

BOARD OF COUNTY COMMISSIONERS

FEBRUARY 27, 2007

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 Loftus, Commissioner Duffy, Commissioner Cummings, and Commissioner Moore. Also in attendance were County Attorney Knowlton, County Administrator Loucks, Chief Deputy White, Executive Assistant Gant, and Deputy Clerk Mitchell. The following members were absent: Commissioner D'Aprile. The meeting was called to order at **9:00 AM**.

The Invocation was given by Pastor Kenneth Redmann, Lutheran Church of the Cross, followed by the Pledge of Allegiance.

Changes to the Agenda:

Deletion #1: Agenda R-1

Deletion #2: Agenda Item R-2

Addition #1: Agenda Item Z-5, Utilities - Approve the 2007-2027 Charlotte County projected water demands for submittal to Peace River/Manasota Regional Water Supply Authority

Change #1: Informational Only - Invocation by: Pastor Kenneth Redmann, Lutheran Church of the Cross.

Change #2: Agenda Item L-7 - NAME OF COMPANY INCORRECT: Info Global Solutions (Michigan), Inc. should be Infor Global Solutions (Michigan), Inc. formerly known as DataStream Systems, Inc. of Greenville, South Carolina.

COMMISSIONER MOORE MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER DUFFY.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

Special Recognition:

Proclamations:

American Red Cross Month

COMMISSIONER MOORE MOVED TO APPROVE AMERICAN RED CROSS MONTH PROCLAMATION, SECONDED BY COMMISSIONER DUFFY.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

Proclamation accepted by Red Cross volunteers.

Zonta Rose Day

COMMISSIONER MOORE MOVED TO APPROVE ZONTA ROSE DAY PROCLAMATION, SECONDED BY COMMISSIONER DUFFY.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

Proclamation accepted by Susan Scribner.

Great American Cleanup Day

COMMISSIONER MOORE MOVED TO APPROVE GREAT AMERICAN CLEANUP DAY PROCLAMATION, SECONDED BY COMMISSIONER DUFFY.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

Proclamation accepted by Glenda Anderson.

Employee Recognition - No items

Presentations - No items

I. CITIZEN INPUT - AGENDA ITEMS ONLY

Marvin Medintz addressed Agenda Item Z-5, commented on the severe water shortages and extreme low water pressure being experienced in his area, and pointed out this is causing concerns regarding fire safety and water quality.

II. COMMITTEE VACANCIES

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

Affordable Housing Advisory Committee - is seeking one volunteer as the Labor Home Building Representative to serve for a two year term.

Boca Grande Street and Drainage Advisory Committee - is seeking one volunteer to serve in the alternate position for a two-year term.

Construction Board of Adjustments and Appeals is seeking four volunteers to serve. One general building contractor, one mechanical contractor, one member-at-large and one member to serve as alternate. Terms are for three years.

Children's Services Council - seeking four volunteers to serve on the Children's Services Council for a four year term. Applicants must have demonstrated an interest in public service and be a resident of Charlotte County and maintained a residence in Charlotte County for the previous 24 months. Members will be appointed by the Governor from a list of nominees chosen by the Board of County Commissioners. Letters of intent to serve and a resume will be accepted until March 21, 2007.

Construction Industry Licensing Board - Seeking a volunteer representing the "Consumer Advocate" category. Volunteer must be a resident of Charlotte County for at least 2 years and have no financial interest, direct or indirect, in the building trades. Length of term: 4 years.

Gardens of Gulf Cove Street and Drainage Advisory Committee - is seeking six volunteers to serve on the advisory committee, five regular members and one alternate member. All members shall be residents of the Unit. The terms of each of the five regular members shall be chosen by lot number at the first scheduled meeting of the advisory committee. The term of the alternate member shall be for two years.

Greater Port Charlotte Street and Drainage Advisory Committee is seeking six volunteers to serve on the advisory committee, five regular members and one alternate member. All members shall be residents of the unit. Terms of each of the five regular members shall be chosen by lot number at the first scheduled meeting. The term of the alternate member shall be two years.

