

**BOARD OF COUNTY COMMISSIONERS**

**April 26, 2010**

A Pre-Agenda meeting in preparation of the April 27, 2010 Regular Meeting was held at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida.

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

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

**There was Board Discussion held on the following items:**

**Purchasing:**

**Agenda Items F-2**

**Regular Agenda:**

**Agenda Item Z-1**

**ADJOURNED: 9:16 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](http://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  
4/27/2010 9:00 AM

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

Pastor Fr. Tom Heck  
St. Charles Borromeo 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
- V. Regular Agenda
- 10:00 A.M. VI. Public Hearing
- 10:00 A.M. VII. Presentation
- VIII. Public Workshop
- IX. Board Workshop
- X. Citizen Input - Any Subject

**Proclamations** - Commissioner Bob Starr

National Drinking Water Week

**Employee Recognition** - none

**Presentations**

**10:00 A.M.**

Pat Lehman to provide a presentation regarding the Peace River Manasota Regional Water Supply Authority

## 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:**

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

**Englewood East Street & Drainage Advisory Committee** - is seeking one volunteer to serve a two year term as the alternate member.

**Grove City Street & Drainage Advisory Committee** - is seeking two volunteers; one person to serve a three year term as a regular member and one person to serve a two year term as the alternate member. Terms effective immediately.

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

**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

Investment Report for the County for the quarter ended March 31, 2010.

## IV. CONSENT AGENDA

### Clerk of the Circuit Court

#### A. Finance Division

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

#### B. Minutes Division

- (1) **RECOMMENDED ACTION:** 3/23/10 9:00 AM BCC Regular Meeting & Joint Workshop with CH-CRA & CH Adv. Committee  
3/24/10 6:30 PM BCC TH Meeting with Curmudgeon Club  
4/8/10 1:30 PM BCC Budget WS  
4/22/10 9:00 AM Pre-Agenda Meeting  
**BUDGETED ACTION:** None required.

### Board of County Commissioners

#### C. Commission Office

- (1) **RECOMMENDED ACTION:** Approve the reappointment of Holly Giblin as a regular member to the Englewood East Street and Drainage Advisory Committee. This term is effective immediately and shall expire February 10, 2013.  
**BUDGETED ACTION:** None required.
- (2) **RECOMMENDED ACTION:** Reappoint Florence Strawson to serve on the Tropical Gulf Acres Street and Drainage Advisory Board. Length of term: 3 years.  
**BUDGETED ACTION:** None required.

#### D. Administration

No Items.

#### E. County Attorney

No Items.

#### F. Budget and Administrative Services

- (1) **RECOMMENDED ACTION:** Schedule a BCC Budget Workshop on Thursday, May 20, 2010 at 1:30 P.M.  
**BUDGETED ACTION:** None required.

#### Fiscal Services

No Items.

#### Information Technology

No Items.

#### Purchasing

- (2) **RECOMMENDED ACTION:** Approve Change Order #8 to Contract #08-130, Rotonda Sands & Meadows - LPS System, with General Contracting Services, of Placida Florida, in the amount of \$26,197.30 for a revised total cost of \$3,637,052.91. This project is providing a central sewer

system to the Rotonda Sands and Rotonda Meadows residential developments.

**BUDGETED ACTION:** Rotonda Sands MSBU contract portion is reduced by \$33,423.20 - CIP Project c350703. Rotonda Meadows MSBU contract portion is increased by \$59,620.50 - CIP Project c350402. The net change to the contract is an increase of \$26,197.30.

**(3) RECOMMENDED ACTION:** Approve Change Order #8 to Contract #99-126, Manchester

Waterway Lock Removal Ecosystem Management Permitting, with EarthBalance in the amount of \$4,500, for a revised total contract amount of \$609,475.00, for additional dredging done within specifications and permits.

**BUDGETED ACTION:** None - Funding is supplied \$3,735 from the Manchester Waterway MSBU and \$765 from the Ackerman Waterway MSBU.

