

BOARD OF COUNTY COMMISSIONERS

August 24, 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 Loftus, Commissioner Skidmore, Interim County Administrator Sandrock, County Attorney Knowlton, Chief Board Services White, and Deputy Clerk Carleton. The following members were absent: None

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

Invocation was given by Edward Berndtson of the Christian Science Society and Reading Room, followed by the Pledge of Allegiance.

Changes to the Agenda:

Addition #1: Requested by: Attorney's Office - Z-4 - Approve a resolution acknowledging the school board's decision to call for a referendum election and directing that the question be placed on the ballot for the general election to consider continuing an ad valorem tax of 0.25 mills for critical operation needs.

Addition #2: Requested by: Economic Development - Z-5 - Authorize the Chairman to sign a License Agreement with Southwest Land Developers Inc., to access the property owned by Charlotte County/Murdock Village Community Redevelopment Agency. This is in furtherance of the proposed land swap and which allows the interested party to have access to the property to conduct additional analysis of the site.

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Richard Loftus - None

Employee Recognition - None

Presentations

Recognition of award received by the Purchasing Division from the National Purchasing Institute, 2010, Achievement of Excellence in Procurement Award.

The awards were presented to the Purchasing Division by Kim Corbett.

I. CITIZEN INPUT - AGENDA ITEMS ONLY

Louis Macri spoke in opposition to Agenda Item F-3.

Jack Donkel and John Brandenberger spoke in favor of Agenda Item Z-3.

Midge O'Hara spoke on behalf of Fred Bereuth in support of Agenda Item D-1.

Mike Horan spoke on behalf of Ajax Paving Industries in regard to Agenda Item F-2.

Martin Guffey spoke in support of PH(1).

Tim Mulligan spoke in opposition to Agenda Item Z-3.

II. COMMITTEE VACANCIES

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

Ackerman Waterway Advisory Committee - is seeking one volunteer to serve as an alternate member with a term expiring March 15, 2012. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

Boca Grande Street and Drainage Advisory Committee - is seeking two volunteers; one regular member with a term expiring on April 13, 2011, and one alternate member with a term expiring on April 13, 2012. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

Buena Vista Area Waterway Advisory Committee - is seeking three volunteers; two regular members with terms expiring on January 22, 2013; and one alternate member with a term expiring on January 22, 2012. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

Construction Industry Licensing Board - is seeking one 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. Submit resume to the Charlotte County Commission office, 18500 Murdock Circle, Port Charlotte, FL 33948 or call (941) 743-1300; fax (941) 743-1310.

Greater Port Charlotte Street and Drainage Advisory Committee - is seeking two volunteers; one regular member with a term expiring on March 1, 2013, and one alternate member with a term expiring on March 1, 2011. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

Grove City Street and Drainage Advisory Committee - is seeking two volunteers; one regular member for a three year term from date of appointment and one alternate member for a two year term from date of appointment. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

Gulf Cove Street and Drainage Advisory Committee - is seeking one volunteer to serve as a regular member with a term expiring May 1, 2013. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

Gulf Cove Waterway Advisory Committee - is seeking two volunteers; one regular member with a term expiring February 1, 2013; and one alternate member with a term expiring July 1, 2012. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000

Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

Historical Advisory Committee - is currently seeking the following members. One member representing the Punta Gorda Historical Society to serve a one year term. Also, one Member of the Museum Society, one At-Large member, and one member of the Genealogical Society to serve three year terms. Submit resume to the Charlotte County Commission office, 18500 Murdock Circle, Port Charlotte, FL 33948 or call (941) 743-1300; fax (941) 743-1310.

Manchester Waterway Advisory Committee - is seeking one volunteer to serve as an alternate member with a term expiring two years from date of appointment. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

Murdock Village Community Redevelopment Agency Advisory Committee - is seeking one volunteer in the category of General Contractor. This is a three year term effective September 20, 2010 and expiring September 20, 2013. Please submit resume to the Charlotte County Commission office, 18500 Murdock Circle, Port Charlotte, FL 33948 or call (941) 743-1300; fax (941) 743-1310.

