sarasota County has established a cap but there are also sliding scales from \$50,000 to \$75,000, up to \$100,000. Mr. Stokes stated the cap and appointment of members to the IDA are at the discretion of the Board and they may be selected based on background expertise and Florida Statutes require appointment of members to four year terms on a staggered basis. **Commissioner DeBoer** questioned the funding source for IDA support staff e.g. taxes or existing staff until sufficient revenues or applications are generated. Ms. Williams responded with existing staff.

COMMISSIONER DEBOER MOVED TO AUTHORIZE INDUSTRIAL DEVELOPMENT AUTHORITY RESOLUTION BE BROUGHT TO THE JULY 25, 2006 MEETING FOR CONSIDERATION, SECONDED BY COMMISSIONER DEVOS.

Motion Carried 5:0.

(2) **RECOMMENDED ACTION:** Appoint or reappoint members to the West Charlotte Stormwater Utility Advisory Committee. **BUDGETED ACTION:** None. Deferred to July 25, 2006 pursuant to Changes to the Agenda.

(3) **RECOMMENDED ACTION:** a) Approve the purchase of the parcels known as Buck Creek Preserve (\$8,400,000) and Myakka El Jobean Park (estimated value: \$7,100,000) for preservation; and b) Approve the withdrawal of one of the Florida Communities Trust

Grant applications as required by the Department of Community Affairs; and c) Authorize the borrowing of funds, up to \$15,500,000 for the completion of these two acquisitions to be partially offset by FCT grants this year and next year. BUDGETED ACTION: CIP Budget item for the match of the Myakka El Jobean Park project. No match funds budgeted for Buck Creek Preserve: Financial analysis attached. This action would required the borrowing of funds internally and externally as shown in analysis.

Robert Hebert stated this is the second time for the applications to be brought to the Board for direction on withdrawing one of the applications since the total of both exceed the amount of funding allowed by Florida Communities Trust (FCT) and direction on funding options developed by the Budget Director. Mr. Hebert explained if one of of the applications is not withdrawn, FCT will disregard both applications. **Commissioner Devos** requested a presentation on the funding options. Mr. Hebert explained the FCT application process relating to the 75% FCT grant/25% County for the Myakka El Jobean Park and a 45% FCT grant/55% County for the Buck Creek Preserve and the points for the Myakka El Joebean project totaled 195 and the Buck Creek Preserve came in at 185 points. **Commissioner Devos** requested funding sources for the additional monies. Raymond Sandrock identified five potential sources within the current budget that total \$9.3 million and suggested working with the Clerk's Office on borrowing options and FCT on reimbursement options. **Commissioner Devos** expressed a preference for purchasing the Buck Creek Preserve for investment purposes but noted the reasonableness of acquiring the Myakka El Jobean Park from a fiscal standpoint and questioned the possibility of funding for next year. Mr. Hebert advised whichever project is withdrawn could be go through the application process in October 2007; if the Buck Creek application was withdrawn from this cycle, the funding levels would change to 75%/25% and the County would recoup more funds; and pointed out both sites have pending offers. **Commissioner Devos** noted funding for the match for the Myakka River project in the CIP. Mr. Hebert stated the CIP budget has not yet been adopted. **Commissioner Devos** reiterated a preference for purchasing the Buck Creek Preserve and expressed concern about the amount in Contingency Reserves. Mr. Hebert recommended borrowing funds to acquire both of the

parcels and pursuing FCT monies in this cycle and the next cycle at 75%/25%.

Commissioner Cummings requested verification of pending offers on both properties. Mr. Hebert responded affirmatively based on conversations with the developer of the Myakka El Jobean site and **Chairman Moore** has had conversations with Buck Creek representatives and pointed out acquisition of the the parcels would be subject to appraisals that would have to be approved by FCT. **Commissioner Cummings** stated the County has missed out acquiring a number of parcels, commented in support of the recommendation to borrow funds to acquire both properties, and requested staff verify that bona fide offers exist on both properties. Mr. Hebert stated he would do so and suggested Board action be contingent upon verification.

Commissioner D'Aprile requested the amount of land available for development on the Buck Creek site. Paul Payette stated approximately 122 units on 80 acres including wetlands and uplands. **Commissioner D'Aprile** expressed concern about using Reserves to pay for this parcel. Mr. Sandrock stated that is one of the smallest financing elements in the mix amounting to \$1,000,000 and reiterated options for funding to acquire both parcels. **Commissioner D'Aprile** opposed using Reserves and the \$30,000,000 excess in the budget to purchase this property. Mr. Sandrock stated none of the identified funding sources will impact the General Fund Reserves.

