

**BOARD OF COUNTY COMMISSIONERS**

**June 15, 2010**

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

Members present were: Chairman Starr, Commissioner Cummings, Commissioner Loftus, Commissioner Duffy, Commissioner Skidmore, County Administrator Baltz, Assistant County Attorney Rooney, and Deputy Clerk Carleton. The following members were absent: None

The meeting was called to order at **9:00 AM** followed by the Pledge of Allegiance.

**CHANGES TO THE AGENDA:**

**Addition #1:** Requested by: County Attorney's Office - A-16 - Set an Executive Session for June 15, 2010 at 2:00 PM in the Charlotte County Attorney's Office Conference Room to discuss strategy, settlement options, and related litigation expenditures concerning the lawsuit captioned Rotonda Project, LLC v. Charlotte County, Civil Case No. 07-4374.

**Change #1:** Requested by: County Attorney's Office - A-16 - Set an Executive Session for June 15, 2010 at 2:00 PM 1:00 PM in the Charlotte County Attorney's Office Conference Room to discuss strategy, settlement options, and related litigation expenditures concerning the lawsuit captioned Rotonda Project, LLC v. Charlotte County, Civil Case No. 07-4374.

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

**MOTION CARRIED 5:0.**

**COMMISSIONER SKIDMORE REQUESTED BOARD RECONSIDERATION ON AN ITEM FROM THE JUNE 8TH MEETING UNDER BUDGET ADMINISTRATIVE SERVICES WHICH AUTHORIZED AND APPROVED THE MAILING OF THE FIRST CLASS NOTIFICATIONS OF THE PROPOSED MSBU ASSESSMENT RATES FOR FISCAL YEAR 2010/2011 FOR THOSE UNITS WHICH ARE PROPOSING A RATE**

**INCREASE ABOVE THE PREVIOUSLY ESTABLISHED MAXIMUM RATE OR UNITS ASSESSED FOR THE FIRST TIME.**

**Commissioner Skidmore** added that he wanted to reconsider the item due to the fact that there were units that had asked to not be involved, that there had been discussion at Pre-Agenda, that through a clerical miscommunication those units had gone through, so that if it is not reconsidered today, those units would be mailed out this afternoon. (**BOARD CONSENSUS**)

Bob Halfhill stated that his department had conducted a survey of the residents in various MSBU's and was sending out the notices for public hearing based on increases in their assessment.

**Little Gasparilla Island Fire Services**

Tara Musselman read the survey results into the record.

**COMMISSIONER SKIDMORE MOVED TO APPROVE LITTLE GASPARILLA ISLAND FIRE SERVICES ASSESSMENT, SECONDED BY COMMISSIONER LOFTUS.**

**MOTION CARRIED 5:0.**

**Pirate Harbor Streets and Drainage Unit**

Ms. Musselman read the results of the survey into the record and pointed out that the MSBU was transferred from South Punta Gorda and had requested additional funds for beautification. **Commissioner Skidmore** asked as to when the survey was completed. Ms. Musselman responded.

**COMMISSIONER SKIDMORE MOVED TO NOT MOVE FORWARD WITH PIRATE HARBOR STREETS AND DRAINAGE UNIT, SECONDED BY COMMISSIONER LOFTUS.**

Ms. Musselman pointed out that with this MSBU the Board would have to set the minimum rate for their streets and drainage and not include the increase, otherwise there would be no maintenance due to the fact that the MSBU had been pulled out of South Burnt Store.

COMMISSIONER SKIDMORE MOVED TO AMEND TO SET THE MINIMUM RATE FOR PIRATE HARBOR STREETS AND DRAINAGE UNIT BUT NOT TO HAVE THE INCLUSION OF AN INCREASE, SECONDED BY COMMISSIONER LOFTUS.

MOTION CARRIED 4:1. COMMISSIONER CUMMINGS OPPOSING.

**South Gulf Cove Beautification Unit**

Ms. Musselman stated that due to the fact that 17,000 properties were not included in a mailing, a Town Hall meeting was held with several other community meetings, and commented that 76 people were in attendance at one meeting with all residents in support of moving forward.