Peace River Shores Street & Drainage - is seeking four volunteers. Volunteers must reside within the boundaries of the MSBU. Three regular positions with terms to be determined at the first meeting; the alternate member will serve a two-year term and be selected by the BCC. Submit resume to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 call (941) 575-3600; fax (941) 637-3600 or e-mail to msbu@charlottefl.com

South Gulf Cove Beautification Advisory Committee - is seeking five regular members with terms to be determined at the first meeting; and one alternate member with a term of two years. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

South Gulf Cove Street and Drainage Advisory Committee - is seeking to volunteers; one regular member and one alternate member with terms expiring on January 13, 2012. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

South Burnt Store Street & Drainage Advisory Committee - is seeking one regular member to complete a two-year term that expires March 10, 2012. Volunteer must reside within the boundaries of the MSBU. Submit resume to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 call (941) 575-3600; fax (941) 637-3600 or e-mail to msbu@charlottefl.com

III. REPORTS RECEIVED AND FILED

IV. CONSENT AGENDA

COMMISSIONER LOFTUS MOVED TO APPROVE THE CONSENT AGENDA EXCEPT AGENDA ITEMS F-3, J-1, F-4, AND F-2, SECONDED BY COMMISSIONER DUFFY.

MOTION CARRIED 5:0.

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 August 3, 2010 through August 16, 2010 in the amount of \$6,426,229.56.

B. Minutes Division

(1) **RECOMMENDED ACTION:** **BUDGETED ACTION:** None required.

07/27/10 9:00 AM BCC Regular Meeting

07/27/10 2:00 PM Executive Session

08/09/10 9:00 AM Pre-Agenda Meeting

08/10/10 9:00 AM BCC Regular Meeting

08/10/10 2:00 PM Executive Session

Board of County Commissioners

C. Commission Office

(1) *RECOMMENDED ACTION:* Approve to appoint Barbara Holmes to the South Gulf Cove Community Plan Advisory Committee. This is a two year term effective immediately and shall expire on July 24, 2012. *BUDGETED ACTION:* None.

(2) *RECOMMENDED ACTION:* Approve to appoint Robert J. Mercier and Joseph J. Dlugosz to the Burnt Store Village Advisory Committee. Length of terms: three years. *BUDGETED ACTION:* None

(3) *RECOMMENDED ACTION:* Approve to appoint Michael J. Hadsell to the Englewood East Street and Drainage Advisory Committee. Length of term: three years. *BUDGETED ACTION:* None

(4) *RECOMMENDED ACTION:* Approve to appoint Floyd Eldridge to the Northwest Port Charlotte Street and Drainage Advisory Committee. Length of term: three years. *BUDGETED ACTION:* None

(5) *RECOMMENDED ACTION:* Approve to appoint Thomas L. Stacey and Eugene K. Coy to the Peace River Shores Street and Drainage Advisory Committee. Length of term: to be selected at the first meeting. *BUDGETED ACTION:* None

(6) *RECOMMENDED ACTION:* Approve to appoint George H. Taylor, Dennis McCulloch and John H. Fleming to the Pirate Harbor Street and Drainage Advisory Committee. Length of terms to be decided at the first meeting. *BUDGETED ACTION:* None

(7) *RECOMMENDED ACTION:* Approve to appoint James M. Brown to the South Burnt Store Street and Drainage Advisory Committee. Length of term: Two years expiring March 10, 2012. *BUDGETED ACTION:* None

D. Administration

Administration

(1) *RECOMMENDED ACTION*: Set a public hearing for Sept. 14, 2010 at 10:00 a.m. or as soon thereafter as may be heard, to consider the application of Little Gasparilla Island Fire and Rescue, Inc. for a Certificate of Public Convenience & Necessity (COPCN) to provide non-transport Advanced Life Support for Little Gasparilla Island. *BUDGETED ACTION*: None

Public Information Office - No Items.

