

**BOARD OF COUNTY COMMISSIONERS**

**May 25, 2010**

A meeting was held at the Murdock Administration Complex in Room 119, Port Charlotte, Florida.

Members present were: Chairman Starr, Commissioner Cummings, Commissioner Duffy, Commissioner Skidmore, County Administrator Baltz, County Attorney Knowlton, Finance Director Larrivee, and Deputy Clerk Carleton. The following members were absent: Commissioner Loftus

The meeting was called to order at **9:00 AM**.

The Invocation was given by Father Leo Smith, St. Charles Borromeo Church, followed by the Pledge of Allegiance.

**Changes to the Agenda:**

**Deletion #1:** Requested by: Commission Office - Z-3 - RECOMMENDED ACTION: Discussion and Consideration of approval of the proposed First Amendment to the Water Sale and Storage Agreement between Peace River/Manasota Regional Water Supply Authority, Sarasota County, and Charlotte County.

**Deletion #2:** Requested by: Commission Office - F-7 - RECOMMENDED ACTION: a) Approve Change Order #2, Contract 09-345, South Gulf Cove Entry Features in the amount of \$59,730, to increase the original contract amount to \$346,115.78 to Holland Landscaping, Inc., of Osprey, FL and b) Approve CIP amendment no. 10-C07 in the amount of \$90,000, for additional curbing, palm trees relocated; and different tile installed. BUDGETED ACTION: Funds are available in CIP project C410905, South Gulf Cove Entry Way Signs upon approval of CIP amendment no. 10-C07. Funding is supplied from the South Gulf Cove Streets and Drainage MSBU.

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

**MOTION CARRIED 4:0.**

**Proclamations - Chairman Bob Starr**

Civility Month Proclamation, the month of May 2010.

**COMMISSIONER SKIDMORE MOVED TO APPROVE CIVILITY MONTH PROCLAMATION, THE MONTH OF MAY 2010, SECONDED BY COMMISSIONER DUFFY.**

**MOTION CARRIED 4:0.**

The Proclamation was accepted by County Attorney Janette Knowlton.

El Jobean Pre-Veteran's Memorial Day Celebration Proclamation, May 29, 2010.

**COMMISSIONER SKIDMORE MOVED TO APPROVE EL JOBEAN PRE-VETERAN'S MEMORIAL DAY CELEBRATION PROCLAMATION, MAY 29, 2010, SECONDED BY COMMISSIONER DUFFY.**

**MOTION CARRIED 4:0.**

The Proclamation was accepted by Randy Spence.

**Employee Recognition - None**

**I. CITIZEN INPUT - AGENDA ITEMS ONLY**

Pat Venuto spoke in opposition to Agenda item Z-2.

Rita Kagan, Aggie Aguila, Diane Cain, Amy Gill, Donna Campisi, James Carrano, Bob Burns, Pete McLewin, Travis Jones, Eileen Prochaska, Norma Oliva, Virginia McLewin, and Sharon Thomas spoke in support of Agenda item Z-2.

Robin Leonard gave a handout to the Board and spoke in opposition of Agenda Z-2.

Tami Cash spoke in opposition of Agenda item Z-2 and gave a handout to the Board.

**II. COMMITTEE VACANCIES**

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

Affordable Housing Advisory Committee - is seeking one member to serve on the committee. Volunteer must be a representative of the home building industry. Term is for 3 years.

Construction Industry Licensing Board - is seeking a volunteer to represent the "mechanical contractor" category. Volunteer must be a resident of Charlotte County for at least two years and be a licensed mechanical contractor. Length of term - until June 9, 2013.

Citizens' Advisory Committee (CAC) - is seeking a Charlotte County resident to voluntarily serve as a representative of the MPO Citizens' Advisory Committee (CAC) for the following position: South County Representative. The CAC reviews transportation plans and projects that the MPO Board will consider. Your letter or email of interest stating the positions 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

Manatee Advisory Committee - is seeking 4 members to serve on this newly formed committee. 2 members will represent the development community and 2 members will represent local environmental advocacy groups. Committee will engage in public outreach and make recommendations to the Board of County Commissioners to assist in the development of a Manatee Protection Plan.

