

BOARD OF COUNTY COMMISSIONERS

OCTOBER 31, 2007

A meeting was held at the Murdock Administration Complex in Room 119, Port Charlotte, Florida. The following members were present: Chairman Loftus, Commissioner Duffy, Commissioner Cummings, Commissioner D'Aprile, and Commissioner Moore. Also in attendance were Deputy County Attorney Gallagher, County Administrator Loucks, and Deputy Clerk Mitchell. The following members were absent: None. The workshop was called to order at 9:00 AM.

1. Opening Comments - County Administrator

Bruce Loucks said this is the second MSBU workshop, there will probably be one more after the beginning of the year, the purpose of this workshop is to provide an overview of the current status regarding regional MSBUs, and to receive Board direction regarding the concept of regional MSBUs. Mr. Loucks explained the intent is to use those three MSBUs to fund road and drainage types of activities, and staff will be looking at a work plan that identifies minimum Levels of Service (LOS) County-wide.

2. Presentation - Government Services Group, Inc.

Government Services Group (GSG) Senior Vice President Camille Tharpe gave a slide presentation that paralleled the material and detailed the following: Topics of Discussion; Phase One - Recommendations (Short Term, Mid Term, Long Term); Phase Two - Scope of Services; Phase Two Accomplishments; Phase Two Outstanding Tasks; Advisory Committee Meetings Summary; and Methodology for Creation of Regional MSBUs for Road and Drainage Services.

GSG Project Manager Jason Buchholz continued the slide presentation: Road and Drainage MSBUs by Region with Current Rates; Minimum Level of Service Standards; LOS Issues; Minimum Level of Service Projects; Existing LOS By MSBU; Results of Regionalization; Proposed Apportionment Methodology; Next Steps; County Commission Action; and Critical Events Schedule.

3. Board Questions

Commissioner Cummings said he likes the idea of funding a base line LOS regionally, opined they need to keep the individual MSBUs, their role would be determining if they want to fund things above that base line LOS but this should be done in connection with a neighborhood plan, and a second role would be reporting the conditions to Public Works serving as a public outreach and consensus building function. **Commissioner Cummings** opined it's important to protect the environmental assets that attracted people in the first place as well as protecting the small-town feel as they become a larger metropolitan area. **Commissioner Cummings** opined there needs to be a distinction in the base line LOS between different areas such as non-urban and rural, and they need to make some accommodation between those MSBUs who have already paid for things such as a repaving program but they shouldn't get too strict with that because they need to allow for some subsidization in areas like the Charlotte Ranchettes where there just isn't enough money to fix their problems.

Commissioner Cummings asked why paving was left out of the base line LOS. Mr. Buchholz referred to page 19 and explained it was left out because it's such a big issue but it does need to be addressed. Mr. Loucks stated the issue is a 20 year cycle of repaving is too long a period over which to reflect a direct benefit, and the County Attorney's Office is looking into that issue. **Commissioner Cummings** said whatever mechanism is used they just need to make sure it's legal because paving and drainage are some of the most fundamental things they do through these so they need to be part of the base line LOS.

Commissioner D'Aprile agreed with **Commissioner Cummings** that the 20 year repaving cycle is too long, and cited Kings Highway as an example of a road that needed repaving in less than 20 years. Mr. Loucks clarified roads such as Kings Highway receive heavier traffic than other roads so these will need to be looked at on a case-by-case basis.

Commissioner D'Aprile opined the proposed plan appears to be more beneficial and equal but expressed concern with MSBUs that have already paid to have roads repaired.

Commissioner Moore said he appreciates the work that's been done, opined they're changing the name of where they are but they haven't changed the funding, agreed with **Commissioner Cummings** that they need to be honest with the people, said this is a County problem, the people can't afford to pay for those areas that are not current, they've never faced this as a County problem so they need to make the people understand the justification for this, and he felt this was a good start but reiterated this isn't providing a revenue source.

Commissioner Duffy said she really appreciates all the work that's been done, she felt regionalization is a better approach as a solution to this problem, they need to encourage citizens to be more informed, agreed 20 years is too long, and suggested 15 years might be better if they can afford it.