E. County Attorney

(1) *RECOMMENDED ACTION*: a) Approve a settlement whereby the County will receive payment of \$30,000 in the lawsuit captioned: Charlotte County v. Duperault v. Boardwalk Properties, Case No. 08-3204-CA; and b) Authorize the Chairman to execute the Mediated Settlement Agreement. *BUDGETED ACTION*: Budget Amendment #10-A54 for \$30,000. Reimbursement Funds will be posted to CCU's Operating Fund.

Agreement 2010-032

(2) *RECOMMENDED ACTION*: Approve contract for Ray Sandrock to serve as Interim County Administrator. *BUDGETED ACTION*: Sufficient funds for this item are available within the General Fund. Funds are provided in the General Fund - General Revenues.

Agreement 2010-034

F. Budget and Administrative Services

Budget and Administrative Services - No Items.

Fiscal Services - No Items.

Information Technology - No Items.

Purchasing

(1) *RECOMMENDED ACTION*: a) Approve ranking of firms for Request for Proposal #10-248, Design/Build - Bridge Projects as follows: 1st - Owen-Ames-Kimball Company of Punta Gorda, FL; 2nd - Wright Construction Group, Inc. of Punta Gorda, FL; and 3rd - ZEP

Construction, Inc. of Fort Myers, FL; and b) Approve the start of Negotiations, for a multi-award with 1st ranked firm Owen-Ames-Kimball Company for the Elkam Bridges and 2nd ranked firm Wright Construction Group, Inc. for the Melbourne Bridge; and c) Authorize the Chairman to sign the two (2) Contracts for the two (2) design/build bridge projects once negotiations have been complete. BUDGETED ACTION: None. Funded in CIP project c411004 Elkcam Bridge Replacement NB, project total \$2,000,000, CIP project c411005 Elkcam Bridge Replacement SB, project total \$2,000,000, and CIP project C411009 Melbourne Bridge Replacement, project total \$2,000,000. Funding is supplied from gas taxes.

(2) RECOMMENDED ACTION: a) Approve the ranking of firms for Request for Proposal #10-249, Design/Build - Bermont Road Improvements as follows: 1st - Halfacre Construction Company of Punta Gorda, FL; 2nd - Ajax Paving Industries of Florida, LLC of Punta Gorda, FL; and 3rd - J.E. Charlotte Construction Corp. of Venice, FL; and b) Approve start of Negotiations; and c) Authorize the Chairman to sign the Contract after completion of negotiations. This project is for the services of a design/build firm for the design, permitting and construction on approximately 15 miles of County Road 74 (Bermont Road) from US 17 to State Road 31. BUDGETED ACTION: Budgeted in CIP project c411007 Bermont Rd. Safety Improvements. Project total is \$3,700,000. Funding is supplied from gas taxes.

Chairman Starr referred to Mr. Horan's comments and asked Kim Corbett to address them. Ms. Corbett addressed comments regarding similarities in proposals, scoring on volume of work, subcontracting an issue in lieu of self-performing, and explained the reasons for the rankings of the firms.

Ms. Corbett fielded questions from **Commissioner Skidmore** regarding statutory consideration related to points for projects of work.

COMMISSIONER SKIDMORE MOVED TO APPROVE AGENDA ITEM F-2, SECONDED BY COMMISSIONER LOFTUS.

MOTION CARRIED 4:1. CHAIRMAN STARR OPPOSING.

(3) RECOMMENDED ACTION: Approve a one (1) year extension to Contract #05-308, Federal Lobbyist, with The Ferguson Group, LLC for the period from October 1, 2010 through and including September 30, 2011, for an amount not-to-exceed \$119,000 to

continue Federal Lobbyist services for Charlotte County.
BUDGETED ACTION: Funds are provided in General Fund.

COMMISSIONER SKIDMORE MOVED TO DENY AGENDA ITEM F-3, SECONDED BY CHAIRMAN STARR.

Commissioner Skidmore explained why he was opposed to the item and spoke in opposition to the Ferguson Group.

