

BOARD OF COUNTY COMMISSIONERS

March 22, 2010

A Pre-Agenda meeting in preparation of the March 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, Commissioner Skidmore, County Administrator Baltz, County Attorney Knowlton, Minutes Secretary Sue Carleton and Administrative Secretary Sandra Colon. The following members were absent: None

The meeting was called to order at 9:02 AM.

There was Board Discussion held on the following items:

County Attorney:
Agenda Item E-1

Economic Development:
Agenda Item H-1

Public Works:
Agenda Item R-2, R-3

Regular Agenda:
Agenda Items Z-1

Public Hearing Agenda:
Agenda Item VI(1)

ADJOURNED: 9:24 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
3/23/2010 9:00:00AM

18500 Murdock Circle, Administration Center, 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.

9:00 A.M. Call to Order and Roll Call

Invocation

Minister David Rushlow
Church of Christ Peace River

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
- V. Regular Agenda
- 10:00 A.M. VI. Public Hearing
- 10:00 A.M. VII. Presentation
- VIII. Public Workshop

2:00 P.M. IX. Board Workshop
X. Citizen Input - Any Subject

Proclamations - Commissioner Richard Loftus

Arts and Music in our Schools Month
Dean Jemson Day
Florida Scenic Highway Day
Florida's Water Conservation Month
Google Recruitment Week
Parliamentary Law Month

Employee Recognition - None

Presentations

(1) Administration – Presentation on TABOR by Florida Association of Counties to the BOCC.

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 Ranchettes Street & Drainage Unit Advisory Board - is seeking two volunteers. Volunteers must be residents of Charlotte County and reside within the unit. Length of terms: three years.

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

South Gulf Cove Street and Drainage MSBU - is seeking one volunteer to serve a two year term as the alternate member.

Tourist Development Council - is seeking one member to serve. Applicant must be an owner/operator of a Charlotte County lodging facility or recreational vehicle park subject to the tourist development tax levied, or an owner of a County tourist attraction. Term is for four years.

III. REPORTS RECEIVED AND FILED

Charlotte Harbor CRA 2009 Annual Report.

Charlotte Harbor CRA Advisory Committee Meeting Minutes for Special Meeting on March 1, 2010.

Murdock Village CRA 2009 Annual Report.

IV. CONSENT AGENDA

Clerk of the Circuit Court

A. Finance Division

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

B. Minutes Division

- (1) **RECOMMENDED ACTION:**
02/16/10 9:00 AM BCC Regular/Land Use Meeting
02/22/10 9:00 AM Pre-Agenda Minutes
02/23/10 6:00 PM BCC Regular Meeting
03/08/10 9:00 AM Pre-Agenda Minutes
BUDGETED ACTION: None required.

Board of County Commissioners

C. Commission Office

- (1) **RECOMMENDED ACTION:** Approve the appointment of Ed Zysko to the Affordable Housing Advisory Committee as the Real Estate Professional Representative for a three year term.
BUDGETED ACTION: None required.
- (2) **RECOMMENDED ACTION:** Approve the following reappointments to the Construction Board of Adjustments and Appeals, Grace Amodeo as an Alternate member; Tony Inabnitt as the General Building Contractor; Roger Glover as the Mechanical Contractor; and Clarence Diersing, Jr., as the Public-at-Large member. All terms are for three years.
BUDGETED ACTION: None required.
- (3) **RECOMMENDED ACTION:** Approve the reappointment of Joe Fleming to serve an additional three year term on the Harbour Heights Waterway Maintenance District Advisory Board. His current term expired on March 13, 2010. The new term shall expire on March 13, 2013.
BUDGETED ACTION: None required.
- (4) **RECOMMENDED ACTION:** Approve the reappointment of Carlo "Tony" Ermirio and Karen Ireland for an additional three year terms on the South Gulf Cove Street & Drainage MSBU. These terms shall expire January 9, 2013.
BUDGETED ACTION: None required.