Chairman Loftus agreed they need to establish a base line LOS, said he supports establishing the three regional MSBUs, agreed on the need to ensure equal benefits for those MSBUs that have already paid, suggested re-oiling could help lengthen the life of some of the roadways such as is done in Sarasota County, agreed they need to make sure what they do is legal, and with **Commissioner Duffy** that communication with the residents and the existing MSBUs is critical.

Commissioner D'Aprile said he felt it's about time that the citizens act as a unit instead of individuals, they all need to think about the future, and he felt this is a good first step.

Commissioner Moore opined when the dollars are announced there will be a much bigger crowd than today, said he felt 20 years is more appropriate and affordable, and agreed if they want to have a chance of gaining the public's trust they need to speak to the citizens so they understand about the rates and expenses.

Commissioner Cummings opined one of the things that's become apparent is each neighborhood has unique conditions so there isn't just one correct time like 20 years, they need to give their engineers the discretion to maintain a certain level of pavement condition, agreed with **Commissioner Moore** this will be a very bumpy road, reiterated he felt they should do a base line regionally allowing cross-subsidization, and he felt it was very

important to work with the individual neighborhoods to keep their unique characteristics.

Commissioner Duffy said regarding direction on the timeframe expectation she felt the recommendations and the schedule being followed so far are right on target.

Commissioner Cummings opined one of the things that's become apparent is each neighborhood has unique conditions so there isn't just one correct time frame like 20 years, they need to allow staff to review and make individual determinations, agreed with **Commissioner Moore** this will be a very bumpy road, reiterated he felt they should do a base line regionally allowing cross-subsidization, and he felt it was very important to work with the individual neighborhoods to keep their unique characteristics.

Commissioner D'Aprile asked if this involves gated communities since they use County roads as well. Ms. Tharpe said she need to speak with the County Attorney's Office as she thought there were legal issues regarding gated communities, in North Port they ended up still charging some of those gated communities for whatever part of the base services they thought they could isolate a benefit for, and there may come a time when that will happen here but they're still working through that. Mr. Loucks said that's a good point but recalled the problem they went through with FEMA trying to get reimbursed for debris collection in gated areas following Hurricane Charley.

Commissioner Moore asked if they differentiated between condominiums and gated communities. Ms. Tharpe said there maybe a differential rate for a condominium property versus a single-family detached house based on the trip generation information but they will bring a recommendation to Board for determination.

Commissioner Moore referred to page 3, and questioned the removal of the occupied versus vacant distinction. Ms. Tharpe explained this is no longer a priority since it is legal to charge extra for mowing but they won't look at that distinction unless directed to do so.

Commissioner Moore asked who pays for bridge maintenance. Thomas O'Kane stated the MSBUs pay for their bridges. Ms. Tharpe

added that if the Board is comfortable with the paving and paving rejuvenation issue, looking at the cycle, and being able to include that in the minimum base LOS, certainly bridges would come into that.

Chairman Loftus opined they need to address that issue and come back with that. Ms. Tharpe responded they will bring it back with options and costs.

(Discussion ensued regarding the issue of dredging.)

Chairman Loftus summarized dredging was an issue for another day, reiterated the need for communication, and said he felt it needs to start now.

Deputy County Attorney Gallagher summarized Board direction today is to follow GSG's recommendation that they were targeting this to go into effect next year. **Chairman Loftus** responded yes. Attorney Gallagher advised the Board it wasn't necessary to create an MSBU to levy a special assessment in the County but by endorsing the creation of three regional MSBUs there is a time line per Florida Statute they must comply with which requires the adoption of a resolution indicating the intent to create these MSBUs, and he wanted to confirm that that was the Board's intention. **Chairman Loftus** said he believed that was the intention of the Board unless he hears differently. Attorney Gallagher added that adopting that resolution doesn't obligate the Board to do so.

ADJOURNED: 10:10 AM

Signature on file in Commission Minutes
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

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