

BOARD OF COUNTY COMMISSIONERS

December 14, 2010

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

Members present were: Chairman Starr, Commissioner Constance, Commissioner Deutsch, Commissioner Duffy, Commissioner Skidmore, County Administrator Sandroock, County Attorney Knowlton, Chief Board Services White, and Deputy Clerk Lansing. The following members were absent: None

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

The Invocation was given by Pastor Tim Goff, Port Charlotte Seventh Day Adventist Church, followed by the Pledge of Allegiance.

Changes to the Agenda:

Change #1: Move Public Hearing #3 from the 10:00 A.M. Public Hearing Agenda to the Regular Agenda as Z-7

Change #2: F-4 Verbiage update

Addition #1: Z-8 Dennis Black Appointment

Deletion #1: Z-7 Delete

Change #3: F-3 Date Correction read into the record

COMMISSIONER DUFFY MOVED TO APPROVE THE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

Proclamations/Awards

Proclamations - Commissioner Bob Starr

Arts and Humanities Council Artist of the Month of December, 2010- Sandy Poore

COMMISSIONER SKIDMORE MOVED TO PROCLAIM SANDY POORE AS ARTS AND HUMANITIES COUNCIL ARTIST OF THE MONTH OF DECEMBER, 2010, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Ms. Poore accepted the proclamation with thanks.

For the Love of Kids Day, December 16, 2010

COMMISSIONER SKIDMORE MOVED TO PROCLAIM DECEMBER 16, 2010 AS FOR THE LOVE OF KIDS DAY, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Randy Spence accepted the proclamation, gave detail related to the Love of Kids organization, noted they rely entirely on contributions and volunteers, and presented **Chairman Starr** with a Certificate of Appreciation to thank the Board of County Commissioners for their support.

Martin Allen Day, December 14, 2010

COMMISSIONER DUFFY MOVED TO PROCLAIM DECEMBER 14, 2010 AS MARTIN ALLEN DAY, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Mr. Allen accepted the proclamation with thanks.

Ministers' Invocation Day, December 14, 2010

COMMISSIONER CONSTANCE MOVED TO PROCLAIM DECEMBER 14, 2010 AS MINISTERS' INVOCATION DAY, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0.

Attending Pastors stepped forward to accept their proclamations.

Sue Sifrit Day, December 15, 2011

Commissioner Duffy presented the proclamation to Sue Sifrit.

COMMISSIONER SKIDMORE MOVED TO PROCLAIM DECEMBER 15, 2011 AS SUE SIFRIT DAY, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Ms. Sifrit accepted the proclamation with thanks for the partnership between the County and the School Board.

Employee Recognition - County Administrator Raymond J. Sandrock

5 Years: Barbara Baster-Cegerenko, Utilities; John Butler, Public Safety; Lloyd Eason, Utilities; Jerry Hernandez, Public Safety; John Keith, Utilities; Rose Mattera, Utilities; Laura

Pontbriand, Public Works; Juan Rosario, Budget & Administrative Services; Richard Wack, Utilities; Roger Warner, Facilities; Angela Whitehead, Budget & Administrative Services; **10 Years:** Robert Hebert, Human Services; **20 Years:** Diane Clim, Building & Growth Management; Kate Czaja, Public Safety; **25 Years:** Robert Powell, Public Works; **Not Attending: 5 years:** Edward Leonard, Jr., Facilities; **10 years:** Patrick Judy, Public Safety

Presentations

I. CITIZEN INPUT - AGENDA ITEMS ONLY - None

II. COMMITTEE VACANCIES

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

Affordable Housing Advisory Committee is seeking three members to serve. One representative from the home building industry, one "for-profit provider" representative and one Charlotte County Essential Services representative. Terms are for three years. Submit resume to: The Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948, or call (941) 743-1300, or e-mail BCC@charlottefl.com or fax (941) 743-1310

Construction Board of Adjustments and Appeals is seeking one member to serve as an alternate. This committee meets on the first and third Monday of each month at 8:30 am in Murdock. Interested persons must hold a current construction industry license. Term is for three years. Submit resume to: The Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948, or call (941) 743-1300, or e-mail BCC@charlottefl.com or fax (941) 743-1310

Charlotte Harbor Community Redevelopment Agency Advisory Committee is seeking one volunteer to serve as the residential representative. Must reside within the community redevelopment area. Effective immediately. Please submit resume to: Charlotte County Commission Office, 18500 Murdock Circle, Port Charlotte, FL 33948 or call, 941.743.1300 or fax to: 941.743.1310.