Grove City Street and Drainage Advisory Committee - is seeking one volunteer to fill a two year term as an alternate member to the Committee.

Lemon Bay Street and Drainage Advisory Committee - is seeking three volunteers to serve on the advisory committee, two regular members and one alternate member. All members shall be land owners of the Unit. The terms of each of the five regular members shall be chosen by lot number at the first scheduled meeting of the committee. The term of alternate member shall be for two years.

Manasota Key Street and Drainage Advisory Committee - is seeking one volunteer to serve on the advisory committee, as an alternate member. Volunteer shall be an elector, and landowner within the boundaries of the Unit. The term shall be two-years.

Rotonda West Street and Drainage Advisory Committee - is seeking one volunteer to serve as an alternate member for a two-year term.

South Gulf Cove Advisory Committee (Community Plan) - is seeking one volunteer to fill a vacated position on the Committee. The term will expire on June 14, 2007.

South Gulf Cove Waterway - is seeking one volunteer to complete the term of the alternate member. The term will expire on January 9, 2009.

III. REPORTS RECEIVED AND FILED - No items

IV. CONSENT AGENDA

COMMISSIONER CUMMINGS MOVED TO APPROVE CONSENT AGENDA, SECONDED BY COMMISSIONER MOORE.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

Clerk of the Circuit Court

A. Finance Division

(1) RECOMMENDED ACTION: Approve Clerk's Memoranda

Memorandum 1 - Status of Contingency Reserves - FY 05/06

Memorandum 1A - Status of Contingency Reserves - FY 06/07

Memorandum 2 - Total disbursements for the period February 6, 2007 through February 16, 2007 in the amount of \$14,898,673.63

B. Minutes Division

(1) RECOMMENDED ACTION: Approve Clerk's Minutes

9:00 AM 11/02/06 BCC Special Meeting/Appointment to Board of Directors/Babcock Ranch, Inc.

9:00 AM 11/14/06 BCC Regular Meeting

3:30 PM 11/14/06 Executive Session/Mudge vs. Charlotte County and DEP

Board of County Commissioners

C. Commission Office

(1) RECOMMENDED ACTION: Appoint current alternate member, Holly Giblin to the vacant position of a regular member with a term of three-years. Appoint Michael Hadsell as the alternate member to complete the term of Holly Giblin of which will expire on January 10, 2008. BUDGETED ACTION: None

(2) *RECOMMENDED ACTION:* Appoint Anthony T. Ackerman, Harold Wells, Lyman Randall, Yvonne Anderson, and William Kunkler as regular members to the Boca Grande Street and Drainage Advisory Committee. The vacancies have been duly advertised. There will continue to be one vacancy for the alternate position for a two-year term of which we will continue to advertise for. The term for regular members shall be pulled by lot numbers at the first scheduled meeting on the Committee. *BUDGETED ACTION:* None

(3) *RECOMMENDED ACTION:* Appoint Melvin R. Rathbun as a regular member to the Gardens of Gulf Cove Street and Drainage Advisory Committee. There will continue to be five vacancies on the Committee for four regular positions, and one alternate position, of which we will continue to advertise for. The term of the regular members shall be pulled by lot number at the first scheduled meeting, and the term of the alternate member will be for two-years. *BUDGETED ACTION:* None

(4) *RECOMMENDED ACTION:* Appoint Patricia Samuels to the Grove City Street and Drainage Advisory Committee to serve a two-year term as an alternate member. The vacancy has been duly advertised. *BUDGETED ACTION:* None

(5) *RECOMMENDED ACTION:* Appoint Mr. Bill Weller as District V representative to the Beaches & Shores Advisory Committee to fill the unexpired term of John Landis. This position will expire December 31, 2010. *BUDGETED ACTION:* None

(6) *RECOMMENDED ACTION:* Re-appoint to the Affordable Housing Advisory Committee Ms. Jean Farino as Affordable Housing Provider Representative, Ms. Sharon Fumei as the Building Industry Representative and Ms. Sandy Adomatis as the Real Estate Representative for two year terms. *BUDGETED ACTION:* None