Tourist Development Council - is seeking one member to serve. Applicant must be involved in the tourism industry and have demonstrated strong interest in tourist development but is not an owner or operator of lodging facilities or recreational vehicle parks. Term is for four years.

**III. REPORTS RECEIVED AND FILED - None**

**IV. CONSENT AGENDA**

**COMMISSIONER SKIDMORE MOVED TO APPROVE CONSENT AGENDA EXCEPT AGENDA ITEM J-1, SECONDED BY COMMISSIONER DUFFY.**

**MOTION CARRIED 4:0.**

**Clerk of the Circuit Court**

**A. Finance Division**

(1) RECOMMENDED ACTION:

Approve the Clerk's Memorandum. BUDGETED ACTION: None required.

Memorandum #1 - Status of Contingency Reserves - FY 08/09

Memorandum #1A - Status of Contingency Reserves - FY 09/10

Memorandum #2 - Total Disbursements for the Period May 4, 2010 through May 17, 2010 in the amount of \$8,716,082.57.

**B. Minutes Division**

(1) RECOMMENDED ACTION: BUDGETED ACTION: None required

4/22/10 1:30 PM BCC Budget Workshop

4/26/10 9:00 AM BCC Pre-Agenda

5/3/10 2:00 PM Joint Meeting - BCC, SB, PG

5/8/10 10:00 AM MSBU Workshop

5/6/10 1:00 PM Budget Workshop

5/10/10 9:00 AM Pre-Agenda

**Board of County Commissioners**

**C. Commission Office - No Items.**

**D. Administration**

**Administration - No Items.**

**Public Information Office - No Items.**

**E. County Attorney - No Items.**

**F. Budget and Administrative Services**

**Budget and Administrative Services**

(1) **RECOMMENDED ACTION:** Cancel the Budget Workshop for presentation of the CIP on June 24, 2010 and reschedule for Friday, July 23, 2010 at 10:00 A.M. in Room #119. **BUDGETED ACTION:** None required.

(2) **RECOMMENDED ACTION:** a) Approve the request for BCC authorization to apply for and accept funds from the United States Department of Justice Bulletproof Vest Partnership, and; b) Authorize the Chair to sign any necessary forms (see attachment A). **BUDGETED ACTION:** Financial Impact Summary Statement: None - This grant is for the reimbursement of expenditures that are made from April 1, 2010 through September 30, 2012 by the Sheriff from the Sheriff's budget and do not include any expenditures made by the Board of County Commissioners.

**Grant 2010-016**

**Fiscal Services**

(3) **RECOMMENDED ACTION:** Approve Budget Amendment #10-A47, Budget Transfer #10-019 and CIP Amendment #10-C05 & #10C06 to allocate existing Impact Fees to the Health & Human Services Building and the Englewood Library Expansion. **BUDGETED ACTION:** Approve CIP Amendment #10-C05 & #10-C06, Budget Transfer #10-019, and Budget Amendment #10-A47 in the amount of \$1,000,000. Funding for this expenditure comes from the Impact Fee Fund.

**Information Technology - No Items.**

**Purchasing**

(4) **RECOMMENDED ACTION:** a) Approve Amendment #1 to Contract 08-188, Ultra Low Toilet Rebate Program with ViewTech Financial

Services, Inc., increasing original amount of \$100,100 by \$21,234.56 for a revised Contract Amount of \$121,334.56; and b) Authorize the Chairman to sign the Amendment. This is for all rebate funds owed and expected by citizens that have already received approval on their applications and/or have applications waiting for final inspections. BUDGETED ACTION: Amount budgeted \$114,000 - Funding for this expenditure comes from SWFWMD grant (50%) and CCU's O&M Fund (50%).