Commissioner DeBoer questioned if the owners of the Buck Creek land would carry a note for five years at 6%. Mr. Payette stated they have agreed to consider it. **Commissioner DeBoer** commented in support of acquiring both sites; stated this arrangement on the Buck Creek site would allow more flexibility and lower the payments to \$2,000,000 to \$2,500,000 per year; suggested reapplying to FCT next year for grant funding on the Buck Creek land; and considering in next year's budget cycle a way to make the payments.

COMMISSIONER DEBOER MOVED TO APPROVE THE PURCHASE OF THE MYAKKA EL JOBEAN PARK AND BUCK CREEK PRESERVE AS RECOMMENDED BY STAFF; DIRECT STAFF TO PURSUE NEGOTIATIONS WITH BUCK CREEK PRESERVE OWNERS FOR A FIVE-YEAR NOTE AT 6% INTEREST; WITHDRAW THE CURRENT FCT GRANT APPLICATION FOR BUCK CREEK PRESERVE AND REAPPLY NEXT

YEAR; AND CONSIDER IN NEXT YEAR'S BUDGET CYCLE A WAY TO MAKE THE PAYMENTS, SECONDED BY COMMISSIONER DEVOS.

Chairman Moore requested an explanation regarding the requirement for appraisals. Mr. Hebert explained appraisals are required as part of the application/evaluation process. **Chairman Moore** questioned the existing of an appraisal on both parcels. Mr. Payette the latest appraisal on the Buck Creek land is about a year old and cautioned the Board that the amount in the agenda item is only an estimate on the Myakka El Jobean value. Mr. Hebert reiterated appraisals must be submitted prior to closing on the FCT grant applications.

Chairman Moore agreed the \$30,000,000 is not being considered as funding for these acquisitions; stated a decision needs to be made regarding the grant applications and acquiring the parcels; and commented on the importance of acquiring the Buck Creek Preserve site. **Commissioner D'Aprile** indicated support for acquiring both pieces of property, exclusive of using the \$30,000,000, and stated he will support the motion but he will be diligent on funding throughout the grant process. Mr. Hebert advised all transactions would be brought back to the Board before they are finalized.

Motion Carried 5:0.

(4) **RECOMMENDED ACTION:** Board Appointment of County representatives to serve on DEP's Stakeholder Committee, which will work on a Resource Management Plan. **BUDGETED ACTION:** None

Attorney Knowlton recommended appointing Kelly Shoemaker and Dr. Janicki, as alternate, to serve on the Committee and attend the technical meeting scheduled on Thursday.

COMMISSIONER DEVOS MOVED TO APPROVE BOARD APPOINTMENT OF COUNTY REPRESENTATIVES, AS RECOMMENDED BY ATTORNEY KNOWLTON, TO SERVE ON DEP'S STAKEHOLDER COMMITTEE, WHICH WILL WORK ON A RESOURCE MANAGEMENT PLAN, SECONDED BY COMMISSIONER DEBOER.

Commissioner DeBoer stated the meeting will be for policy making purposes.

Motion Carried 5:0.

VI. PUBLIC HEARING AGENDA - No items

VII. PRESENTATION AGENDA - No items

VIII. PUBLIC WORKSHOP AGENDA - No items

X. CITIZEN INPUT - ANY SUBJECT

Grace Amodeo expressed concern about the "illegality" of the Manchester Waterway MSBU Advisory Committee; stated it was one of the first MSBU's established; the MSBU is different than other MSBUs and it should remain that way; she has a letter signed by former Commissioner Richard Leonard indicating the Manchester Waterway was officially created, and requested verification.

Marvin Dunlevy stated members of the South Gulf Cove Homeowners Association only represent waterfront owners who have been trying to get dry lot owners to also pay for dredging; recalled the yacht club had accepted responsibility for the locks and canals until some lot owners wanted to pay some of the costs; opined since the the State and County put the canal in to catch drainage flows prior to emptying into the Myakka River, they should pay part of the dredging costs; reiterated the Association does not represent all property owners; and wondered why the County wants to spend another \$11 million when it is in the hole for \$94 million.