Commissioner Cummings spoke in opposition to the motion, stating that the item should be approved. **Chairman Starr** commented on the time and money the Board has spent lobbying in Tallahassee, the effectiveness, and expressed concern with the cost. **Commissioner Duffy** commented on the need to communicate with the legislators in order to receive funding from federal agencies, opined that a lobbying group in Washington is essential, expressed concern with federal dollars going to other areas, and spoke in opposition to the motion for denial.

Commissioner Loftus gave a brief history of the relationship between Charlotte County and the Ferguson Group, mentioned FEMA monies received, funding of road projects, and spoke in opposition to the motion.

MOTION FAILED 2:3.

COMMISSIONER CUMMINGS MOVED TO APPROVE AGENDA ITEM F-3, SECONDED BY COMMISSIONER LOFTUS.

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

(4) **RECOMMENDED ACTION:** Approve renewal of Contract #09-292, Tourism Advertising & Public Relations Implementation with Smith Advertising and Associates for the term October 1, 2010 up to and including September 30, 2011 in the amount not-to-exceed \$255,850. This is an annual contract for the procurement of marketing services for the Tourist Development Bureau in promoting Charlotte as a travel destination. **BUDGETED ACTION:** None. Funding provided from the Tourist Development Trust Fund, Promotional Activities - Advertising.

Chairman Starr explained why he pulled the item, spoke in favor of approval, commented on receiving calls related to the Tourist Budget, and indicated he had asked Mr. Sandrock to look at three functions of the Tourist Budget to see if they could be handled

internally to supplement the oil spill until the County receives money from BP. Becky Bovell respectfully dissented to **Chairman Starr's** comments, addressed public relations efforts with the Bureau and the Agency, expressed concerns with potential eliminations, commented on customer relations management, and discouraged eliminating any items.

Commissioner Skidmore agreed with Ms. Bovell's comments, spoke in opposition to making changes to the Tourist Development Budget, encouraged the Board to attend the Englewood Tourist Development Conference in November, mentioned bed tax collected, and disagreed with complaints received related to bed tax revenues.

COMMISSIONER LOFTUS MOVED TO APPROVE AGENDA ITEM F-4, SECONDED BY COMMISSIONER SKIDMORE.

Chairman Starr explained that he was not proposing to eliminate anything from the Tourism Budget, proposed handling eblasts within the department, and stated he was looking for efficiencies within the budget.

MOTION CARRIED 4:1. CHAIRMAN STARR OPPOSING.

G. Building & Construction Services - No Items.

H. Community Services

J. Economic Development

(1) **RECOMMENDED ACTION:** Affirm the reappointment of Todd Rebol, Catherine Sanders, and Michael Grant to the Charlotte County Industrial Development Authority. **BUDGETED ACTION:** None

Chairman Starr explained why he pulled the item, stating that he would like to replace Michael Grant with Douglas Tucker.

COMMISSIONER CUMMINGS MOVED TO REPLACE MICHAEL GRANT WITH DOUGLAS TUCKER ON THE CHARLOTTE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY, SECONDED BY CHAIRMAN STARR.

MOTION FAILED 2:3.

COMMISSIONER SKIDMORE MOVED TO APPROVE AGENDA ITEM J-1, SECONDED BY COMMISSIONER LOFTUS.

Commissioner Skidmore spoke in support of Michael Grant's efforts on the Board and clarified with Kay Tracy there had been no complaints on his performance. Ms. Tracy clarified.

MOTION CARRIED 3:2. CHAIRMAN STARR, COMMISSIONER CUMMINGS OPPOSING.