(5) RECOMMENDED ACTION: Approve Change Order #1 to Contract #09-242, Medical Supplies for Fire/EMS, to remove line item #146. Lidocaine, 20mg/ml, which was awarded to Midwest Medical Supply Co., LLC of Earth City, MO, as it can no longer be provided at the unit price bid. Recent changes mandated by the FDA have caused several manufacturers of pre-filled medications to cease production of pre-filled products. Due to this change, Midwest Medical Supply Co., LLC is no longer able to provide that product because their manufacturer no longer produces it. BUDGETED ACTION: None required. Funding is provided in the Emergency Medical Services (EMS) operating budget account line for Medical Supplies. FY09/10 budget is \$148,000.

(6) RECOMMENDED ACTION: Approve Sole Source File # 10-235, Renewal of Accela Maintenance, to Accela, Inc. of San Ramon, TX, for the total cost of \$114,024. This is for the renewal of maintenance and support of the Accela software. This software is the newly implemented Land Records Management System that provides permitting, inspections, and code enforcement that can be managed through an easy to use web interface. BUDGETED ACTION: None. Funds are available in Building Construction Services, Growth Management, and CCU.

### **Real Estate Services**

(8) RECOMMENDED ACTION: Approve the attached Resolution authorizing the release of a portion of a recorded twenty-foot (20') wide canal maintenance easement and a portion of a platted ten-foot (10') wide utility and drainage easement, both located in Port Charlotte Subdivision Section Eight, and further authorizing the Senior Division Manager, Real Estate Services Division, to execute the County Deed releasing said portions of said easements. (Owners: Gary Pikus and Maudeen Pikus as Trustees of the Gary Pikus and Maudeen Pikus Trust Agreement dated 5/11/2005) BUDGETED ACTION: None

**Resolution 2010-037**

**G. Building & Construction Services - No Items.**

**H. Community Services**

**Parks and Natural Resources - No Items.**

**Recreation - No Items.**

**Libraries and Historical - No Items.**

**J. Economic Development**

(1) **RECOMMENDED ACTION:** Approve Budget Amendment #10-A46 for \$30,206.68 for new business development staff member for the Economic Development Office. **BUDGETED ACTION:** Approve Budget Amendment #10-A46 for \$30,206.68. Funding is from the General Fund Contingency Reserve.

**Chairman Starr** explained why he pulled the item and spoke in opposition.

**COMMISSIONER SKIDMORE MOVED TO DENY AGENDA ITEM J-1, SECONDED BY CHAIRMAN STARR.**

**Commissioner Skidmore** commented on the cost of the new position of Business Development Specialist, stated that the scope of work had not been clearly defined, and spoke in opposition.

**MOTION FAILED 2:2.**

**RECESS: 9:50 AM to 10:00 AM**

(2) **RECOMMENDED ACTION:** Approve and adopt a Resolution whereby the BCC authorizes the Charlotte County Industrial Development Authority (IDA) to commit the local match required by the State of Florida's Qualified Targeted Industry (QTI) Tax Refund Incentive Program. **BUDGETED ACTION:** None

**Resolution 2010-038**

**K. Facilities Construction and Maintenance - No Items.**

**L. Growth Management**

(1) *RECOMMENDED ACTION:* Authorize Chairman to sign Updated Interlocal Agreement for Coordinated Planning and School Concurrency (ILA). *BUDGETED ACTION:* None

**Agreement 2010-017**

(2) *RECOMMENDED ACTION:* Set a public hearing for June 8, 2010 for 10 AM or as soon thereafter as it may be heard, per Section 3-9-63 of the County Code, Commercial Access to a street abutting single-family residential Zoning. *BUDGETED ACTION:* None

**M. Human Resources - No Items.**

**N. Human Services - No Items.**

**P. Public Safety**

(1) *RECOMMENDED ACTION:* Approve the grant agreement between the Florida Division of Emergency Management and Charlotte County that provides \$29,000 for Training and Exercises consistent with the Department of Homeland Security State Strategy guidelines. *BUDGETED ACTION:* None required at this time. The Emergency Management budget will be amended once notice of grant award is received. Grant is 100% funded and requires no local match from the County.