Little Gasparilla Island Committee is seeking three volunteers to fill terms expiring January 22, 2011. These are all two year terms. Please submit your resume to the Charlotte County Board of County Commissioners at 18500 Murdock Circle, Port Charlotte, FL 33948 or call 941.743.1300 or fax to 941.743.1310.

Murdock Village Community Redevelopment Agency Advisory Committee (MV-CRAAC) is seeking one volunteer representing the Banking, Financial or Appraisal Sector (as defined in Chapter 457, Florida Statutes) to finish an unexpired term due to a resignation. This term is effective immediately and shall expire September 20, 2012. Submit your resume to the Charlotte County Commission office, 18500 Murdock Circle, Port Charlotte, FL 33948 or call (941) 743-1300 or fax to (941) 743-1310.

South Burnt Store Street & Drainage Advisory Committee is seeking three volunteers to serve; one member to serve as an alternate with a two year term; two members to serve with a three year term. Volunteers must reside within the boundaries of the MSBU. Submit application to 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

III. REPORTS RECEIVED AND FILED

Minutes of the Charlotte Harbor CRA Advisory Committee meeting held on November 18, 2010.

County Administrator Sandrock announced an additional change into the record. (Change #3: F-3 - Correct date from December 13, 2013 to December 31, 2013.)

COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGE #3, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0.

IV. CONSENT AGENDA

COMMISSIONER SKIDMORE MOVED TO APPROVE CONSENT AGENDA ACCEPT AGENDA ITEMS: H-2, F-8, F-2, H-1, M-3 THRU M-7, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Clerk of the Circuit Court

A. Finance Division

(1) **RECOMMENDED ACTION:** Approve Clerk's Finance Memoranda.
BUDGETED ACTION: None

B. Minutes Division

(1) RECOMMENDED ACTION: Approve Minutes for:
November 09, 2010, 9:00 a.m. Regular Meeting
November 15, 2010, 1:00 p.m. Land Use Meeting
November 16, 2010, 11:00 a.m. Swearing In Ceremony
November 22, 2010, 9:00 a.m. Pre-Agenda Meeting
BUDGETED ACTION: None

Board of County Commissioners

C. Commission Office

(1) RECOMMENDED ACTION: Re-appoint Robert Pierce as the Florida Shore & Beach Preservation Association representative on the Beaches and Shores Advisory Committee. This term is effective December 31, 2010 and shall expire on December 31, 2014.
BUDGETED ACTION: None

(2) RECOMMENDED ACTION: Appoint Blair McVety as the District 4 representative to the Board of Zoning Appeals. This is a four year term effective immediately and shall expire November 2014.
BUDGETED ACTION: None

(3) RECOMMENDED ACTION: Appoint Katherine Ariens as the District 2 representative to the Board of Zoning Appeals. This is a four year term, effective immediately and expires November 2014.
BUDGETED ACTION: None

(4) RECOMMENDED ACTION: Re-appoint the following people to the Marine Advisory Committee: Captain Ron Blago - Member-at-Large
Captain Tim Lynch - Palm Island Marina - Member-at-Large
Raymond D. Rose - Peace River Squadron, Inc. Captain Maurice Sabourin - U.S.C.G.A. Flotilla 99 Rotonda
Scott Schermerhorn - Member-at-Large
Mel Staudmyer - Harbor Heights Yacht Club
All terms are for four years and shall expire December 31, 2014
BUDGETED ACTION: None

(5) RECOMMENDED ACTION: Reappoint John Grubbs to serve on the Suncoast Waterway Advisory Committee for a term of three years.
BUDGETED ACTION: None

D. Administration

Administration - No Items.

Public Information Office - No Items.

E. County Attorney - No Items.

F. Budget and Administrative Services

Budget and Administrative Services - No Items.

Fiscal Services - No Items.

Information Technology - No Items.