Jack Donkel distributed a handout in support of his request that the Board not vacate any portion of access roads including sidewalks and green space; stated most traffic accidents occur on SR 776 not on adjacent access or service roads that benefit over 100 businesses and many shoppers; access roads provide safe traffic flows for slow moving vehicles, pedestrians and bicyclists; and the handout includes a plan to avert blocking at the North Access Road/Willmington Boulevard intersection.

Ron Thomas informed the Board of the partnership between United Way and Habitat for Humanity that created a new program to be located at the Volunteer Center; the program will provide a central location for volunteers to meet who want to serve in for emergency situations; a manager for the program will be starting

August 1st; and this will stream line volunteer services in disaster situations. Mr. Thomas commented on the lot donation program for Habitat homes; offered to help and requested direction on how to move this program forward; advised over \$5 million has been raised and next year the 100th Habitat house will be constructed during the 20th anniversary. **Commissioner D'Aprile** asked Mr. Thomas to talk with him after the meeting.

AA. County Administrator:

Mr. Loucks stated the Punta Gorda Veterans Service office will reopen today and, along with offices at the Port Charlotte Cultural Center and in Englewood, three offices will provide services to veterans. Mr. Loucks related the County will be receiving an additional \$10 million from the insurance claim increasing the moneys recouped to \$40 million and after receipt of the funds, the Airport will be contacted to provide funding. Mr. Loucks stated originally the three party agreement regarding the Punta Gorda water interconnect was between the City, County, and the Water Authority; now, two separate agreements have been developed between the City and Authority and the City and County; and, hopefully, the agreements will be brought to the Board in a couple weeks. **Commissioner Devos** questioned the protection for the County pursuant to the first right of refusal. **Chairman Moore** expressed the belief that the County would have protection but that language was offensive to the Authority. **Commissioner Devos** stated her question was specific to the agreement between the City and County and commented on the need to protect the County's water. Attorney Knowlton stated the new agreement includes language to protect the County's interest and the intent is to have the agreement supersede the agreement with the Authority. **Commissioner Cummings** pointed out the County's first right of refusal was thought to be in conflict with the master water agreement; the Authority objected to that language and then it was suggested that an agreement between the Authority and City be developed establishing a specific amount of water and time frame; after expiration of the time frame, the separate agreement between the City and County would commence; negotiations are close or resolving issues; and probably it will be necessary to attend the Manatee Basin Board on July 19, and ask for tolerance in order to move forward in finalizing the two separate contracts and the grant process.

BB. County Attorney:

Attorney Knowlton advised the County's request to expedite the Babcock Ranch Comprehensive Plan amendment hearing was granted and the hearing is scheduled for July 24 through July 28, 2006. Attorney Knowlton stated the appeals are over regarding Murdock Village and there was a challenge to the Supreme Court but a stipulated settlement has been entered in that case. Attorney Knowlton stated she and Mr. Hebert met last week with the Bread of Life Mission; within the next 30 days, they are to develop bylaws, establish a Board of Directors, and establish a list of Code violations that need to be addressed; and bring back a funding request at the first meeting in August contingent upon approval of the Board's approval. **Commissioner Devos** related she met yesterday with Mr. Hebert on Community Development Block Grant funding for use of sewer hookups for the Mission. Mr. Hebert referenced three options in the memorandum received from City of Punta Gorda Manager Howard Kunik on providing wastewater collection to the Mission including complete annexation for which utility improvements are estimated at \$12,000,000; create a collection system for 53 lots between Scott Street, Lavilla Road, and Helen Street; including the Mission, at an estimated cost of \$265,000; or a single connection system to the Mission at an estimated cost of \$65,000 but there are Code compliance measures required; and more discussion is necessary. Mr. Loucks clarified the Mission is located in the City of Punta Gorda's sewer service area. **Commissioner D'Aprile** requested verification on the zoning for the Mission. Mr. Hebert expressed the belief that the Mission has been grandfathered in as a shelter. **Commissioner Cummings** recalled the Board of Zoning Appeals granted an exception. Mr. Hebert reported Taylor Construction and another construction company has offered to meet with Building Officials to bring the building up to code. **Commissioner D'Aprile** opined a new building should be constructed instead of a temporary fix. Mr. Hebert pointed out a separate Finance Board is to be established.

CC. Commissioner Comments

Commissioner DeBoer stated the Manchester Waterway MSBU has been in operation for some time, the Board has made appointments and

reappointments, and now it appears that staff has a difference of opinion. **Commissioner DeBoer** recalled Mr. Thomas was to consult with Habitat's National Board and suggested Mr. Thomas consult with the County Attorney in detail on the lot donations. **Commissioner DeBoer** recalled about six years, when Jim Sweeney was here, he suggested licensing the Mission as a shelter and making continued operation under the license subject to certain conditions and standards. **Commissioners Cummings and Devos** agreed.