**Grant 2010-017**

**Q. Public Works**

(1) *RECOMMENDED ACTION:* Request the Board approve and authorize the Chairman to sign Consent Order OGC Case No. 10-1305-08-SL in conjunction with a violation of the terms and conditions of the State of Florida granting Charlotte County a Sovereign Submerged Land Easement located in Pirate Harbor Subdivision. *BUDGETED ACTION:* None. Costs of complying with the consent order will be borne by the Pirate Harbor Property Owners Association.

**R. Tourism Development - No Items.**

**S. Utilities**

(1) *RECOMMENDED ACTION*: Set a public hearing for June 8, 2010, at 10:00 a.m., or as soon thereafter as may be heard, to consider revisions to County Code Section 3-8-105(7)c. Waste Discharge Fees. *BUDGETED ACTION*: If approved, proposed 2011 budget will be changed to include increased fees.

**T. Other Agencies - No Items.**

**Commissioner Duffy** clarified the meaning of the Vote from Agenda Item J-1 with Attorney Knowlton. Attorney Knowlton advised that when there is an action taken that results in a tie, the motion fails, that a Motion to Deny was made that resulted in a tie vote, so the item failed, and commented that it wouldn't matter whether the motion was to approve or deny, that there was no affirmative action. **Commissioner Duffy** clarified that the matter can be brought back at the next meeting. Attorney Knowlton clarified.

**V. REGULAR AGENDA**

**Z. Regular Agenda**

(2) *Public Safety - RECOMMENDED ACTION*: Consideration and possible approval of a new County contract between Animal Control and the Animal Welfare League of Charlotte County.

**Agreement 2010-018**

Chief Didio presented the item for animal control and gave a summary and brief history.

Brian Jones initiated a follow-up discussion from the March 9 Board meeting related to the re-establishment of the contract with the Animal Welfare League (AWL) and the County's consideration to build and operate an animal shelter, commented on the meeting with the AWL and the results from that meeting, and stated that nothing has changed in regard to the figures presented previously.

Mr. Jones fielded questions from **Commissioner Cummings** regarding the circumstances that animals are taken in and actions taken if a stray animal is already spayed or neutered. **Commissioner Cummings** spoke in support of continuing the partnership with the AWL, commented on the Trap, Neuter, Release Program related to the possible reduction of intake, commented on materials received, ways to change the population of feral cats, euthanasia, housing needs for the animals, and the annual contract.

**Commissioner Duffy** spoke in support of approving the contract, the Trap, Neuter and Release Program, expressed concern with the cost of the cages, commented on the purchase equipment list, the cost of animal cages at Wal-Mart, and asked for justification of the cost of the cages from Mr. Jones. Mr. Jones responded in detail. Sharon Thomas, the Executive Director of AWL, fielded questions from **Commissioner Duffy** related to the manufacturer of the cages, the process of choosing the cages, and the size of the cages for cats as opposed to dogs.

**Commissioner Cummings** pointed out the cost is not an issue because the County is doing the purchasing.

**Commissioner Skidmore** commented on the nature of the issue, on the decision-making responsibilities of the Board, and asked Ms. Thomas if she would support a provision that allowed a yearly audit to which Ms. Thomas responded affirmatively.