**(4) RECOMMENDED ACTION:** Approve Amendment #22 to Contract #01-125, Sarasota-Charlotte County Beach Restoration Study with Coastal Technology Corp., in the amount of \$548,471, to conduct the Sarasota-Charlotte County Beach Restoration Study.

**BUDGETED ACTION:** None - Funding is supplied from the Stump Pass Beach Renourishment MSBU/TU. FEMA is estimated to reimburse approximately \$358,611 of these costs.

**(5) RECOMMENDED ACTION:** a) Approve the ranking of firms for Request for Proposal #10-156 Sidewalk Design - Sales Tax Program (Year Two): 1st - Giffels-Webster Engineers, Inc. of Englewood, FL., and 2nd - Charlotte Engineering & Surveying, Inc. of Port Charlotte, FL., and 3rd - Southwest Engineering & Design of Punta Gorda, FL.; and b) Approve start of Negotiations; and c) Authorize the Chairman to sign the contract after completion of negotiations for engineering services for the design of the 2009 sales tax sidewalks county wide program (year two). This project will consist of, but not be limited to, all aspects of the design of the sidewalks and all ancillaries, pedestrian bridges, complete survey and as-built drawings, preparation/acquisition of all applicable Federal, State and Local permits, public meetings, bidding assistance, and construction management for sidewalks to be designed to current Charlotte County and Florida Department of Transportation (FDOT) Standards.

**BUDGETED ACTION:** None. Funded in CIP project c410918, Sidewalks 2009 Sales Tax Extension. Funding is supplied from the 2009 Sales Tax extension fund.

## Real Estate Services

**(6) RECOMMENDED ACTION:** Approve the attached Resolution authorizing the release of a portion of a recorded twenty-foot (20') wide canal maintenance easement, located in Port Charlotte Subdivision Section Thirty-Six, and further authorizing the Senior Division Manager, Real Estate Services Division, to execute the County Deed releasing said portion of said easement. (Owners: Teresa L. Perkins and Timothy D. Perkins, Trustees of the Teresa L. Perkins Living Trust dated February 24, 2000)

**BUDGETED ACTION:** None

**(7) RECOMMENDED ACTION:** Approve to accept the donation of one lot as described on the attached sheet (see Exhibit "A") entitled Lot Donation to Charlotte County.

**BUDGETED ACTION:** None

## G. Building & Construction Services

No Items.

## H. Economic Development

No Items.

## J. Environmental Services

- (1) **RECOMMENDED ACTION:** Approve to move forward on Land appraisal(s) of the land identified in the awarded Section 6 Grant Agreement between U.S. Fish and Wildlife Commission and Charlotte County and recommended for acquisition by the ESLOC. Grant is anticipated to be executed in July 2010 along with amendments to the budget.  
**BUDGETED ACTION:** Conservation Charlotte funds will be used for the 25% match as required by the grant. The match is approximately \$400,000. Appraisals will be started using the Conservation Charlotte funds and parcel purchases will be funded by Section 6 Grant. A budget amendment and CIP project will be submitted with the request to execute grant agreement.
- (2) **RECOMMENDED ACTION:** Approve submission of application for Thornton Key Preserve Acquisition (Reimbursement) through the Florida Communities Trust Parks and Open Space Florida Forever Grant Program (Pending Funding Announcement).  
**BUDGETED ACTION:** Budget will be amended upon award of grant. Funding of \$53,000 for the required amenities will come from General Funds and the grant dollars will reimburse Conservation Charlotte.

## K. Facilities Construction and Maintenance

No Items.

## L. Growth Management

No Items.

## M. Human Resources

No Items.