Commissioner DeBoer requested an update on the Murdock Village comprehensive plan amendment and requested staff bring back a status update on the comprehensive plan amendment for Transfer for Development Units for the Board to make a policy decision.

RECESS: 10:50 AM - 2:00 PM

A regular meeting of the Board of County Commissioner was held at the Murdock Administration Complex in Room 119, Port Charlotte, Florida. The following members were present: Commissioner DeBoer, Commissioner D'Aprile, Chairman Moore, and Commissioner Cummings. Also in attendance were Minutes Supervisor Nice, County Administrator Loucks, and County Attorney Knowlton. The following members were absent: Commissioner Devos.

IX. BOARD WORKSHOP AGENDA - No public input

2:00 PM Workshop on Contracted Services Budget - to review and receive Board direction on funding such requests

Beatrice Harris gave a slide presentation on contract services for FY 06/07; summarized the purpose of the workshop; outlined what are contracted services; the chart on the trend for requests for funds that have increased from FY 04/05 and 06/07; comparables of six counties with the focus on due process of which Charlotte County is a part of; and recommendations to the Board for approval. Ms. Harris informed the Board about the seven categories for contracted services of which health and mental health has been subdivided into three subcategories; and explained the pie chart of six major allocations for Charlotte County. Ms. Harris requested input from the Board on whether to review agencies on an individual basis or overall policy.

Commissioners DeBoer and Devos agreed on the need to discuss overall policy. **Commissioner Devos** recalled a presentation on the Children's Services Council, stated the County should be establishing criteria and issuing a Request for Proposal for family and children services, and the policy should indicate the Board's desire to offer specific services and eliminate politics from the process.

Chairman Moore stated there is not a lot of money in the budget and questioned if the Board is prepared to establish criteria for the Request for Proposal. **Commissioner Devos** recalled discussion on hiring a coordinator. Mr. Loucks stated a position for Human Services has been included in the budget that is to be discussed at the budget workshop tomorrow. **Commissioner Devos** opined accountability needs to be established for non-profit and for-profit agencies and prioritizing should be done by the Board.

Commissioner DeBoer stated his biggest concern is establishing a limit on funding requests and allocations e.g. Arts and Humanities at 12.3%, Boys and Girls Clubs at 83%, etc. and read other increases as much as 534% for DASH in two years; there is a great disparity in requested amounts and increases; and suggested the Board decide on percentages of the total amount to be allocated to specific categories. **Commissioner DeBoer** recalled prior discussion on seed money for some agencies would decrease over three years down to zero.

Commissioner Devos pointed out some of the agencies had no resources following Hurricane Charley and the Children's Services Council identified the need for special services for youth as a result of the Hurricane. **Commissioner Cummings** reported his sister may be working with the Early Learning Coalition that might create a conflict; expressed unawareness of the greater needs e.g. homeless versus elder or youth projects; indicated a preference for staff and volunteers from the community to research target areas to identify and determine the severity of issues and compile a needs based prioritization to set allocations for the most urgent needs.

Commissioner D'Aprile opined criteria should be established to limit funding increases and recalled St. Vincent DePaul Pharmacy increase was based on the need to hire a full time manager since

the prior individual, who was doing the work on a pro bono basis, left due to a family illness. **Commissioner D'Aprile** expressed uncertainty about who should evaluate funding requests and needs to bring them to the Board. **Commissioner Devos** pointed out each application is brought to the Board; reiterated the need to take these applications out of the political arena; pointed out the 15% increase is very low compared to the number of uninsured and underinsured in the County; and suggested utilizing a cost of living increase percentage as the basis. **Commissioner D'Aprile** stated he wants to see proposed expenditures prior to approval. **Commissioner DeBoer** commented on the difficulty of restricting funding for these services especially once monies have been allocated. **Commissioner Devos** stated funding increases should be validated. **Commissioner DeBoer** suggested justification be required over and above the inflation rate. **Commissioner Devos** agreed. **Commissioner Devos** commented on the \$218,000 funding request for three additional beds located in Lee County; pointed out a request has not been made for additional beds in Charlotte County; and commented on the need for a policy. **Commissioner Cummings** commented on jail services for these types of individuals. **Commissioner DeBoer** questioned the viability of funding for these types of services and expressed concern about giving organizations funds and retaining no control over expenditures. **Commissioner Devos** stated Bill Cameron is really pushing for this since the jail is not equipped to handle mental health patients. Victoria Carpenter stated she has been meeting with Jay Glenn and indicated an intent to bring a proposal to the Board for a mental health facility with potential funding from the State and Lee County as well as Medicaid funding for detox services. Mr. Hebert related his conversation with Mr. Glenn did not indicate funds would be available for operating expenses and reported funds requested by the Ft. Myers group is to set aside a certain number of beds for detox individuals in Lee County. Mr. Hebert opined Mr. Glenn's intent is to secure funding for construction and operations but the funding may not be available when needed.