**COMMISSIONER SKIDMORE MOVED TO CONTINUE THE EXISTING PARTNERSHIP WITH THE ANIMAL WELFARE LEAGUE (AWL) WITH THE CONTRACT SET FORTH, WITH THE ADDITION OF A NEW PARAGRAPH 8 TO READ "AWL SHALL KEEP FULL AND ACCURATE ACCOUNTING RECORDS RELATING TO SERVICES PROVIDED UNDER THIS AGREEMENT. AWL SHALL GIVE THE COUNTY'S AUTHORIZED REPRESENTATIVES ACCESS TO SUCH BOOKS AND RECORDS DURING REASONABLE BUSINESS HOURS AND UPON REASONABLE ADVANCE NOTICE. AWL SHALL KEEP AND PRESERVE FOR AT LEAST FIVE (5) YEARS FOLLOWING EACH FISCAL YEAR ALL SALES SLIPS, AGREEMENTS, PURCHASE ORDERS, SALES BOOKS, CREDIT CARD INVOICES, BANK BOOKS, OR DUPLICATE DEPOSIT SLIPS, AND OTHER EVIDENCE OF OPERATING REVENUES AND OPERATING EXPENSES FOR SUCH PERIOD. ADDITIONALLY, AWL SHALL DELIVER TO THE COUNTY ANNUAL FINANCIAL STATEMENTS WITHIN 90 DAYS AFTER THE CLOSE OF EACH FISCAL YEAR WITH THE STATEMENT THAT THEY WERE PREPARED IN ACCORDANCE WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES. THE COUNTY SHALL HAVE THE RIGHT**

TO CONDUCT AN AUDIT OF ANY ANNUAL REPORT DELIVERED IN CONNECTION WITH THIS SECTION AND/OR ANY MONTHLY REPORT DELIVERED HEREUNDER. IN THE EVENT ADDITIONAL COSTS AND EXPENSES RELATING TO FIELD VISITS TO AWL'S FACILITY BY AUDITORS OR INCURRED DUE TO ERRORS OR OMISSIONS IN THE FINANCIAL STATEMENTS PREPARED AND DELIVERED BY AWL HEREUNDER, AWL SHALL BE LIABLE FOR SUCH ADDITIONAL COSTS AND EXPENSES", SECONDED BY COMMISSIONER CUMMINGS.

Attorney Knowlton added that the new language was not included in the old contract.

**Chairman Starr** commented on the huge feral cat population, mentioned the Trap, Neuter, Release program, Sarasota's volunteer program, opined that the private sector needs to get involved to take pressure off of AWL, commented on the reality of the No-Kill Policy, working with Benderson Foundation, people that spoke in regard to AWL, people dumping cats, expressed concern with the cost of the cages and if those cages will all be utilized, questioned the amount of influx for the next three months, questioned when Suncoast Humane Society terminated, spoke in opposition of the contract at the present time, and commented on Veterans willing to participate in the Trap, Neuter, and Release Program.

**Commissioner Duffy** spoke in support of the contract and asked Mr. Jones about getting the cages for a more reasonable cost to which he responded affirmatively. **Commissioner Cummings** offered a suggestion related to the purchasing process, advised people to pay attention where they release cats when trapped and neutered, and expressed additional concerns.

**MOTION CARRIED 3:1. CHAIRMAN STARR OPPOSING.**

**VI. PUBLIC HEARING AGENDA - 10:00 A.M.**

(1) Real Estate Services - RECOMMENDED ACTION: Consider adopting a resolution to declare certain real property in Charlotte County be reserved for affordable housing. This action will remove these properties from the County's inventory and be used as affordable housing. Once conveyed for Affordable Housing, these properties will be developed and put back on the County's tax roll. The ad valorem taxes will be determined after the properties are sold and developed.

Paul Payette presented the item.

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

**MOTION CARRIED 4:0.**

**COMMISSIONER DUFFY MOVED TO APPROVE RESOLUTION 2010-039, SECONDED BY COMMISSIONER CUMMINGS.**

**MOTION CARRIED 4:0.**

## **VII. PRESENTATION AGENDA**

### **Presentations - 10:00 A.M.**

(1) Utilities - Present the QualServe Report of Peer Review to the BCC, prepared for Charlotte County Utilities, by a volunteer team of expert national water/sewer utility peers. In addition, a Financial Status Update will be presented by Public Resources Management Group, the financial advisor of Charlotte County Utilities.