Purchasing

(1) **RECOMMENDED ACTION:** Approve deletion of the property inventory items listed on the attached for the month of December, 2010. **BUDGETED ACTION:** None

(2) **RECOMMENDED ACTION:** Approve termination of File #07-099 WO#60, Babcock Ranch Consumptive Use Permit, Contract 05-042, Engineers of Record-CCU, to Malcolm Pirnie, Inc. **BUDGETED ACTION:** Budget amount for FY2011 General Engineering - \$240,000

Commissioner Constance expressed his concern with the item. **Chairman Starr** gave related detail and provided the timeline of events. Mr. Sandrock indicated his instruction to the Utilities staff.

COMMISSIONER CONSTANCE MOVED TO APPROVE TERMINATION OF FILE #07-099 WO#60, BABCOCK RANCH CONSUMPTIVE USE PERMIT, SECONDED BY COMMISSIONER SKIDMORE

MOTION CARRIED 5:0.

(3) **RECOMMENDED ACTION:** a) Approve the Professional Services Library, Request for Proposal #10-335, with 119 firms as listed on the attached, for the period from January 1, 2011 up to and including December 13, 2013, with option to renew for two additional one-year terms; b) Authorize Chairman to sign the Contracts; and c) Authorize the County Administrator to approve the two additional one-year renewals. **BUDGETED ACTION:** None

(4) **RECOMMENDED ACTION:** Approve File #11-072, Lighting-South County Regional Park & Harold Avenue, which is a piggyback onto Clay County Contract RFP#08/09-3, with Musco Sports Lighting, LLC located in Muscatine, Iowa, for the total amount of \$274,714. **BUDGETED ACTION:** The budgeted amount for this project is \$274,714 and is funded in the capital project for "Sports Lighting Replace/Construction." The total budget for all sports

replacement in the parks is \$515,629 for FY11. This amount is part of the replacement program for all fields.

(5) *RECOMMENDED ACTION*: a) Award Sole Source File #11-073, Radio System Upgrade, to Motorola, Inc. of Atlanta, Ga. in the amount of \$843,072; and b) Authorize the Chairman to sign the associated agreement. This is for an upgrade of obsolete Motorola controllers. *BUDGETED ACTION*: None Required.

(6) *RECOMMENDED ACTION*: a) Approve the Amendment #1 to Site Lease Agreement for Contract #08-121, Methane Gas Collection - Landfill with GES - Port Charlotte, LLC. Additional land is needed in the proximity to the flare skid for a chiller skid and gas conditioning skid; and b) Approve Utility and Infrastructure Easement *BUDGETED ACTION*: None. No additional costs or revenues.

(7) *RECOMMENDED ACTION*: a) Approve Negotiations for Request for Proposal #10-288, Charlotte Sports Park-Management Services, with the sole submitting Proposer: Ripken-Rays Florida Baseball LLC of Port Charlotte, FL; and b) Authorize the Chairman to sign the contract after completion of negotiations. *BUDGETED ACTION*: None at this time.

(8) *RECOMMENDED ACTION*: Approve award of Bid #10-324, Sandhill DRI Wetland Clearing, to the lowest responsive, responsible bidder, EarthBalance of North Port, FL in the amount of \$126,200.42. *BUDGETED ACTION*: None. \$350,000 is budgeted for construction in CIP project c411010 Sandhill Area Wetland #3 Restoration and Exotic Vegetation. The project total is \$381,000.

Chairman Starr described the item and suggested inmates could be used to clear the Sandhill DRI Wetlands. Dan Quick responded to Board inquiries and explained his understanding related to cost comparisons already done.

COMMISSIONER SKIDMORE MOVED TO INSTRUCT ADMINISTRATION TO COMPARE LABOR COSTS RELATED TO USING PERMANENT INMATES VERSUS PAYING PROFESSIONAL COMPANIES TO CLEAR THE SANDHILL DRI WETLANDS AND BRING DETAILED INFORMATION BACK TO THE BOARD FOR FUTURE CONSIDERATION, SECONDED BY COMMISSIONER DUFFY

Mr. Quick gave the related timeline, explained standard requirements and permits, mentioned the importance of environmental sensitivity associated to wetland clearing, and noted the total cost. **Chairman Starr** clarified the motion and again suggested additional reductions could be found. Board discussion continued.

MOTION CARRIED 5:0.