COMMISSIONER SKIDMORE MOVED TO APPROVE SOUTH GULF COVE BEAUTIFICATION UNIT, SECONDED BY COMMISSIONER LOFTUS.

MOTION CARRIED 5:0.

**Punta Gorda Non-Urban**

Dawn Harrison stated that there were two property owners involved with three accounts being added and that they were mailed letters notifying them of the increase three weeks ago with no response received.

COMMISSIONER SKIDMORE MOVED TO APPROVE PUNTA GORDA NON-URBAN, SECONDED BY COMMISSIONER LOFTUS.

MOTION CARRIED 5:0.

**Tropical Gulf Acres**

Bob Halfhill presented the MSBU as a safety issue due to the condition of the roads and stated that the residents are in favor of it.

COMMISSIONER SKIDMORE MOVED TO APPROVE TROPICAL GULF ACRES, SECONDED BY COMMISSIONER LOFTUS

MOTION CARRIED 5:0.

**Gulf Cove Streets and Drainage**

Ms. Musselman stated the reason for the increase, gave an update on community outreach, and read the survey results into the record.

**COMMISSIONER SKIDMORE MOVED TO DENY GULF COVE STREETS AND DRAINAGE, SECONDED BY COMMISSIONER LOFTUS.**

**MOTION CARRIED 4:1. COMMISSIONER CUMMINGS OPPOSING.**

**Northwest Port Charlotte Street and Drainage Unit**

Bob Halfhill gave a summary and update on the MSBU, community outreach, read the survey results into the record, and recommended approval.

**COMMISSIONER SKIDMORE MOVED TO APPROVE NORTHWEST PORT CHARLOTTE STREET AND DRAINAGE UNIT, SECONDED BY COMMISSIONER LOFTUS.**

Mr. Halfhill fielded Board inquiries related to expenses for possible mailing, benefits for the overall MSBU process, and administrative costs.

**MOTION CARRIED 4:1. CHAIRMAN STARR OPPOSING.**

**South Bridge Water Way**

Ms. Harrison read the survey results into the record.

**COMMISSIONER LOFTUS MOVED TO APPROVE SOUTH BRIDGE WATER WAY, SECONDED BY COMMISSIONER CUMMINGS.**

**Commissioner Skidmore** asked for clarification on the amount of the request, the length of the loan, and that there would be a public hearing on the trim notices. Ms. Harrison clarified.

**Commissioner Duffy** clarified the location of the MSBU.

**MOTION CARRIED 5:0.**

**Charlotte Ranchettes Street and Drainage Unit**

Ms. Musselman gave a summary and update on the request and read the survey results into the record.

**COMMISSIONER SKIDMORE MOVED TO DENY CHARLOTTE RANCHETTES STREETS AND DRAINAGE UNIT, SECONDED BY COMMISSIONER LOFTUS.**

**Commissioner Skidmore** commented that he had talked to the MSBU Chairman, Mr. Morris, who recognized that something needed to be done, and stated that the request was a last minute addition.

**Commissioner Cummings** spoke in opposition to the motion and gave the reasons why. **Commissioner Loftus** asked about lowering the number at a public hearing.

**COMMISSIONER LOFTUS RETRACTED HIS SECOND TO THE MOTION**, gave the reasons why, and expressed concern with the condition of the roads.

Mr. Halfhill and Ms. Musselman addressed **Commissioner Loftus'** concerns regarding steps taken for basic safety of the roads and funding.

**CHAIRMAN STARR SECONDED COMMISSIONER SKIDMORE'S MOTION FOR DENIAL.**

**Chairman Starr** pointed out that the roads in the MSBU have never been accepted by the County, that it is the responsibility of the residents, and spoke in opposition. Mr. Halfhill stated that they are investigating several options and gave additional detail. **Commissioner Loftus** expressed concern with safety issues related to emergency access and funding.