D. Administration

No Items.

E. County Attorney

- (1) **RECOMMENDED ACTION:** Adopt a Resolution permitting parishioners of the Church of God of the Good Shepherd to conduct fundraising for Haiti Relief.
BUDGETED ACTION: None

F. Budget and Administrative Services

No Items.

Fiscal Services

No Items.

Information Technology

No Items.

Purchasing

- (1) **RECOMMENDED ACTION:** Approve Award Bid #10-151 and Transfer #10-017 for Walking Floor Trailers for the purchase of ten (10) Manac Walking Floor Trailers, to Witzco Trailers, Inc., of Sarasota, Florida, at the unit cost of \$49,498 each, for a total cost of \$499,480. The purpose of this bid is to secure a firm price for the purchase and delivery of ten (10) Manac Trailers, model 3624B20, Walking Floor Trailers, to be utilized by the Environmental Extension Services to collect and transport refuse from the West County Mini Transfer Station and the Mid County Transfer Station to the Zemel Road Landfill.
BUDGETED ACTION: Upon approval of transfer \$560,000, is budgeted. Funding for this expenditure comes from Solid Waste Enterprise Fund - Capital Equipment.
- (2) **RECOMMENDED ACTION:** a) Approve award of Bid #10-127 Safety Mowing-Roadway Right-of-Way, to three firms: North County - Arbor One, Inc., of Port Charlotte; South County - Eden Landscape, Inc., of Fort Myers; and West County - Walker Services, Inc., of Bradenton for the term April 1, 2010 up to and including September 30, 2010, with option to renew for two additional one-year terms; and b) Authorize County Administrator to approve annual renewals. This is for mowing services of roadway rights-of-way, and drainage and easement facilities located throughout the County.
BUDGETED ACTION: None. Funding is supplied from gas taxes and various MSBUs.
- (3) **RECOMMENDED ACTION:** Approve the Sole Source File #10-164, Renewal of Banner Software Maintenance, to Ventyx, Inc., of Atlanta, GA for the cost of \$111,466. Information Technology is requesting the renewal maintenance purchase for the Banner software. This software is the Enterprise Customer Information System used by the utility which handles many aspects of their daily operations.
BUDGETED ACTION: None. Funds are available in the Charlotte County Utilities Computer account line.

Real Estate Services

No Items.

G. Building & Construction Services

No Items.

H. Economic Development

- (1) **RECOMMENDED ACTION:** Allow the IDA to use \$26,450 of the \$500,000 Economic Development Incentive Funding that was transferred from the County to the IDA for the payment of incentives to prospects, to pay for a mitigation study for the 120 acres owned by the IDA in the ECAP. From the attached proposal the charges are Phase I - \$9400, Phase II is a 50/50 split with the airport - \$11,450, and Phase III - \$5600.
BUDGETED ACTION: Allow funds which have already been transferred to the IDA for incentives to be used for this work.
- (2) **RECOMMENDED ACTION:** Approve the recommendation of the Charlotte County Industrial Development Authority to move the request for \$3,814,000 in Recovery Zone Bonds forward. Applicant will have 90 days after BOCC approval to demonstrate credit approval for this project. If this is not met then the allocation will be released and made available to other applicants.
BUDGETED ACTION: None
- (3) **RECOMMENDED ACTION:** Approve the recommendation of the Charlotte County Industrial

Development Authority to move the request for \$5,500.00 in Recovery Zone Bonds forward for Sports Park Hospitality LLC to build an 80 room hotel next to the Charlotte Sports Park. Applicant will have 90 days after BOCC approval to demonstrate credit approval for this project. If this is not met then the allocation will be released and made available to other applicants. BUDGETED ACTION: None.

J. Environmental Services

- (1) **RECOMMENDED ACTION:** Approve submission of application for Thornton Key Preserve Brazilian Pepper-tree Removal with the FWS South Florida Coastal Program Funding Announcement.