(7) *RECOMMENDED ACTION:* Reappoint Mr. Otto Brunner and Mr. James McClary to the Housing Finance Authority and approve the appointment of Mr. Alexander Williams to replace Mr. Gary Kahle, who resigned his position. Resumes are attached for your consideration. These terms are for four years and will expire in March 2011. *BUDGETED ACTION:* None

(8) **RECOMMENDED ACTION:** Approve a Resolution in support of exempting documents or electronic files revealing the official cost estimate of County projects from the requirements of Section 119.07(1), Florida Statutes, the Public Records law.
BUDGETED ACTION: None

Resolution 2007-028

D. Administration - No Items

E. County Attorney - No Items

F. Budget Office - No Items

G. Community Development

(1) **RECOMMENDED ACTION:** Approve a Certification of Sending Zone Density Units, CSZ-07-01-01, for Alligator Farms, LLC, and an accompanying restrictive covenant. **BUDGETED ACTION:** None

Resolution 2007-029

(2) **RECOMMENDED ACTION:** Approve a Certification of Sending Zone Density Units, CSZ-07-01-03, and an accompanying restrictive covenant. **BUDGETED ACTION:** None

Resolution 2007-030

H. Economic Development - No Items

J. Environmental Services - No Items

K. Facilities Construction and Maintenance - No Items

L. General Services

(1) **RECOMMENDED ACTION:** Approve Change Order #5 in the amount of \$513,698.28 to Bid #06-144, West County Paving, for a revised total cost of \$4,488,189.64. **BUDGETED ACTION:** The amount budgeted for paving in FY07 is \$11,900,000 in the Englewood East Street and Drainage Fund. Funding is supplied from the Englewood East Street and Drainage Fund.

(2) RECOMMENDED ACTION: Approve Award File #06-293, Work Order #44, Contract #05-042, Engineers of Record, Spatial Information Assessment with top ranked firm in the amount of \$667,242. BUDGETED ACTION: Budgeted amount \$700,000 in CIP c360701 Utility, Infrastructure Mapping.

(3) RECOMMENDED ACTION: Approve Award of Bid #07-170, Pine Street Sidewalk Improvements, to Peter A. Basile Sons, Inc., for a total cost of \$144,179.93. BUDGETED ACTION: FY07 budgeted amount, \$150,000 in the Road Improvements Fund. CIP project CR 775 & Pine Street Widening.

(4) RECOMMENDED ACTION: a) Approve Award Bid #07-189, Wheelchair Coach and Stretcher Services to two firms: Ameditrans, Inc. and Jackson Transportation, Inc., at the unit prices listed for the term April 1, 2007 up to and including September 30, 2008, with option to renew for two additional one year terms; and b) Authorize County Administrator to approve renewal of two additional one-year terms, at the same prices, terms and conditions, by mutual consent. BUDGETED ACTION: None

(5) RECOMMENDED ACTION: a) Approve Award of Bid #07-193, Disposal of Waste Tires, to Global Tire Recycling of Sumter County, Inc., at the unit prices bid. Term of contract is to be from date of award through and including December 31, 2007; and b) Authorize the County Administrator to approve renewal options for up to two additional one-year terms, at the same prices, terms and conditions, by mutual consent. BUDGETED ACTION: FY06/07 Budgeted amount is \$60,000 for Waste Tire Removal for the Solid Waste Department.

(6) RECOMMENDED ACTION: Approve Change Order #3 to Contract #99-141, Stormwater Control Structures Design, with Johnson Engineering, Inc., in the amount of \$31,000. BUDGETED ACTION: The FY07 budget has \$85,843 available to be used towards this change order. The total budgeted for this project in FY07 is \$8,058,000.