(2) **RECOMMENDED ACTION:** Approve the attached Resolution which allows for a blanket extension of time to Recovery Zone Bonds applicants upon their written request for additional time to secure financing. **BUDGETED ACTION:** None

Resolution 2010-076

K. Facilities Construction and Maintenance - No Items.

L. Growth Management

(1) **RECOMMENDED ACTION:** Approve the DRC-PD-80-4XXX Final Detail Plan Resolution permitting Buffalo Garland Associates, RB-3 Associates and Benderson 85-I to develop the Peachland Promenades shopping center. **BUDGETED ACTION:** None

Resolution 2010-077

(2) **RECOMMENDED ACTION:** Approve Amended Developer's Agreement for Kingsgate Associates II, LLC, WR-I Associates, Ltd., & Kings Gate Home, LLC, Petition #FP-02-11-08. Since the development infrastructure is not complete, Growth Management requests that the Developer's Agreement be amended to extend the completion date. **BUDGETED ACTION:** None

Amendment to Agreement 2006-011

M. Human Resources - No Items.

N. Human Services

(1) **RECOMMENDED ACTION:** a) Approve the annual reports for the State Housing Initiatives Partnership (SHIP) Program and the Hurricane Housing Recovery (HHR) Program; and b) Authorize the Chairman to sign the Annual Report Certifications for submission to the Florida Housing Finance Corporation. **BUDGETED ACTION:** No action needed.

P. Public Safety

(1) *RECOMMENDED ACTION*: Approve the grant application for the FY10-11 US Department of Homeland Security CERT Program Subgrant in the amount of \$11,380. The grant funds will be used for training and equipment expenses for the Community Emergency Response Team (CERT). *BUDGETED ACTION*: None. The FY10-11 Emergency Management budget will be amended upon approval of the grant. There is no County match required for this grant, it is 100% funded.

Grant 2010-038

Q. Public Works

(1) *RECOMMENDED ACTION*: Approve the FY 2011 annual certified budget for Mosquito Control and contract with Florida Department of Agriculture and Consumer Services for FY 2011. The State Department of Agriculture and Consumer Services (FDAC), which oversees County Mosquito Districts, requires per the Florida Administrative Code 5E-13.027 that the county shall submit a certified budget no later than September 15th of each year. *BUDGETED ACTION*: None. Funds are supplied from general revenues and a state grant.

Agreement 2010-035

(2) *RECOMMENDED ACTION*: Approve a resolution adopting Solid Waste rates for Lee County residents on Gasparilla Island, as adopted by the Lee County Board of Commissioners and pursuant to interlocal agreement. This request is pursuant to Charlotte County Code Chapter 4-4 "Sanitation District" and has been reviewed by Charlotte County Public Works Solid Waste Division and the Charlotte County Attorney's Office. *BUDGETED ACTION*: None. Revenues received due to this resolution are recorded in the Charlotte County Solid Waste Enterprise Fund.

Resolution 2010-078

R. Tourism Development - No Items.

S. Utilities - No Items.

T. Other Agencies - No Items.

Commissioner Duffy asked for reconsideration of an item from two weeks ago related to rehabbing two lift stations, stating she had voted against it, commented she had obtained new information, spent time with staff to expand her knowledge of sewer systems, discussed her findings, and requested reconsideration of the vote.

COMMISSIONER DUFFY MOVED TO RECONSIDER BID #10-210, SECONDED BY COMMISSIONER LOFTUS.

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

Ms. Corbett offered to read the award information into the record. Attorney Knowlton clarified with Ms. Corbett the motion that was needed. Ms. Corbett clarified.

COMMISSIONER DUFFY MOVED TO APPROVE AWARD OF BID #10-210, LIFT STATION RELOCATIONS TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, DAVE FOOTE ENVIRONMENTAL CONSTRUCTION INC. OF LEHIGH ACRES, FLORIDA FOR A TOTAL BID AMOUNT OF \$725,031.30, SECONDED BY COMMISSIONER LOFTUS.

Chairman Starr explained why he voted against the lift station, expressed concern regarding spending unnecessary money at CCU, and objected to moving the lift station across the street. **Commissioner Loftus** recollected that the Utility Director indicated that the County needed to expand the lift station which is the reason for moving the station, and expressed concern that it was a health issue that needed to be addressed.