BUDGETED ACTION: If funding in the amount of \$43,400 is awarded, an amendment to the budget will be brought to the BCC with the agreement. In-kind services will be used as the match. Estimated in-kind match are through Charlotte County Natural Resource staff time and equipment and is estimated at \$20,600.

K. Facilities Construction and Maintenance

No Items.

L. Growth Management

No Items.

M. Human Resources

No Items.

N. Human Services

No Items.

P. Parks, Recreation and Cultural Resources

- (1) **RECOMMENDED ACTION:** Approve naming the large main pavilion at Englewood Beach after Samuel C. Harris. Mr. Harris created a substantial aerial photography collection of the West County spanning from 1972 to 2004. Parks & Recreation Advisory Board at its March 3, 2010, meeting discussed, voted and approved recommending to the Board of County Commissioners that the large pavilion at Englewood Beach be named for Samuel C. Harris.

BUDGETED ACTION: None

Q. Public Safety

No Items.

R. Public Works

- (1) **RECOMMENDED ACTION:** Approve and authorize the Chairman to sign, Amendment Number One to Easement Number 31114 from the State of Florida Board of Trustees in conjunction with Charlotte County Erosion Control Project - Phase 1. This amendment facilitates extending the updrift beach fill area (Stump Pass State Park) approximately 1,500 linear feet, southerly, as required by the Florida Department of Environmental Protection permit conditions to dredge Stump Pass Inlet and renourish adjacent beaches.

BUDGETED ACTION: None. The funding for this project is from FEMA and the Stump Pass Beach Renourishment MSTU/BU.

- (2) **RECOMMENDED ACTION:** Approve and authorize the Chairman to sign Amendment 4, Florida Department of Environmental Protection (FDEP) Grant Agreement for Knight Island monitoring

for erosion control.

BUDGETED ACTION: None. Budgeted in CIP project c390901 Knight Island Monitoring. Funding for Charlotte County's portion is supplied from the Stump Pass Beach Renourishment MSBU/TU.

- (3) **RECOMMENDED ACTION:** Approve and authorize the Board of County Commissioners Chairman to execute an Agreement to purchase wetland credits from the Boran Ranch Mitigation Bank.

BUDGETED ACTION: None. Budgeted in CIP project C419001 Edgewater Corridor Phase 1. Funding for this project is supplied from Gas Taxes, Road Impact Fees and Sales Tax.

- (4) **RECOMMENDED ACTION:** Request the Board set a Public Hearing for April 13, 2010, at 10:00 a.m. or as soon thereafter as may be heard, to consider approving an Ordinance creating an Advisory Board for the Boca Grande Street and Drainage MSBU Committee.

BUDGETED ACTION: None. Recording fees will be paid from the Boca Grande Streets and Drainage MSBU fund.

- (5) **RECOMMENDED ACTION:** Request the Board set a public hearing for April 13, 2010, at 10:00 a.m., or as soon thereafter as may be heard, to consider approving an ordinance creating the South Gulf Cove Beautification MSBU.

BUDGETED ACTION: None.

S. Tourism Development

No Items.

T. Utilities

No Items.

U. Other Agencies

No Items.

V. REGULAR AGENDA

Z. Regular Agenda

- (1) Commission Office **RECOMMENDED ACTION:** Choose by ballot one person to serve on the Charlotte Harbor Community Redevelopment Agency Advisory Committee, to represent the category of "Member-at-Large". This seat was vacated by David Schmidt on February 19, 2010.
- (2) Commission Office **RECOMMENDED ACTION:** Choose by ballot two citizens to serve three year terms as regular members and one citizen to serve a two year term as the alternate member on the South Gulf Cove Waterway Advisory Committee.
- (3) Growth Management **RECOMMENDED ACTION:** Discussion and direction regarding Amendment 4.
- (4) Economic Development **RECOMMENDED ACTION:** Determine the County Commission's representative on the Working Group

Considering development in the ECAP and the use of county owned lands to stimulate economic development. Also, the County Commission must determine whether they would like to solicit other members of private Industry to be on the Working Group.