(7) RECOMMENDED ACTION: (a) Approve Amendment #2 to Contract 04-232, Enterprise Asset Management System / Computerized Maintenance Management Solution Software (EAMS/CMMS) to Infor Global Solutions (Michigan), Inc. formerly known as DataStream Systems, Inc. of Greenville, South Carolina for additional

licensure and associated support services for the Enterprise System at the cost of \$114,140 and a revised contract amount \$1,284,625; and (b) authorize the Chairman to sign the amendment to the contract. BUDGETED ACTION: None

(8) RECOMMENDED ACTION: Approve Amendment #2 to Contract 05-083 Architect - Public Works Facility, with Reynolds, Smith & Hills, Inc. for Bachmann Site Master Plan, and Architectural and Engineering services for Fleet Operations Center, for an amount of \$529,750. BUDGETED ACTION: Budgeted amount in FY07 is \$577,000 in CIP Public Works Complex - Bachmann Blvd.

(9) RECOMMENDED ACTION: a) Award Bid #07-085, Pesticides & Herbicides - supply and deliver to the lowest responsive, responsible bidders at the prices listed on the recommendation sheet and bid tabulation attached; and b) Authorize the County Administrator to approve renewal options for up to two (2) additional one-year terms, at the same prices, terms and conditions, by mutual consent. BUDGETED ACTION: The budgeted amount for this contract is \$655,739 to purchase insecticides and herbicide treatments. The budget is split between two departments: Mosquito Control in the amount of \$602,489 and Aquatic Control in the amount of \$53,250.

(10) RECOMMENDED ACTION: Award Bid #07-107, Justice Center - Courtroom Expansion/Renovation to the sole responsive, responsible bidder, Janmac Construction, Inc. of Marco Island, Florida, at the base bid price of \$273,400, plus the optional sound proofing materials for the holding cells at \$6,000 per courtroom (equaling \$12,000 for both courtrooms) for a total project cost of \$285,400. BUDGETED ACTION: Budgeted amount in FY07 is \$439,000 in CIP Project Justice Center Courtroom Renovation. \$30,000 is needed as owner's contingency.

(11) RECOMMENDED ACTION: a) Approve the following ranking of firms for the Design-West County Regional Library (Bid #07-155): 1st: Spillis Candela DMJM; 2nd: BSSW; 3rd: Harvard Jolly, Inc.; and b) Approve negotiations; and c) Authorize the Chairman to sign the contract after negotiations have been completed, as long as the fees do not exceed \$1,200,000. BUDGETED ACTION: Budgeted amount in FY07 is \$1,200,000 in CIP Project West County Regional Library.

(12) *RECOMMENDED ACTION*: Approve Change Order #6 to Bid #04-264, Airport Road and Taylor Road Intersection Improvements, with General Contracting Services, Inc., of Placida, Florida, in the amount of \$25,855.48 with a revised project total of \$3,188,853.07. *BUDGETED ACTION*: The FY07 budget has \$26,000 available to pay for this Change Order in the Road Improvements Fund. Airport Taylor CIP budgeted project total is \$3,931,000.

(13) *RECOMMENDED ACTION*: Approve Change Order #4, in the amount of \$13,988.80, to Bid #05-433, Burnt Store Water Treatment Plant Deep Injection Well Pump Station, awarded to Wharton-Smith, Inc. of Sanford, Florida, for the installation of a replacement valve on the reuse line. The revised project total is \$834,899.59. *BUDGETED ACTION*: Funding in the amount of \$14,000 is available in CIP c350406 Burnt Store Water Reclamation Facility.

M. Human Resources

(1) *RECOMMENDED ACTION*: Approve final payment \$6.4 million dollars for Hurricane Charley claim. This will equal total claim of \$47.4 million dollars. Policy limits are \$50 million and these payments represent 95% of the policy limit (less \$1.0 million deductible which will be reimbursed by FEMA.) *BUDGETED ACTION*: None

Agreement 2007-019

N. Human Services

(1) *RECOMMENDED ACTION*: Approve revisions to the Local Housing Assistance Plan (LHAP) for State Fiscal Years beginning July 1, 2005 and ending June 30, 2008 to: 1) add the language required by the passage of House Bill 1363 during the 2006 Florida legislative session; 2) add two new strategies: Foreclosure Prevention and Community Land Trust Assistance; and 3) revise State Housing Initiative Partnership (SHIP) assistance so SHIP loans are never forgiven. *BUDGETED ACTION*: Financial Impact Summary Statement: Funds provided in Local Housing Assistance Trust Fund.