**Commissioner Duffy** requested being able to gather more information on the issue and expressed concern with denial of the motion.

**Commissioner Cummings** commented on maintenance issues, how easements were provided, pointed out that the County has accepted the roads for maintenance, and commented on public safety obligations. Ms. Musselman and Mr. Halfhill addressed inquiries from **Chairman Starr** related to the length of road

being considered, paving options, and cost. **Chairman Starr** expressed concerns.

**MOTION FAILED 2:3.**

**COMMISSIONER CUMMINGS MOVED TO APPROVE CHARLOTTE RANCHETTES STREET AND DRAINAGE UNIT, SECONDED BY COMMISSIONER DUFFY.**

**MOTION CARRIED 3:2. CHAIRMAN STARR, COMMISSIONER SKIDMORE OPPOSING.**

### **Suncoast**

Ms. Musselman pointed out that action had not been taken on Suncoast at the previous meeting when reviewing the increases, commented on notifications, advised that action needed to be taken, and stated that a public hearing was not required. **Chairman Starr** clarified with Attorney Knowlton that proper notice was given. Attorney Knowlton gave a head nod.

**COMMISSIONER LOFTUS MOVED TO APPROVE SUNCOAST, SECONDED BY COMMISSIONER CUMMINGS.**

**MOTION CARRIED 5:0.**

Mr. Baltz asked **Commissioner Skidmore** if he had dealt with the MSBU public hearings in West County. **Commissioner Skidmore** responded that the West County meeting had been canceled.

**COMMISSIONER SKIDMORE REQUESTED RECONSIDERATION FOR HAVING THE PUBLIC HEARING FOR WEST COUNTY AT LEMON BAY HIGH SCHOOL ON JULY 22 AND TO ACTUALLY HAVE THE PUBLIC HEARING.**

**Commissioner Duffy** clarified that the two MSBU's were Gulf Cove and Little Gasparilla Island Fire and Rescue. Ms. Musselman clarified that Gulf Cove had been removed and stated that it would be South Gulf Cove Beautification and Little Gasparilla Island Fire and Rescue.

**Commissioner Skidmore** expressed the importance of the Board traveling to West County for the residents. **Commissioner Duffy** commented on the distance to South Gulf Cove. There was Board discussion regarding the locations of MSBU public hearings.

Attorney Knowlton pointed out to **Chairman Starr** that there needed to be a majority to reconsider. (**BOARD CONSENSUS TO RECONSIDER**).

**COMMISSIONER SKIDMORE MOVED TO REINSTATE THE MEETING THAT WAS TO BE HELD ON JULY 22 IN THE EVENING AT LEMON BAY HIGH SCHOOL TO HEAR THE PROPOSED TAX-BASED MSBU INCREASES FOR THE WEST COUNTY RESIDENTS IN A WEST COUNTY VENUE, SECONDED BY COMMISSIONER LOFTUS.**

**MOTION CARRIED 3:2. COMMISSIONER CUMMINGS, COMMISSIONER DUFFY OPPOSING.**

**A. PLANNING AND ZONING PUBLIC HEARING**

Jeff Ruggieri stated that staff is recommending that the following items be continued based on Board feedback expressing concerns related to Smart Charlotte 2050 Plan: Agenda Item 7-Petition #PA-10-04-13-LS, Agenda Item 8-Petition #PA-10-01-09-LS, Agenda Item 9-Petition #PA-10-02-10-LS, Agenda Item 10-#PA-09-09-13-LS, Agenda Item 11-Petition #PA-09-09-14-LS, Agenda Item 12-Petition #PA-09-09-15-LS for another week and hold them at time certain on June 22.

**COMMISSIONER LOFTUS MOVED TO CONTINUE ITEMS A-7, A-8, A-9, A-10, A-11, and A-12 FOR ONE WEEK TO THE JUNE 22 MEETING, SECONDED BY CHAIRMAN STARR.**

**Commissioner Skidmore** expressed concern that one week was not going to be enough time for public input.

**Commissioner Duffy** clarified the postponement of Item 10 with Mr. Ruggieri to which he clarified. There was Board discussion in regard to setting a new date for the Smart Charlotte 2050 public hearing.