Commissioner Duffy agreed with **Chairman Starr's** comments, requested a total revamping of how things are done at CCU, expressed concern with the need for better pumps, reducing rates, and agreed with **Commissioner Loftus'** comments on there being a health issue.

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

V. REGULAR AGENDA

Z. Regular Agenda

(1) Commission Office - RECOMMENDED ACTION: Choose by ballot seven (7) people to serve on the Manasota /Sandpiper Key

Advisory Committee. Must be full time residents on either Manasota or Sandpiper Key. Terms shall be for two years (initially, four shall serve for one year and three shall serve for two years - to be determined at first meeting).

There was discussion as to the qualifications of one of the applicants.

RECESS: 9:55 AM - 10:05 AM

There was an announcement that more time was needed to tally the votes.

RECESS: 10:10 AM - 10:15 AM

Mr. Sandroock read the following votes by ballot into the record: Betsy Sue Carroll, Tom Dignam, B.J. Galberaith, Jack Landis and Wayne Largent; added that those individuals received either four or five votes; stated there were two remaining seats and that there were three applicants who received three votes.

COMMISSIONER SKIDMORE MOVED TO APPROVE THE SLATE OF FIVE PEOPLE: BETTY SUE CARROLL, TOM DIGNAM, B.J. GALBERAITH, JACK LANDIS, AND WAYNE LARGENT, SECONDED BY COMMISSIONER LOFTUS.

MOTION CARRIED 5:0.

Mr. Sandroock read the following votes by ballot into the record: Andrea Barber - 4 votes, Betsy McCallum - 3 votes, and Bill Stiver - 3 votes.

COMMISSIONER SKIDMORE MOVED TO APPROVE ANDREA BARBER AND BILL STIVER TO SERVE ON THE MANASOTA/SANDPIPER KEY ADVISORY COMMITTEE, SECONDED BY COMMISSIONER DUFFY.

MOTION CARRIED 4:1. COMMISSIONER CUMMINGS OPPOSING.

Commissioner Skidmore congratulated the new members of the Advisory Committee and advised of an upcoming meeting.

(2) County Administration - **RECOMMENDED ACTION:** Update the Board of County Commissioners on the Charlotte Harbor Event & Conference Center's current year budget, future budget and status of the facility management with SMG.

Kelly Shoemaker introduced Greg Caron from SMG. Mr. Caron gave opening comments on the Charlotte Harbor Event & Conference Center. Another SMG Representative gave a PowerPoint presentation outlining the Event Center Management Transition, Administrative & Professional Management, Client Satisfaction, Maintenance & Operations, Event Center Events, Event Mix, FY2009-2010 Event Type Comparison, Attendance, FY2009-2010 Attendance Comparison, FY2009-2010 Event Revenue, FY2009-2010 Event Revenue Comparison, Event Center Events, Creative Marketing, Community Involvement, and Event Center Forecast for FY11.

Cari Branco outlined Community Based, FY09/10 Revenue, FY09/10 Expense, FY09/10 Net Expense, Budget Expectations, and Event Center FY11 Budget.

Ms. Branco and Ms. Shoemaker fielded Board inquiries related to energy incentives, energy costs, budgeted expenditures vs. actual expenditures, food and beverage revenue, and government use of the building.

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

(1) County Attorney - **RECOMMENDED ACTION:** Consider an ordinance amending the County Code by deleting the automatic requirement of Aerobic Treatment Units ("ATUs") in certain circumstances.

Attorney Knowlton explained the proposed ordinance regarding Aerobic Treatment Units (ATUs).

Carl Johnson spoke in regard to environmental concerns related to ATU's and expressed concerns of not being invited to meetings.

Harry Taylor spoke on behalf of L&T Engineering regarding obtaining several exemptions from the ATU's.

Marvin Dunlevy spoke in regard to vandalism at his residence and expressed concerns with the condition of the drainage pipes.

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

MOTION CARRIED 5:0.

COMMISSIONER DUFFY MOVED TO APPROVE ORDINANCE 2010-053, SECONDED BY COMMISSIONER LOFTUS.