## N. Human Services

- (1) **RECOMMENDED ACTION:** Board consideration and adoption of a resolution authorizing the Human Services Housing Manager to sign Release of Lien and Mortgage Satisfaction documents for the Community Development Block Grant (CDBG) Set Aside Hurricane Recovery Grant and the Home Again Grant.  
**BUDGETED ACTION:** None

## Q. Public Safety

- (1) **RECOMMENDED ACTION:**  
Authorize submission of an on-line application for the Severe Repetitive Loss Mitigation Program grant for FY2010 (re-opened) and FY2011 (if needed) for the elevation of property located at 4499 Ganyard Street above flood level.  
**BUDGETED ACTION:** None. There is no financial obligation to the County. The property owner will be responsible for the 10% match required under the program.
- (2) **RECOMMENDED ACTION:** Request approval of Amendment # 3 to the Frequency Reconfiguration Agreement (FRA) between Nextel South Corp. and Charlotte County.  
**BUDGETED ACTION:** None required. 100% of funding is provided by Nextel South Corp.

## R. Public Works

No Items.

## S. Tourism Development

No Items.

## T. Utilities

No Items.

## U. Other Agencies

No Items.

## V. REGULAR AGENDA

### Z. Regular Agenda

(1) Growth Management

**RECOMMENDED ACTION:** Board discussion and possible direction regarding Group 3 Commercial Excavations.

(2) Economic Development

**RECOMMENDED ACTION:** Approve recommendation of the Economic Development Working Group to hire an additional employee for the Economic Development Office (EDO).

## VI. PUBLIC HEARING AGENDA

### 10:00 A.M.

(1) Public Safety

**RECOMMENDED ACTION:** Consider approving an ordinance to provide for inclusion of appointment of registered nurse emergency room directors on the Medical Advisory Committee; deleting references to the emergency medical director contract; revising the functions of the committee including but not limited to deleting the authority to hear appeals of disciplinary actions against emergency medical personnel and designating the frequency and location of meetings; providing for inclusion in the charlotte county code; providing for severability; and providing an effective date.

(2) Administration

**RECOMMENDED ACTION:** Consider the application of Ambitrans Medical Transport, Inc. for a certificate of public convenience and necessity to provide non-emergency advanced life support and basic life support ambulance service throughout Charlotte County.

(3) County Attorney

**RECOMMENDED ACTION:** Ordinance prohibiting acts of Aggressive or Obstructive Panhandling; providing for restrictions on public loitering.

## 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, April 27, 2010, 10:00 a.m. [or soon thereafter] **Public Hearings** - Ordinance prohibiting acts of Aggressive or Obstructive Panhandling, Certificate for Ambitrans Medical Transport, Inc., Medical Advisory Committee, 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

Monday, May 3, 2010, 2:00 p.m. - **Joint Meeting** City of Punta Gorda/BOCC/School Board, 18500 Murdock Circle, Administration Center, Administration Conference Room #119, Port Charlotte

Tuesday, May 4, 2010, 10:00 a.m. - **MSBU Workshop**, 18500 Murdock Circle, Administration Center, Administration Conference Room #119, Port Charlotte

Thursday, May 6, 2010, 1:00 p.m. - **Budget Workshop**, 18500 Murdock Circle, Administration Center, Administration Conference Room #119, Port Charlotte

Tuesday, May 11, 2010, 9:00 a.m. - Board of County Commissioners **Regular Board Meeting**, Administration Building, Room #119, Port Charlotte

Thursday, May 13, 2010, 1:30 p.m. - **Budget Workshop**, 18500 Murdock Circle, Administration Center, Administration Conference Room #119, Port Charlotte

Tuesday, May 18, 2010, 9:00 a.m. - Board of County Commissioners **Land Use Meeting**, Administration Building, Room #119, Port Charlotte

Thursday, May 20, 2010, 1:30 p.m. - **Budget Workshop** [pending BOCC approval 4/27/10], 18500 Murdock Circle, Administration Center, Administration Conference Room #119, Port Charlotte

Thursday, May 20, 2010, 4:00 p.m. - **Charter Review Commission** Board Meeting, Administration Building, Room #119, Port Charlotte

Tuesday, May 25, 2010, 9:00 a.m. - Board of County Commissioners **Regular Board Meeting**, Administration Building, Room #119, Port Charlotte

**Monday, May 31, 2010, Holiday Closing - Memorial Day all County Buildings Closed**