VI. PUBLIC HEARING AGENDA

10:00 A.M.

(1) Utilities

RECOMMENDED ACTION: Approve ordinance amending Charlotte County Code Section 3-8 Article III by expanding to year-round and including water conservation measures.

VII. PRESENTATION AGENDA

10:00 A.M.

(1) Growth Management

RECOMMENDED ACTION: Presentation on TABOR by Florida Association of Counties to the BOCC.

10:00 A.M.

(1) Public Works

RECOMMENDED ACTION: Presentation of proposed changes to the assessment methodologies for Charlotte County's Municipal Services Benefit and Taxing Units.

VIII. PUBLIC WORKSHOP AGENDA

Public input permitted.

No Items

IX. BOARD WORKSHOP AGENDA

No public input.

2:00 P.M.

(1) Economic Development

RECOMMENDED ACTION: Conduct a Joint Workshop between the Board of County Commissioners and Ex-Officio as the governing board of the Charlotte Harbor Community Redevelopment Agency and the Charlotte Harbor Advisory Committee to discuss the Charlotte Harbor CRA 2010 Work Plan.

(2) Utilities

RECOMMENDED ACTION: An Update to the Wastewater Expansion Program presented in June 2009, focusing

primarily on "Area 1". Board to evaluate options presented and direct staff on bringing centralized Wastewater and Water services to this area.



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, March 23, 2010, 10:00 a.m., or soon thereafter – **Public Hearing** – Ordinance on year-round water conservation measures, 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

Tuesday, April 6, 2010, 1:00 p.m. - **Charter Review Commission** Sub-Committee Meeting, 18500 Murdock Circle, Administration Center, Administration Conference Room #106-B, Port Charlotte

Thursday, April 8, 2010, 1:30 p.m. - Board of County Commissioners **Budget Workshop** - Public Safety/Economic Development, Administration Building, Room #119, Port Charlotte

Tuesday, April 13, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119, Port Charlotte

Thursday, April 15, 2010, 1:00 p.m. – **Charter Review Commission** Sub-Committee Meeting, 18500 Murdock Circle, Administration Center, Administration Conference Room #538, Port Charlotte

Thursday, April 15, 2010, 1:30 p.m. - Board of County Commissioners **Budget Workshop** – Efficient & Effective Government/Growth Management, Administration Building, Room #119, Port Charlotte

Thursday, April 15, 2010, 3:00 p.m. – **Charter Review Commission** Sub-Committee Meeting, 18500 Murdock Circle, Administration Center, Administration Conference Room #106-B, Port Charlotte

Thursday, April 15, 2010, 4:00 p.m. – **Charter Review Commission** Regular Meeting, 18500 Murdock Circle, Administration Center, Administration Conference Room #106-B, Port Charlotte

Tuesday, April 20, 2010, 9:00 a.m. - Board of County Commissioners Land Use Public Hearings, Administration Building, Room #119, Port Charlotte

Thursday, April 22, 2010, 1:30 p.m. - Board of County Commissioners **Budget Workshop** - Human Services/Fiscal/Financial Planning,

Administration Building, Room #119, Port Charlotte

Tuesday, April 27, 2010, 9:00 a.m. - Board of County Commissioners Regular Board Meeting, Administration Building, Room #119, Port Charlotte

Thursday, April 29, 2010, 1:30 p.m. - Board of County Commissioners **Budget Workshop** - Water Resources, Administration Building, Room #119, Port Charlotte

Thursday, April 29, 2010, 4:00 p.m. – **Charter Review Commission** Sub-Committee Meeting, 18500 Murdock Circle, Administration Center, Administration Conference Room #106-B, Port Charlotte