Commissioner Devos questioned if the accountability relating to this facility will be applicable during this or the next budget cycle. **Commissioner D'Aprile** suggested going back to last year's budget and stated he is not comfortable with spending taxpayer monies on detox because it is not a cure. **Commissioner**

Devos pointed out detox patients represent a safety hazard to themselves and others.

Chairman Moore requested a committee be established to develop a matrix for the needs. Mrs. Carpenter stated it can be done but it will take time and there is some good personnel infrastructure in place and professionals in the community. **Chairman Moore** commented on spending one-half of 1% on these services or \$3.1 million and pointed out the County's obligation to provide these services.

Commissioner DeBoer stated he will probably vote against millage rate increases; now is the time to make a decision to develop a policy to increase funding requests by 10% above last year's budget and reviewing new funding requests based on the need and possibly contracting out the services. **Commissioner Devos** stated this group is expanding their facility and, since Charlotte County does not receive funding as other counties, it is difficult to undertake providing these services.

Commissioner DeBoer expressed uncertainty of whether the Sheriff's Office or Mental Health will provide these services. **Commissioner Devos** pointed out Bill Cameron is really pushing this. **Chairman Moore** questioned time sensitivity. Mr. Loucks advised approval will be sought at the September 29, 2006 final budget public hearing; the budget may be amended thereafter; a decision is not needed today; and there is time for staff to bring back a proposed policy. Mr. Hebert agreed and stated funding requests that require grant matches may be pulled and additional discussions can be held with Mr. Glenn. **Commissioner DeBoer** stated it seems to be a very small percentage. Ms. Harris agreed the Board is on the right direction to have staff develop a policy and suggested it be brought back within 30 days. **Commissioner Devos** questioned services provided by the Senior Catholic Charity. Ms. Harris stated they are operating out of two facilities in Port Charlotte and Punta Gorda. **Commissioner Devos** commented on services provided by other Senior programs and stated a duplication of services may exist. Mrs. Carpenter outlined the three primary services provided through the Older Americans Act and pointed out the Rebecca Neal Owens Center has opened and provides congregate meals and other services.

Mr. Loucks stated the Board set a workshop on July 25, 2006 on the Charlotte Harbor Community Redevelopment (CRA) and a request has been received to set it as a joint meeting with the CRA and public input. **Commissioner D'Aprile** stated he made the request for a joint meeting with public input to set the record straight on what is allowed and not allowed in disaster situations. **Commissioner Devos** recalled hurricane damage to McDonalds caused compliance issues and the owner is facing difficulties in rebuilding. **Chairman Moore** calculated 10 members including five from this Board and the CRA, public input is to be allowed, and suggested an agenda be compiled. **Commissioner DeBoer** expressed uncertainty about this Board setting as an impartial Board with the CRA Board and questioned the need for the joint meeting and public input. **Commissioner Cummings** stated he does not see any reason not to participate in the joint meeting. **Commissioner Devos** concurred with **Commissioner Cummings** although she is uncertain about the need for such a joint meeting. **Commissioner D'Aprile** commented on the need to air both sides e.g. the CRA and the public. **Commissioner Devos** requested the language that supports the Advisory Board's position prior to the joint meeting. **Commissioner D'Aprile** offered to compile the agenda and information. Chairman Moore announced a consensus has been reached to hold a joint meeting with the Charlotte Harbor CRA on July 25, 2006 at 2:00 PM with public input.

MEETING ADJOURNED: 3:20 PM

Signature on file in Commission Minutes
Chairman Moore

ATTEST:

**BARBARA T. SCOTT, CLERK
OF THE CIRCUIT COURT AND
EX-OFFICIO TO THE BOARD
OF COUNTY COMMISSIONERS**

By: Signature on file in Commission Minutes
Deputy Clerk
djn