Resolution 2007-031

P. Information Technology - No Items

Q. Parks, Recreation & Cultural Resources - No Items

R. Public Safety

S. Public Works

(1) RECOMMENDED ACTION: Approve to consider acceptance of a revised right-of-way map of C.R. 775 showing all property acquisitions for construction improvements. BUDGETED ACTION: Recording fees of approximately \$257 are available in the Transportation Trust Fund.

T. Real Estate Services

(1) RECOMMENDED ACTION: Approve a Resolution and Authorize the Chairman to execute an Amendment to the Non-Exclusive Perpetual Easement for Ingress and Egress and Utility access over a portion of Lot 20, Grove City Subdivision, Charlotte County, Florida. BUDGETED ACTION: None

Resolution 2007-032

(2) RECOMMENDED ACTION: Approve a Resolution for the release of a portion of a twenty-foot (20') wide canal maintenance easement located in Port Charlotte Subdivision, Section Thirty-Seven, and further authorizing the Director of Real Estate Services to execute the County Deed releasing said portion of said easement. (Owners: Norman A. and Barbara J. Krumeich) BUDGETED ACTION: None

Resolution 2007-033

(3) RECOMMENDED ACTION: Approve a Resolution for the release of a portion of a twenty-five foot (25') wide drainage and utility easement located in Rotonda Lakes Subdivision, and further authorizing the Director of Real Estate Services to execute the County Deed releasing said portion of said easement. (Owners: Michael S. and Doris M. Levasseur) BUDGETED ACTION: None

Resolution 2007-034

V. Tourism Development

(1) **RECOMMENDED ACTION:** Approve a three-year contract with Redfish Nation for return of the ESPN Redfish Cup Tournament Series and Festival. Events will take place at Laishley Park. This year's event is May 4-6. Event rights fee is \$15,000 per year. **BUDGETED ACTION:** Promotional Activities

Agreement 2007-0120

W. Utilities - No Items

X. Building Construction Services - No Items

Y. Constitutional - No Items

V. REGULAR AGENDA

Z. Regular Business

(1) Commission Office **RECOMMENDED ACTION:** Choose by ballot one volunteer to serve as the alternate member on the Rotonda West Street and Drainage Advisory Committee. The vacancy has been duly advertised, and two requests have been received 1) Olga Durham, and 2) Linda Harrison. The term is for two years.

Bruce Loucks announced there were four votes for Olga Durham.

COMMISSIONER MOORE MOVED TO APPROVE OLGA DURHAM, SECONDED BY COMMISSIONER CUMMINGS.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

(2) Commission Office **RECOMMENDED ACTION:** Choose by ballot one volunteer to fill the vacated position of Mr. Mike McFarland, former President Palm of Island Resort who resigned his position on the Council on December 20, 2006. The position has been duly advertised, and two requests have been received 1) Donna Cutler, Hospitality Services Director of Palm Island Resort, and 2) Capt Marian Schneider of Grande Tours. The term will expire on April 12, 2008.

Mr. Loucks announced it was a tie vote, and a second ballot was required.

Mr. Loucks announced after the second vote there were three votes for Captain Marian Schneider and one vote for Donna Cutler.

COMMISSIONER CUMMINGS MOVED TO APPROVE CAPTAIN MARIAN SCHNEIDER, SECONDED BY COMMISSIONER MOORE.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

(3) Commission Office RECOMMENDED ACTION: Appoint 5 members and 1 alternate to the Tropical Gulf Acres Street & Drainage Advisory Committee. Length of terms will be determined at their first meeting.

Mr. Loucks announced Peter MacDonald and John Quinn each received four votes, the remaining each received three votes and a second vote was needed to determine the alternate.

Mr. Loucks announced there was a tie vote for alternate with two votes each for Ambrose and Leavor.