MOTION CARRIED 5:0.

Z. Regular Agenda (continued)

(3) Public Works - **RECOMMENDED ACTION:** a) Discussion of CIP Amendment #10-C09 to place funding in the FY10 CIP budget for the Winchester South Project as directed by the Board; and b) availability of FDOT Grant Funds.

Dan Quick presented the item and requested approval of CIP Amendment #10-C09. Mr. Quick fielded inquiries from **Commissioner Skidmore** regarding the removal and replacement of landscaping. Mr. Sandrock indicated that staff will turn to other financial resources if the budget does not allow for the completion of the landscaping.

COMMISSIONER SKIDMORE MOVED TO ALLOW STAFF TO DO THE CIP AMENDMENT #10-C09 TO START ALIGNING FUNDING SOURCES AND MOVE FORWARD WITH ALL RFP'S AND OTHER AVAILABLE INFORMATION THAT THEY MAY NEED, SECONDED BY COMMISSIONER LOFTUS.

MOTION CARRIED 5:0.

Commissioner Skidmore mentioned that he would be meeting with Mr. Sandrock and congressional leaders to discuss trip funding the next day.

(4) Attorney's Office - **RECOMMENDED ACTION:** Approve a resolution acknowledging the school board's decision to call for a referendum election and directing that the question be placed on the ballot for the general election to consider continuing an ad valorem tax of 0.25 mills for critical operation needs.

Attorney Knowlton explained the item and proposed resolution.

COMMISSIONER LOFTUS MOVED TO APPROVE RESOLUTION 2010-079, SECONDED BY COMMISSIONER CUMMINGS.

MOTION CARRIED 4:1. CHAIRMAN STARR OPPOSING.

(5) Economic Development Office - **RECOMMENDED ACTION:** Authorize the Chairman to sign a License Agreement with Southwest Land Developers Inc., to access the property owned by Charlotte

County/Murdock Village Community Redevelopment Agency. This is in furtherance of the proposed land swap and which allows the interested party to have access to the property to conduct additional analysis of the site.

Attorney Knowlton explained the item.

COMMISSIONER SKIDMORE MOVED TO APPROVE AGENDA ITEM Z-5, SECONDED BY COMMISSIONER CUMMINGS.

Attorney Derek Rooney referenced a minor change that was made on the proposed agreement.

MOTION CARRIED 5:0.

VII. PRESENTATION AGENDA - No Items.

VIII. PUBLIC WORKSHOP AGENDA - No Items

IX. BOARD WORKSHOP AGENDA - No Items.

X. CITIZEN INPUT - ANY SUBJECT

George Kearns spoke on behalf of Section 20 Property Owners Association in Deep Creek regarding 3 lift stations, commented on the lift station on Angle Street, and requested that the County continue with the construction of the new lift station.

AA. County Administrator:

Mr. Sandrock commented on his focus areas during his interim period as County Administrator, mentioned the consolidation of two departments, the importance of staff morale, the balance of efficiencies with a message of stabilization, commented on the meeting he had with Pat Lehman and Henry Thomas related to the water storage agreement, advised of an ongoing meeting with the representatives from the Water Authority as well as Sarasota County Administration directly, mentioned meetings to look at CCU rates and that he would come back to the Board with the results, mentioned TRIM notices are being mailed out, that Mr. Burger will be meeting with each Commissioner, commented that staff is continuing to collect information related to BP claims, that staff is in the final phases of the closeout, mentioned opportunities for funding, and commented on the successes with FEMA.

BB. County Attorney: NONE

CC. Commissioner Comments:

Commissioner Skidmore commented on a memo he had circulated to the Board regarding the West Coast Inland Navigational District (WCIND), commented on Manatee County's plan to do an open RFP for the oil spill, and thanked Annie Stevens and Kelly Shoemaker for working with BP.

ADJOURNMENT: 11:12 am

Signature on file 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 Commissioner Minutes
Deputy Clerk

sfc