

BOARD OF COUNTY COMMISSIONERS

February 22, 2010

A Pre-Agenda meeting in preparation of the February 23, 2010 Regular Meeting was held at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida.

Members present were: Chairman Starr, Commissioner Duffy, Commissioner Loftus, Commissioner Cummings, County Administrator Baltz, County Attorney Knowlton, and Administrative Secretary Sandra Colon. The following members were absent: Commissioner Skidmore.

The meeting was called to order at 9:03 AM.

There was Board Discussion held on the following items:

Budget and Administrative Services:

Agenda Item F-1

Purchasing:

Agenda Item F-2

Real Estate Services:

Agenda Item F-3

Utilities:

Agenda Item T-1 and T-2

VI. Public Hearing Agenda:
Agenda Items 1, 2, 3, and 4

ADJOURNED: 9:25 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

sc

COUNTY OF CHARLOTTE

Board of County Commissioners

18500 Murdock Circle
Port Charlotte, FL 33948
www.CharlotteCountyFL.com



County Commissioners

Bob Starr, District 1, Chairman
Robert Skidmore, District 3, Vice-Chairman
Adam Cummings, District 2
Richard Loftus, District 4
Tricia Duffy, District 5

County Administrator

Roger Baltz

County Attorney

Janette S. Knowlton

Clerk of the Circuit Court

Barbara T. Scott

Regular Meeting
2/23/2010 6:00 PM

18500 Murdock Circle, Administration Building, Room 119

The Charlotte County Commission meeting room is accessible to the physically disabled. If you need assistance, please contact our office at 941-743-1392. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Desk.

6:00 P.M. Call to Order and Roll Call

Invocation

Pastor Dana Narring, MDivinity
Faith Lutheran Church

Pledge of Allegiance

Changes to the Agenda: See last page

Proclamations/Awards

- I. Citizen Input - Agenda Items Only
- II. Committee Vacancies
- III. Reports Received and Filed
- IV. Consent Agenda

- 6:00 P.M. V. Regular Agenda
6:00 P.M. VI. Public Hearing
VII. Presentation
VIII. Public Workshop
IX. Board Workshop
X. Citizen Input - Any Subject

Proclamations - Commissioner Adam Cummings

Great American Cleanup Day
Guardian ad Litem Month
Relay for Life Days
Sun Safety with the Spring Swing Sun Safety Tour Day

Employee Recognition – None

6:00 P.M - Presentations - On behalf of Charlotte County Utilities, Terri Kesner will present a rebate check to the Charlotte County Public School Board for their participation in the Toilet Replacement Project, which is partially funded by the Southwest Florida Water Management District's Peace River Basin Board.

I. CITIZEN INPUT - AGENDA ITEMS ONLY

Anyone wishing to address the Board during this portion of the meeting must state one's name for the record and what agenda subject is to be discussed. Discussion is limited to matters identified on this agenda and each citizen will be allowed no more than three minutes to express an opinion.

II. COMMITTEE VACANCIES

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

Charlotte Harbor Community Redevelopment Agency Advisory Committee - is seeking one volunteer to serve as the Member at Large.

Deep Creek Street & Drainage Unit Advisory Committee - is seeking one volunteer to finish an unexpired term. This term expires January 31, 2011.

Transportation Disadvantaged Local Coordinating Board (LCB) – is seeking one individual to voluntarily serve on the LCB Board. The purpose of the LCB is to identify local service needs and to provide information, advice, and direction to the Community Transportation Coordination of service to be provided to the transportation disadvantaged. The position is for a person who is recognized by the Florida Association for Community Action (President), representing the economically disadvantaged in the county. Your letter or email of interest stating the position for which you are qualified to represent should be sent to: Charlotte County-Punta Gorda MPO, 25550 Harbor View Road, Suite 4, Port Charlotte, FL 33980. Fax: 941-883-3534 Email: office@ccmpo.com

III. REPORTS RECEIVED AND FILED

None

IV. CONSENT AGENDA

Clerk of the Circuit Court

A. Finance Division

- (1) **RECOMMENDED ACTION:**
Approve Clerk's Finance Memorandum.
BUDGETED ACTION: None

B. Minutes Division

- (1) **RECOMMENDED ACTION:** 11/17/09 9:00 AM BCC Regular/Land Use Meeting
11/23/09 9:00 AM BCC Pre-Agenda Meeting
11/23/09 1:30 PM BCC Workshop
11/24/09 9:00 AM BCC Regular Meeting
11/24/09 2:00 PM Executive Session
12/07/09 9:00 AM Pre-Agenda Meeting
12/08/09 9:00 AM BCC Regular Meeting
12/11/09 9:00 AM BCC/PG Joint Meeting
12/15/09 9:00 AM BCC Regular/Land Use Meeting
01/07/10 2:00 PM BCC Budget Procedures Workshop
01/11/10 9:00 AM Pre-Agenda Meeting
BUDGETED ACTION: None required.