Terri Kesner explained the QualServe Report of Peer Review and introduced John Anderson of American Water Works.

John Anderson gave a PowerPoint presentation per packet material on QualServe and outlined Scope of Peer Review, Peer Review, Peers, Peer Review Team, Definitions, Key Findings-Strengths, Key Findings-Opportunities, Comparison to Other Utilities, and Next Steps.

Mr. Anderson fielded questions from **Commissioner Skidmore** regarding rewards and stability. **Commissioner Cummings** commented on the hierarchy of needs to be addressed, the message that is being sent to the Utility as a whole by the Director not being permanent, public outreach/communications and associated cuts, comprehensive asset management, the County-wide GIS system, Best in Class, benchmarking, and Key Findings and Opportunities.

Ms. Kesner outlined the results of the QualServe Peer Review Program.

Henry Thomas of PRMG gave an update on the Financial Evaluation Analysis and outlined the Summary of Major Assumptions Used on Financial Evaluation, Water Historical and Projected Monthly Accounts-Annual Revenue Gallons, Wastewater Historical and Projected Monthly Accounts-Annual Revenue Gallons, Historical and Projected Water and Wastewater Retail Rate Revenues, Historical and Projected Water Purchases from Peace River (PRMRWSA), Historical and Projected Cost per Thousand Gallons of Water Purchases from PRMRWSA, Historical and Projected Personal Services Expense, Historical and Projected Total Operating Expenses, Projected System Revenue and Expenses, Available Fiscal Year-End Operating and Maintenance Fund (4031) and Rate Stabilization Fund Balances, Existing and Proposed Debt Payments-Principal and Interest, Debt Service Coverage Ratio Test A, Debt Service Coverage Ratio Test B, Comparison of Monthly Charges for Combined Water and Wastewater Service for Single-Family Residential Customers Using 4,000 Gallons, Equity/Debt Capacity Analysis, and Conclusions.

Mr. Baltz mentioned the amount of information presented, commented on the Peace River Water Authority's contract requirements to the County and the allocation, projected growth being less than 1%, how to fund Capital Improvement projects needed for the water plant, and conversations with **Commissioner Loftus** as liaison.

Mr. Thomas and Ms. Kesner responded to Board inquiries regarding the bad debt policy, the policy for people who don't pay their water bill, the amount of time before one's water is turned off, the need to use the Englewood Water District Interconnect, the push for reclaimed water, assumptions with no rate increase, substantial sewer expansions, redirecting revenue toward upfront costs, renewal and replacement (R&R) projects, Sarasota's issue to extend the contract for the water reserved in the reservoir, and the need for a communications person.

(2) Public Works - The Florida Department of Transportation (FDOT) has requested to present a status of the U.S. 41 Widening Project.

Danny Quick presented the item on FDOT's Project Development and Environmental (PD&E) Study for widening U.S. 41 and introduced Chris Piazza.

Chris Piazza gave a PowerPoint presentation per packet material, outlined the Project Development and Environmental or PD&E Study, Regional Roadway, Project Need, Access Management, Environmental Effects, Project Limits, No-Build Alternative, Public Information Workshop, Typical Section for Segment 1, Preferred Build Alternative-Segment 1, Typical Section for Segment 2, Preferred Build Alternative-Segment 2, Public Hearing, FDOT's Tentative Five Year Work Program, and Schedule.

Mr. Piazza addressed Board inquiries regarding the 2036 design year, changing from urban to suburban, cost updates, median cuts, access rule changes, and the urban vs. suburban cross-section.

**VIII. PUBLIC WORKSHOP AGENDA - 10:00 A.M.**

(1) Growth Management - **RECOMMENDED ACTION:** Growth Management staff will conduct a public workshop to solicit comments on the existing ECAP zoning overlay.