Attorney Rooney advised the Board to set an exact time frame in the motion.

**COMMISSIONER LOFTUS MOVED TO AMEND TO CONTINUE ITEMS A-7, A-8, A-9, A-10, A-11, and A-12 TO JUNE 28, 2010 AT 9:00 AM, SECONDED BY CHAIRMAN STARR.**

**MOTION CARRIED 4:1. COMMISSIONER SKIDMORE OPPOSING.**

*Commissioner Duffy* asked if comments were going to be taken on the Comp Plan. **Chairman Starr** advised that comments would be taken at the end of the meeting.

**(1) RECOMMENDED ACTION: Approve a Preliminary Plat (1st replat) for Centex Homes, Petition #PP-10-03-02. This is a Quasi-Judicial hearing. BUDGETED ACTION: None**

*Steve Ellis* presented Petition #PP-10-03-02 per packet material and advised that staff recommends approval.

*(Chairman Starr polled the Board for ex parte disclosures and there were none. Deputy Clerk Carleton administered the oath to prospective witnesses.)*

*Mike Woolery* was present to speak on behalf of the applicant.

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

**MOTION CARRIED 5:0.**

**COMMISSIONER LOFTUS MOVED TO APPROVE AGENDA ITEM A-1, SECONDED BY COMMISSIONER DUFFY.**

**MOTION CARRIED 5:0.**

**(2) RECOMMENDED ACTION: Approve a Street Vacation, Petition #SV-09-11-03, for an undeveloped portion of Magnolia Avenue, for John LittleJohn et al. BUDGETED ACTION: None**

*Mr. Ellis* presented Petition #SV-09-11-03 per packet material and advised that staff recommends approval. *Ed Wotitsky* was present to speak on behalf of the applicant.

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

**MOTION CARRIED 5:0.**

COMMISSIONER LOFTUS MOVED TO APPROVE RESOLUTION 2010-042,  
SECONDED BY COMMISSIONER SKIDMORE.

MOTION CARRIED 5:0.

(3) RECOMMENDED ACTION: Approve an ordinance adopting Petition #PA-10-03-11-TDU, amending the Charlotte County Comprehensive Plan from Public Lands and Facilities to Low Density Residential, for property located at 2925 Gillot Boulevard, in the West County area, containing 3.8± acres; Applicant: Sitti Engineering Group; Commission District III. This is a Legislative hearing. BUDGETED ACTION: None

Mr. Ellis presented Petition #PA-10-03-11-TDU as per packet material and advised staff recommends approval.

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

MOTION CARRIED 5:0.

COMMISSIONER LOFTUS MOVED TO APPROVE ORDINANCE 2010-030,  
SECONDED BY COMMISSIONER SKIDMORE.

MOTION CARRIED 5:0.

(4) RECOMMENDED ACTION: Approve a resolution and accompanying covenant adopting a Certification of a Sending Zone, Petition #CSZ-10-03-01 for Najmi Properties, Inc. This is a Legislative hearing. BUDGETED ACTION: None

(Chairman Starr advised that the item was quasi-judicial, polled the Board for ex parte disclosures and there were none.)

Mr. Ellis presented Petition #CSZ-10-03-01 as per packet material and advised that staff recommends approval.

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

MOTION CARRIED 5:0.

COMMISSIONER LOFTUS MOVED TO APPROVE RESOLUTION 2010-043,  
SECONDED BY COMMISSIONER SKIDMORE.

MOTION CARRIED 5:0.

(5) RECOMMENDED ACTION: Approve a Resolution transferring thirteen units of density to a receiving zone owned by Najmi Properties, Inc. for property located at 2925 Gillot Boulevard, in the Port Charlotte area, containing 3.8± acres; Commission District III; Petition No. TDU-10-03-01; Applicant: Najmi Properties, Inc. BUDGETED ACTION: None

(Chairman Starr advised that the item was quasi-judicial, polled the Board for ex parte disclosures and there were none.)