Board of County Commissioners

C. Commission Office

- (1) **RECOMMENDED ACTION:** Approve resolution supporting amendments to Chapter 381 of Florida Statutes to reduce the required length of operating permits for aerobic treatment units from two years to one year.
BUDGETED ACTION: None
- (2) **RECOMMENDED ACTION:** Approve appointment of Robert Kueny to serve as the Suncoast Blvd. Street & Drainage Unit Representative on the Mid-Charlotte Stormwater Utility Unit.
BUDGETED ACTION: None
- (3) **RECOMMENDED ACTION:** Approve the re-appoint Art Hanson to continue serving on the Placida Street & Drainage Advisory Committee. This is a three year term effective immediately and expiring February 12, 2013.
BUDGETED ACTION: None

D. Administration

- (1) **RECOMMENDED ACTION:** Advice and consent to the appointment of Pamela Stein as Human Resources Director.
BUDGETED ACTION:
- (2) **RECOMMENDED ACTION:** Approve the addition to the Administrative Code - Charlotte Sports Park Suite Ticket Allocation Policy & Procedure.
BUDGETED ACTION: None

E. County Attorney

- (1) **RECOMMENDED ACTION:** Request the Board approve a Resolution supporting Senate Bill 610.
BUDGETED ACTION:
- (2) **RECOMMENDED ACTION:** Set an Executive Session for March 9, 2010 at 2:00 p.m. in the Charlotte County Attorney's Office Conference Room to discuss strategy and related litigation expenditures concerning the lawsuit captioned William E. Clement v. Charlotte County; Case No. 07-926-CA.
BUDGETED ACTION: None required.
- (3) **RECOMMENDED ACTION:** Set a Public Hearing on March 9, 2010, at 10:00 a.m., or soon thereafter, to consider Adopting an Ordinance Creating the Little Gasparilla Fire Services MSBU.
BUDGETED ACTION: None required.

F. Budget and Administrative Services

- (1) **RECOMMENDED ACTION:**
 - a) Approve the attached application to the West Coast Inland Navigation District (WCIND) for funds in the amount of \$50,000 for countywide waterway debris removal and appoint Andy Stevens or designee as the County's Liaison Agent for the project and authorize Andy Stevens or designee to sign the application; and
 - b) Approve the attached project agreement for the stated project and authorize the Chairman to sign the project agreement; and
 - c) Approve funds in the amount of \$50,000 for countywide removal of debris from various navigable waterways if the application is approved by WCIND; and
 - d) Approve budget amendment 10-A10 as presented below.**BUDGETED ACTION:**
Approve Budget Amendment #10-A10 in the amount of \$50,000 for countywide waterway debris removal. These funds will be reimbursed to the County by the West Coast Inland Navigation District and require no matching funds from the County.

Fiscal Services

No Items.

Information Technology

No Items.

Purchasing

- (2) **RECOMMENDED ACTION:** a) Approve Award of Bid #10-077, Annual Supply of Perlite, at the unit prices of \$.296 per lb. to Thatcher Chemical of Florida, of Deland, FL. Term of contract is to be from date of award through and including December 31, 2010; and b) Authorize the County Administrator to approve the renewal options for up to two additional one-year terms, at the same prices, terms, and conditions, by mutual consent. This is an annual contract for the purchase and delivery of Perlite, a necessary component for the treatment and processing of brown grease at the Charlotte County Utilities facilities.

BUDGETED ACTION: Budgeted amount for Perlite is \$116,690 for FY2010. Funding for this expenditure comes from the Utilities' O & M Fund - Chemicals line.

Real Estate Services

(3) RECOMMENDED ACTION:

Approve the attached Resolution authorizing the release of portions of two (2) ten-foot (10') wide utility and drainage easements, located in Port Charlotte Subdivision, Section Twenty-Two, and further authorizing the Senior Division Manager, Real Estate Services Division, to execute the County Deed releasing said portions of said easements. (Owners: Fredrick M. R. and Patricia J. Busche, and Noel E. and Betty E. Summers)

BUDGETED ACTION: None

G. Building & Construction Services

No Items.

H. Economic Development

No Items.

J. Environmental Services

No Items.

K. Facilities Construction and Maintenance

No Items.

L. Growth Management

- (1) RECOMMENDED ACTION:** Approve the DRC-PD-80-4AAAA Preliminary & Final Detail Plan Resolution permitting Gator Apple, L.L.C. to develop the Applebee's restaurant located at 24467 Sandhill Boulevard.

BUDGETED ACTION:

None

M. Human Resources

No Items.

N. Human Services

No Items.

P. Parks, Recreation and Cultural Resources

- (1) RECOMMENDED ACTION:** Approve a Resolution providing authorization for artisans and handcrafters to camp at Bayshore Live Oak Park for the 14th Annual Florida Frontier Days Festival, March 24-27, 2010.

BUDGETED ACTION:

None

Q. Public Safety

No Items.

R. Public Works

No Items.

S. Tourism Development

No Items.