Jeff Ruggieri gave a brief history and update on the revisions of the ECAP Zoning Overlay per packet material.

Gary Quill of the Charlotte County Airport spoke in regard to landscaping costs.

Douglas Tucker spoke in regard to the landscaping issue.

**COMMISSIONER SKIDMORE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DUFFY.**

**MOTION CARRIED 4:0.**

**Commissioner Cummings** commented on landscaping between like uses, expressed concern about lowering standards, and commented on landscaping at outlet malls.

**Commissioner Skidmore** expressed concern that preservation not prohibit good job creation, commented on driving up costs, shrubs in the ECAP, and spoke in support of the recommendations and moving forward.

**Commissioner Duffy** commented on County buildings exempt from the landscaping ordinance, the decision to handle on a case-by-case

basis, spoke in favor of the suggestion of a quicker permitting process, asked Mr. Ruggieri about the Fed Ex landscaping ordinance and buffering between like structures, and asked Mr. Baltz about the permitting timelines.

**Chairman Starr** expressed concern regarding residents being told what landscaping to have on their properties and on maintenance costs.

**COMMISSIONER SKIDMORE MOVED TO SUSPEND ALL LANDSCAPE REQUIREMENTS AND ALLOW THE COMMITTEE TO DICTATE WHAT THEY WANT IN THE ECAP, SECONDED BY CHAIRMAN STARR.**

**Commissioner Cummings** asked Mr. Ruggieri if he had made any recommendations, to which Mr. Ruggieri replied he had not, and spoke in opposition to the Motion.

**Commissioner Duffy** clarified the motion made by **Commissioner Skidmore**. **Commissioner Skidmore** clarified. There was Board discussion.

**Call the question: 3/1 (Commissioner Duffy dissenting)**

**MOTION FAILED 2:2.**

**Commissioner Cummings** spoke in opposition to not having landscaping standards. Board discussion ensued.

**Commissioner Duffy** stated she preferred to wait until Mr. Ruggieri makes recommendations on revisions to the Code.

Don Root commented on architectural standards for the buildings, meetings with landowners in the ECAP, items in the map that can be eliminated, changing the boundary in the ECAP to lower the number of owners, the completion of the north end of Piper Road, the Brownville designation, and completion of a Master Plan for ECAP.

Mr. Root fielded questions from **Commissioner Cummings** regarding the Enterprise Charlotte Airport Park (ECAP) map, areas that are being considered to be excluded, the Primerica property, and the Master Plan.

**Commissioner Duffy** stated she would welcome the opportunity to have a discussion, spoke in support of getting more information and feedback from people currently in the ECAP area, having a Master Plan, and questioned who would bear the cost. Mr. Root commented that the landowners would have to pay for the Master Plan.

**Commissioner Skidmore** stated he would like to incorporate Charlotte County Airport and the Airport Authority in whatever is done.

**Commissioner Cummings** commented that it wouldn't be called the ECAP if a Master Plan had not been done. Mr. Root responded and mentioned the Punta Gorda Utilities.

**IX. BOARD WORKSHOP AGENDA - No Items.**

**Z. Regular Agenda (continued)**

(1) Commission Office - RECOMMENDED ACTION: Discussion and direction regarding Charlotte Sports Park. This item is placed on the agenda by Commissioner Skidmore.

**Commissioner Skidmore** initiated discussion on the Charlotte Sports Park, commented on improving efficiency by changing the management structure and moving toward a public private partnership, the Charlotte Stonecrabs, maximizing revenues and profits, having a dedicated management group, mentioned bed tax revenues falling short, and requested giving Administration direction to look at other management structures for the Charlotte Sports Park.