Commissioner Cummings announced he voted for Leavor and he'll change his vote to Ambrose.

COMMISSIONER CUMMINGS MOVED TO APPROVE LYNNE AMBROSE AS ALTERNATE AND THE REST OF THE SLATE AS FULL-TIME POSITIONS, SECONDED BY COMMISSIONER MOORE.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

(4) Attorney's Office RECOMMENDED ACTION: Board update on DEP's Cumulative Impact Study and Report on the Peace River Basin.

Attorney Knowlton announced the presenters were stuck in traffic on I-75 due to an accident and asked that this be delayed until they arrived.

X. CITIZEN INPUT - ANY SUBJECT

None.

V. REGULAR AGENDA (Continued)

Z. Regular Business

(5) Utilities RECOMMENDED ACTION: Approve the 2007-2027 Charlotte County projected water demands for submittal to Peace River/Manasota Regional Water Supply Authority (PR/MRWSA).

Jeff Pearson commented on the water pressure and water shortage concerns in West County raised during Citizen's Input.

Commissioner Moore asked how long the Englewood Interconnect would take. Mr. Pearson responded hopefully by August or September. **Commissioner Moore** said he was disappointed with that time frame.

Commissioner Moore noted there is a safety concern due to the inability to fight fires. Mr. Pearson said he'd want to confirm this but he thought that would qualify it for a waiver of bid procedures.

Mr. Pearson stated they were running a complete check of the system and he would provide the Board with a full report on the current status.

Attorney Knowlton said she will work with Mr. Pearson regarding expediting this when all facts are known.

Mr. Pearson reviewed the projected water demands for submittal to PR/MRWSA as detailed in the package materials.

Commissioner Cummings said he was satisfied with the water projections presented.

Chairman Loftus asked that he inform the Fire Chief there are problems with low pressure in that area. Mr. Pearson said he will do so.

COMMISSIONER MOORE MOVED TO APPROVE THE PROJECTED WATER DEMANDS AS PRESENTED, SECONDED BY COMMISSIONER DUFFY.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

Commissioner Cummings updated the Board on the Burnt Store pipeline and the Punta Gorda interconnect.

RECESS: 10:00 AM - 10:13 AM

VI. PUBLIC HEARING AGENDA - 10:00 AM (Proof of Publication was in Order.)

(1) Parks, Recreation & Cultural Resources: Consider adopting an ordinance to amend County Code 1-11-71(b), changing the number from six to five to make a quorum on the Historical Advisory Committee.

Laura Kleiss-Hoeft explained the purpose of the proposed ordinance.

COMMISSIONER MOORE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER CUMMINGS.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

COMMISSIONER CUMMINGS MOVED TO APPROVE ORDINANCE 2007-004, SECONDED BY COMMISSIONER MOORE.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

(2) County Attorney: Consider adopting a Resolution of Intent to use the uniform method of collection of non-ad valorem assessments for the Rotonda Villas & Springs Water and Wastewater MSBU, the Farabee Road Street and Drainage MSBU, the Tropical Gulf Acres Street and Drainage MSBU, the Alligator Creek Septic MSBU and the Rotonda West Street and Drainage MSBU.

Deputy County Attorney Gallagher explained the purpose of proposed resolution.

Kendall Leach spoke in support of the proposed resolution.

COMMISSIONER MOORE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER CUMMINGS.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

COMMISSIONER CUMMINGS MOVED TO APPROVE RESOLUTION 2007-035, SECONDED BY COMMISSIONER MOORE.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

(3) Public Works: Consider an Ordinance, pursuant to the authority granted in Section 316.189, Florida Statutes, to set the speed limit on Toledo Blade Boulevard, from U.S. 41 to the Sarasota County line at 45 miles per hour.

Thomas O'Kane explained the purpose of the proposed ordinance.

Commissioner Duffy asked if this is a recommendation by the Sheriff's Department. Mr. O'Kane said yes along with the City of North Port police.