Mr. Ellis presented Petition #TDU-10-03-01 as per packet material and advised that staff recommends approval.

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

MOTION CARRIED 5:0.

COMMISSIONER LOFTUS MOVED TO APPROVE RESOLUTION 2010-044,  
SECONDED BY COMMISSIONER DUFFY.

MOTION CARRIED 5:0.

(6) RECOMMENDED ACTION: Approve transmittal of Petition #PA-10-01-01-LS to the Department of Community Affairs for an Objections, Recommendations, and Comments Report, amending Policy 2.3.2 of the Future Land Use Element of the Charlotte County Comprehensive Plan; Applicant: Charlotte Harbor Community Redevelopment Agency; Commission District I & IV. This is a Legislative hearing. BUDGETED ACTION: None

Seann Smith presented Petition #PA-10-01-01-LS as per packet material and advised that staff recommends approval.

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

MOTION CARRIED 5:0.

**COMMISSIONER LOFTUS MOVED TO APPROVE AGENDA ITEM A-6, SECONDED BY COMMISSIONER DUFFY.**

**MOTION CARRIED 5:0.**

**(13) RECOMMENDED ACTION: Amend Resolution 2004-212 providing bylaws for the Manasota and Sandpiper Key Advisory Committee. BUDGETED ACTION: None**

Roxann Read presented the item to revise Resolution 2004-212 as per packet material. Ms. Read fielded inquiries from **Commissioner Skidmore** regarding Policy #7 related to the number of meetings per month. Attorney Rooney explained the reason for the wording in Policy #7 and advised that if the language is taken out, it should be replaced with something to prevent the Committee from meeting on its own. **Commissioner Skidmore** proposed voting on the item in order to work on the language, bringing it back in the future, and expressed his concerns. Attorney Rooney stated he would draft new language as discussed through coordination with staff and add the language to the motion made in order to bring it back for the signature of the Chair. Ms. Read explained the procedure of the Overlay Code that all development is to be brought to the committee first. **Commissioner Skidmore** expressed concerns regarding burdens placed upon homeowners.

**Chairman Starr** inquired as to the manner in which members are selected. Ms. Read explained that members are selected by the Board. Attorney Rooney advised that the Board would need to determine how large the slate will be.

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

**MOTION CARRIED 5:0.**

**COMMISSIONER SKIDMORE MOVED TO APPROVE RESOLUTION 2010-045 AS SET FORTH BY STAFF AND THAT IN PARAGRAPH 7 THE COUNTY ATTORNEY'S OFFICE ADDRESS COMMISSIONER SKIDMORE'S CONCERNS OF MEETING NOT ONLY AS RESTRICTED TO ONCE A MONTH BUT ALLOWING IT TO MEET ONCE A MONTH AND ADDITIONALLY AS DEEMED NECESSARY OR WHATEVER LANGUAGE IS AMENABLE TO THE COUNTY ATTORNEY'S OFFICE AND THAT**

THE LANGUAGE IS ADDED TO THE RESOLUTION AND MET WITH APPROVAL BY THE CHAIR'S SIGNATURE AND AT THAT SIGNATORY THE RESOLUTION IS DULY ADOPTED, NO NEED TO BRING IT BACK FOR APPROVAL TO THIS BOARD OF COUNTY COMMISSIONERS, SECONDED BY COMMISSIONER LOFTUS.

**Chairman Starr** requested input into the slate, expressed concerns, spoke in favor of the slate, and spoke in opposition to the District 3 Commissioner being able to choose the members of the slate.

**Commissioner Skidmore** addressed **Chairman Starr's** concerns regarding how committee appointments are made. There was Board discussion.

**Commissioner Duffy** suggested that business owners be allowed to be on the Committee in addition to full-time residents. **Commissioner Skidmore** commented on discussions with staff, gave a history of the issue, and commented on the business owner concept.