**COMMISSIONER SKIDMORE MOVED TO GIVE MR. BALTZ AND HIS STAFF THE DIRECTION TO BE ABLE TO LOOK AT A MANAGEMENT STRUCTURE AND A PUBLIC PRIVATE PARTNERSHIP STRUCTURE OTHER THAN THE ONE THAT IS IN PLACE TODAY, SECONDED BY CHAIRMAN STARR.**

**Chairman Starr** expressed concerns regarding opportunities for revenues at the Sports Park, commented on finding a professional person to run the park in order to receive a return on investment, mentioned conversations with Mr. Baltz, mentioned a proposal that came in, and commented on getting bids.

**Commissioner Cummings** pointed out that professionals do run the Sports Park, expressed concerns that people be recognized for the job they do, commented on the in-house staff submitting alongside the private sector, and stated he didn't have enough information to make a firm decision.

**Commissioner Skidmore** opined that you can't get information unless you give staff direction to go and ask who and how they will save money.

**Commissioner Duffy** commented about the time the Event Center was put out for an RFP under different management, getting more information about types of entities interested in applying for management of the stadium, and spoke in opposition of the motion.

**COMMISSIONER SKIDMORE AMENDED HIS MOTION AS FOLLOWS: TO GIVE MR. BALTZ AND HIS STAFF DIRECTION TO LOOK UNDER EVERY STONE FOR WHAT POSSIBILITIES THERE ARE OTHER THAN THE CURRENT MODEL WHICH IS CHARLOTTE COUNTY COMMUNITY SERVICES.** Chairman Starr commented on the initial concert held at the stadium a year before, commented on the associated costs and the net loss, expressed concern regarding the possibility of using ad valorem dollars, and commented on the need for the right people to bring in money-making entertainment in order to offset costs.

**Commissioner Duffy** agreed the stadium staff is not in the promotion business and clarified her understanding of the motion. There was Board discussion.

**Commissioner Duffy** commented on the management of the stadium, expressed concerns, and spoke in opposition. **Commissioner Cummings** pointed out successes that have occurred, commented on a previous employee at the stadium who was successful with promotions, the costs associated with privatizing, loss of productivity through a loss of motivation, and expressed concerns regarding employee morale. There was Board discussion.

**Call the question: 4/0 Approved**

**MOTION FAILED 2:2.**

**X. CITIZEN INPUT - ANY SUBJECT**

Karen Goodheil spoke regarding possible uses at the Stadium.

Bill Blasdell commented on the Placida Road expansion, presented a petition to scale back the Placida Road project, and asked for modification to determine what is needed and desired.

Douglas Tucker commented on Charlotte Sports Park and gave his insights.

**AA. County Administrator:**

Mr. Baltz reminded the Board of the Joint Meeting with the City of Punta Gorda early next month and solicited agenda items to be discussed.

**BB. County Attorney: NONE**

**CC. Commissioner Comments:**

**Commissioner Skidmore** commented on conversations with the Sheriff regarding a citizen request to do a moratorium on casino gambling, expressed concerns that people are left with no recourse, commented that the Sheriff supports the moratorium, and asked for Board direction to look further into the matter. **Commissioner Duffy** spoke in support of looking into it.

**Commissioner Skidmore** addressed Mr. Tucker's remarks regarding Charlotte Sports Park. **Commissioner Cummings** commented on a citizen's email regarding lack of support data for Placida Road, confirmed that the data does exist, gave brief history on the issue, commented on employee morale from an earlier conversation, stated that the County needs to do a better job of recognizing its employees, commented people are afraid to express their opinion, responded to earlier remarks, and expressed his concerns.

**Chairman Starr** commented on getting input on Placida Road, emails received, mentioned money invested, and the sales tax referendum.

**Commissioner Skidmore** questioned the potential law suit cost for a signed contract regarding Placida Road. Board Discussion ensued.

Book 68, Page 452  
May 25, 2010

*Commissioner Duffy* pointed out that some of the emails come from Boca Grande where they do not want growth and commented on putting the issue on the ballot. There was additional Board discussion.

ADJOURNMENT: 2:00 PM

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

sfc