T. Utilities

- (1) **RECOMMENDED ACTION:** Approve a request exemption from the Landscaping and Buffers Ordinance for the new Operations/Lab building at a Charlotte County Utilities wastewater treatment plant site. The plant site is not visible from any residential area and does not contain any public access buildings.

BUDGETED ACTION: None. Total landscape exemption savings are approximately \$40,000, plus on-going annual maintenance costs.

- (2) **RECOMMENDED ACTION:** Approve to revoke the Emergency Water Usage Rates as of March 1, 2010, and to return to the regular rates as set forth in the most current adopted rate resolution.

BUDGETED ACTION: None. Reduction in revenues from emergency rates. However, collection of emergency rates are not included in the annual budget.

U. Other Agencies

No Items.

V. REGULAR AGENDA

Z. Regular Agenda

- (1) Commission Office

RECOMMENDED ACTION: Choose by ballot, two (2) people to serve as regular members of the Rotonda West Street and Drainage Advisory Committee. Terms are effective immediately and shall expire February 13, 2013.

VI. PUBLIC HEARING AGENDA - 6:00 P.M.

- (1) Public Works

RECOMMENDED ACTION: Consider approving an Ordinance adding Woodland Estates aka Harborside Woods to the Burnt Store Village Street and Drainage MSBU.

- (2) Public Works

RECOMMENDED ACTION: Consider approving an

Ordinance to remove Pirate Harbor and Woodland Estates aka Harborside Woods from the South Burnt Store Street and Drainage MSBU.

(3) Public Works

RECOMMENDED ACTION: Consider creating an MSBU for Pirate Harbor Street and Drainage issues.

(4) County Attorney

RECOMMENDED ACTION: Discuss and consider amending the provisions of the County's Animal Control Code.

VII. PRESENTATION AGENDA

VIII. PUBLIC WORKSHOP AGENDA

Public input permitted.

No Items

IX. BOARD WORKSHOP AGENDA

No public input.

No Items.

X. CITIZEN INPUT - ANY SUBJECT

Anyone wishing to address the Board during this portion of the meeting must state his/her name for the record and may address his/her comments to items that were or were not discussed during the meeting. Each citizen will be allowed no more than three minutes to express his/her opinion.

AA. County Administrator:

BB. County Attorney:

CC. Commissioner Comments:

Bob Starr, District 1, Chairman
Robert Skidmore, District 3, Vice-Chairman
Adam Cummings, District 2
Richard Loftus, District 4
Tricia Duffy, District 5

Schedule of Future Closures/Hearings/Workshops

Tuesday, February, 23, 2010, 6:00 p.m., or soon thereafter – **Public Hearings** - Ordinance amending provisions of County's Animal Control Code, Ordinance adding Woodland Estates aka Harborside Woods to Burnt Store Village St & Drainage MSBU, creating an MSBU for Pirate Harbor St Drainage, Ordinance removing Pirate Harbor & Woodland Estates aka Harborside Woods from South Burnt Store St & Drainage MSBU, Administration Building, Room #119, Port Charlotte

Tuesday, March 2, 2010, 1:00 p.m. - **Charter Review Commission Sub-Committee Meeting – Other Boards & Agencies**, 18500 Murdock Circle, Administration Center, Room #106-B, Port Charlotte

Tuesday, March 4, 2010, 4:00 p.m. - **Charter Review Commission Sub-Committee Meeting – Constitutional Officers**, 18500 Murdock Circle, Administration Center, Room #106-B, Port Charlotte

Tuesday, March 9, 2010, 8:00 a.m. - **Charter Review Commission Sub-Committee, Administration Staff Meeting**, 18500 Murdock Circle, Administration Center, Room #106-B, Port Charlotte

Tuesday, March 9, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119, Port Charlotte

Friday, March 12, 2010, 9:00 a.m. - **Joint Meeting - City of Punta Gorda/Board of County Commissioners Meeting**, Administrative Building, Room #119, Port Charlotte

Tuesday, March 16, 2010, 9:00 a.m. - Board of County Commissioners **Land Use Meeting**, Administration Building, Room #119, Port Charlotte

Thursday, March 18, 2010, 1:00 p.m. - **Charter Review Commission Sub-Committee Meeting Other Boards and Agencies**, 18500 Murdock Circle, Administration Center, Administration Conference Room #538, Port Charlotte

Thursday, March 18, 2010, 3:00 p.m. - **Charter Review Commission Sub-Committee Meeting Constitutional Officers**, 18500 Murdock Circle, Administration Center, Administration Conference Room #106-B, Port Charlotte

Thursday, March 18, 2010, 4:00 p.m. - **Charter Review Commission General Membership Meeting Constitutional Officers**, 18500 Murdock Circle, Administration Center, Administration Conference Room #106-B, Port Charlotte

Tuesday, March 23, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119, Port Charlotte

Tuesday, March 23, 2010, 2:00 p.m. - **Board of County Commissioners Joint Workshop Charlotte Harbor CRA & Charlotte Harbor CRA Advisory Committee Meeting**, Administration Building, Room #119, Port Charlotte