**Commissioner Cummings** agreed with **Commissioner Skidmore** that the issue of identifying a business owner is problematic, expressed concerns about developing the slate, suggested not having a vetting process, gave suggestions on how Paragraph 3 should read, commented on the difference between this Committee and other committees, and suggested striking the third sentence in paragraph 3.

**CALL THE QUESTION: 5/0 Approved.** **Commissioner Cummings** stated that he was not prepared to vote on the motion with the language as set.

**MOTION FAILED 1:4.**

**COMMISSIONER CUMMINGS MOVED TO STRIKE SENTENCE 2 OF PARAGRAPH 3 THAT READS "THE INITIAL MEMBERSHIP OF THE COMMITTEE SHALL BE APPOINTED BY THE BOARD FROM A SLATE OF INTERESTED PERSONS SELECTED BY THE COMMISSIONER OF DISTRICT 3, THEREAFTER ALL FUTURE MEMBERS SHALL MAKE APPOINTMENT TO THE BOARD FOR APPOINTMENTS AS VACANCIES ARISE" AND THAT PARAGRAPH 7 IN REGARD TO MEETINGS THAT THE COUNTY ATTORNEY'S OFFICE ADDRESS COMMISSIONER SKIDMORE'S CONCERNS OF MEETING NOT ONLY AS RESTRICTED TO ONCE A MONTH BUT ALLOWING IT TO MEET ONCE A MONTH**

AND ADDITIONALLY AS DEEMED NECESSARY OR WHATEVER LANGUAGE IS AMENABLE TO THE COUNTY ATTORNEY'S OFFICE AND THAT THE LANGUAGE IS ADDED TO THE RESOLUTION AND MET WITH APPROVAL BY THE CHAIR'S SIGNATURE AND AT THAT SIGNATORY THE RESOLUTION IS DULY ADOPTED, NO NEED TO BRING IT BACK FOR APPROVAL TO THIS BOARD OF COUNTY COMMISSIONERS, SECONDED BY COMMISSIONER LOFTUS.

MOTION CARRIED 5:0.

(14) RECOMMENDED ACTION: Set a public hearing for June 22, 2010 at 10:00 a.m., or soon thereafter as it may be heard, per sections 3-9-52 and 3-9-63 of the County Code addressing Commercial Access to a street abutting single-family residential zoning. BUDGETED ACTION: None

Mr. Ruggieri presented the item to request a public hearing for June 22, 2010 at 10:00 AM.

COMMISSIONER LOFTUS MOVED TO APPROVE AGENDA ITEM A-14, SECONDED BY COMMISSIONER DUFFY.

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

MOTION CARRIED 5:0.

MOTION CARRIED 5:0.

(15) RECOMMENDED ACTION: Approve recommendation from Special Magistrate for San Casa Holdings LLC. BUDGETED ACTION: None

Mr. Ruggieri presented the item. Attorney Rooney provided details on the request and recommended moving forward.

Geri Waksler was present to speak on behalf of the applicant and requested approval.

Audrey Shinske spoke in regard to her attendance at the special magistrate hearing and spoke in support.

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

**MOTION CARRIED 5:0.**

*Commissioner Cummings* commented on the landowner having gone through the resolution process, the property not having development rights, expressed concerns related to granting new development rights that don't already exist, spoke in opposition, and explained why.

**COMMISSIONER SKIDMORE MOVED TO APPROVE AGENDA ITEM A-15, SECONDED BY COMMISSIONER LOFTUS.**

**MOTION CARRIED 4:1. COMMISSIONER CUMMINGS OPPOSING.**

**(16) RECOMMENDED ACTION:** Set an Executive Session for June 15, 2010 at 1:00 PM in the Charlotte County Attorney's Office Conference Room to discuss strategy, settlement options, and related litigation expenditures concerning the lawsuit captioned *Rotonda Project, LLC v. Charlotte County, Civil Case No. 07-4374*.