COMMISSIONER MOORE MOVED TO CLOSE THE PUBLIC HEARING , SECONDED BY COMMISSIONER CUMMINGS.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

COMMISSIONER CUMMINGS MOVED TO APPROVE ORDINANCE 2007-005, SECONDED BY COMMISSIONER MOORE.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

VII. PRESENTATION AGENDA - No Items

VIII. PUBLIC WORKSHOP AGENDA - No Items

IX. BOARD WORKSHOP AGENDA - No Items

AA. County Administrator:

Mr. Loucks announced there were no FEMA trailers left on the site, and reminded the Board the next Administrative Overview workshop has been rescheduled from March 6, 2007 to March 13, 2007 at 1:00 PM to discuss the Comp Plan and the TDU ordinance.

BB. County Attorney:

No items.

V. REGULAR AGENDA (Continued)

Z. Regular Business

(4) Attorney's Office RECOMMENDED ACTION: Board update on DEP's Cumulative Impact Study and Report on the Peace River Basin.

Attorney Knowlton advised the presenters had arrived.

Charles Fletcher and Dr. Tony Jancki gave a presentation titled Peace River Basin Cumulative Impact Study which paralleled the packet material.

Attorney Knowlton summarized this study has been so well done they could consider redirecting the \$250,000 set aside for the Army Corps study and putting it into this kind of study.

Attorney Knowlton suggested having the Chairman draft a letter to the DEP secretary. Mr. Fletcher agreed.

COMMISSIONER MOORE MOVED TO APPROVE HAVING THE CHAIRMAN DRAFT A LETTER AS SUGGESTED BY ATTORNEY KNOWLTON, SECONDED BY COMMISSIONER CUMMINGS.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

Commissioner Moore asked when could they realistically expect the final plan. Dr. Janicki said they should have the bare basics of plan by the end of the year.

Commissioner Cummings asked if the plan is only expected to be the basics at the end of the year, would it continue to evolve. Dr. Janicki said yes.

Commissioner Cummings said he supported the idea of sending the letter but he still needs more time and research before deciding on redirecting any funds.

CC. Commissioner Comments:

Commissioner Duffy commented on her participation in the Charlotte County Health Service Access Consortia and the need for a centrally located clinic, noted they currently have a proposal on their legislative agenda to build a new facility at the Family Services Center to accommodate a child care center along with some other offices, and suggested including a small clinic.

Commissioner Cummings asked if doing that would open up the availability of additional grant funding since this would be a Health Department facility as well and is there sufficient room for additional parking.

Commissioner Duffy said it appears there's enough room, staff would be provided through Health Department and yes there is the possibility of grant funding being available.

Mr. Loucks said they will look into it.

Commissioner Cummings opined they should bounce this off their lobbyist first. **Commissioner Duffy** responded she's already talked with her and she said it was a good idea.

COMMISSIONER DUFFY MOVED TO APPROVE ADDING THIS TO THEIR LEGISLATIVE AGENDA AT THE FEDERAL LEVEL, SECONDED BY COMMISSIONER CUMMINGS.

Commissioner Moore said because of what's happened in the past, this facility represents a sour note to him.

**Motion Carried 3:1. Commissioner Moore opposing.
ABSENT: Commissioner D'Aprile.**

Commissioner Duffy said the Health Planning Council of Southwest Florida needs a new Charlotte County representative to replace the current representative who is ill and cannot continue, and she is willing to be that representative.

COMMISSIONER DUFFY MOVED TO APPROVE COMMISSIONER DUFFY AS REPRESENTATIVE, SECONDED BY COMMISSIONER CUMMINGS.

Motion Carried 4:0.

ABSENT: Commissioner D'Aprile.

Commissioner Moore commented on the recent Southwest Regional Planning Council meeting.

Chairman Loftus announced the first meeting of the Charlotte Assembly will be on March 14, 2007 at 3:00 PM in Building B, Room B-106, and asked all Commissioners to be present to welcome the steering committee.

MEETING ADJOURNED: 11:56 AM

Signature on file in Commission Minutes
Chairman Loftus

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