**COMMISSIONER SKIDMORE MOVED TO APPROVE AGENDA ITEM A-16, SECONDED BY COMMISSIONER LOFTUS.**

**MOTION CARRIED 5:0.**

**B. CITIZEN INPUT - ANY SUBJECT**

*Geri Waksler* commented on the continuance of items A-7, A-8, A-9, A-10, A-11, A-12 to Monday, June 28, stated she would be out of the country at that time, that she represents the applicants for items A-7 through A-11 and the individual that funded the 17 Corridor Plan connected with item A-12, and requested that the Smart Charlotte 2050 public hearing be scheduled after June 28 so that she may attend.

*Deborah Highsmith* spoke in regard to Smart Charlotte 2050 related to the Objections, Recommendations, Comments Report (ORK) response and the Future Land Use Map (FLUM) and handed comments to the Board.

*Ted Stout* commented on the action to extend the Smart Charlotte 2050 meeting, the Smart Charlotte 2050 plan, and gave handouts to the Board.

**AA. County Administrator: NONE**

**BB. County Attorney: NONE**

**CC. Commissioner Comments:**

*Commissioner Skidmore* commented that if the Board grants Ms. Waksler's request that he would suggest moving the meeting to July 6. Attorney Rooney advised of the proper course of action to reconsider the vote and choose a new time. There was Board discussion in regard to setting a new date for the Smart Charlotte 2050 Public Hearing.

**COMMISSIONER LOFTUS MOVED TO AMEND TO ASK FOR RECONSIDERATION ON THE CONTINUATION OF ITEMS A-7, A-8, A-9, A-10, A-11, AND A-12, SECONDED BY COMMISSIONER SKIDMORE.**

*Commissioner Cummings* clarified Attorney Rooney's comments regarding the approval of the items contingent upon consistency with the Comprehensive Plan. Attorney Rooney responded in detail, mentioned review by Department of Community Affairs (DCA), and advised that the Board hear things as they are today. Mr. Baltz commented on the Board having moved the proposed agenda items to July 6, advised moving all of the items as one package to one date to keep the process cleaner, and clarified with Mr. Ruggieri that the July 6 date was a viable option. Mr. Ruggieri responded affirmatively.

*Commissioner Cummings* spoke in support of holding the meeting on July 6. Commissioner Loftus proposed moving items A-7 to A-11 forward on June 22 and reviewing the Comprehensive Plan on June 28.

**MOTION CARRIED 5:0.**

**COMMISSIONER LOFTUS MOVED TO MOVE ITEMS A-7 to A-11 TO JUNE 22 AND REVIEW THE COMPREHENSIVE PLAN ON JUNE 28, SECONDED BY COMMISSIONER DUFFY.**

Mr. Ruggieri fielded questions from *Commissioner Duffy* regarding the motion on the floor and the proposed July 6 meeting date. Attorney Rooney advised that if there is a concern about the

public having notice of the meeting, pushing it after the date agreed to is safer.

COMMISSIONER LOFTUS MOVED TO AMEND HIS PREVIOUS MOTION TO MOVE ITEMS A-7 to A-11 TO JUNE 22 AND REVIEW THE COMPREHENSIVE PLAN ON JUNE 28 AND MOVE TO COVER ALL AT THE SMART CHARLOTTE PUBLIC HEARING ON JULY 6 AT 9:00 AM, SECONDED BY COMMISSIONER DUFFY.

MOTION CARRIED 5:0.

Commissioner Cummings commented on emerging neighborhoods versus managed neighborhoods and what development rights would be given in the future.

Commissioner Duffy asked if there was any interest in having a meeting before the July 6 meeting to get details and feedback. Commissioner Cummings responded it would defeat the purpose of having a public hearing. Chairman Starr agreed with Commissioner Cummings and opined that it wasn't necessary. Commissioner Loftus clarified that the motion was to set the meeting on July 6 at 9:00 AM. Chairman Starr clarified.

RECESS: 11:02 AM - 1:00 PM Executive Session

ADJOURNMENT: 1:15 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

*Book 68, Page 505*  
*June 15, 2010*