Real Estate Services

(9) **RECOMMENDED ACTION:** Approve the attached Resolution authorizing the release of a portion of a twenty-foot (20') wide utility and drainage easement, located in Port Charlotte Subdivision, Section Ninety-Three, and further authorizing the Senior Division Manager, Real Estate Services Division, to execute a County Deed releasing said portion of said easement. (Owners: Lucile Duchesne) **BUDGETED ACTION:** None

Resolution 2010-110

(10) **RECOMMENDED ACTION:** Approve the attached Resolution authorizing the release of a twenty-foot (20') wide canal maintenance easement, located in Port Charlotte Subdivision, Section Eighteen, and further authorizing the Senior Division Manager, Real Estate Services Division, to execute a County Deed releasing said easement. (Owners: John and Shelley Girling) **BUDGETED ACTION:** None

Resolution 2010-111

G. Building and Growth Management

(1) **RECOMMENDED ACTION:** Approve the amendment requested by Babcock Property Holdings, LLC replacing existing Exhibit L to the Increment 1 Development Order ("IDO") with Babcock Ranch Community Increment 1 - Phase 1 Master Roadway Improvement Agreement. **BUDGETED ACTION:** None

Resolution 2010-112

(2) **RECOMMENDED ACTION:** Approve Amended Developer's Agreement for Brookwood Calusa Creek, LLC, Petition #FP-05-04-06. Since the development infrastructure is not complete, the applicant requests that the Developer's Agreement be amended to extend the completion date. **BUDGETED ACTION:** None

Amendment to Agreement 2008-061

(3) **RECOMMENDED ACTION:** Approve Amended Developer's Agreement for Brookwood Calusa Creek, LLC, Petition #FP-07-02-05. Since the development infrastructure is not complete, the applicant requests that the Developer's Agreement be amended to extend the completion date. **BUDGETED ACTION:** None

Amendment to Agreement 2008-062

H. Community Services

Parks and Natural Resources - No Items.

Recreation

(1) **RECOMMENDED ACTION:** Approval and authorization for staff to draft an addendum to the Agreement with the Tampa Bay Rays for the landscape maintenance of the common grounds at the Charlotte Sports Park. This addendum will be presented to the Board for approval at the January 11, 2011 Board meeting. **BUDGETED ACTION:** The budgeted amount for FY11 for Lawn Maintenance for the common areas at the Sports Park is \$17,880. This is budgeted in the Sports Park Maintenance and Operations budget.

Commissioner Constance requested additional information. Mr. Jackson responded in detail. **Commissioner Deutsch** provided his understanding and suggested they table the item to allow time to re-negotiate.

COMMISSIONER DEUTSCH MOVED TO TABLE THE ITEM UNTIL THE NEXT BOARD MEETING, SECONDED BY COMMISSIONER CONSTANCE

Mr. Sandrock clarified the proposal. Board discussion continued.

MOTION CARRIED 5:0.

(2) **RECOMMENDED ACTION:** Approve and authorize the Chairman to sign, an Interlocal Agreement between Charlotte County and the School Board of Charlotte County to use the other's facilities on an as needed and as available basis. **BUDGETED ACTION:** None needed currently. The School Board uses County facilities far more than the County uses School Board facilities. Any invoicing for the difference in reciprocal use will fall to the School Board.

Commissioner Skidmore suggested the County allow any and all graduations to take place at the Events Center in addition to the four (4) free events presently permitted.

COMMISSIONER SKIDMORE MOVED TO APPROVE INTERLOCAL AGREEMENT 2010-051 BETWEEN CHARLOTTE COUNTY AND THE SCHOOL BOARD OF CHARLOTTE COUNTY TO INCLUDE LANGUAGE TO ALLOW ANY AND ALL GRADUATIONS TO TAKE PLACE AT THE EVENTS CENTER IN ADDITION TO

THE FOUR (4) FREE EVENTS PRESENTLY PERMITTED, SECONDED BY COMMISSIONER DEUTSCH

Mr. Jackson responded to several inquiries. Board discussion continued. County Attorney Knowlton and Deputy County Attorney Gallagher proposed revised language to Paragraph 2B and read the update into the record.

(NO VOTE TAKEN)

COMMISSIONER CONSTANCE MOVED TO CALL THE QUESTION, SECONDED BY CHAIRMAN STARR

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO AMEND THE ORIGINAL MOTION TO INCLUDE PROPOSED LANGUAGE AS READ INTO THE RECORD BY THE COUNTY ATTORNEYS, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 4:1. CHAIRMAN STARR OPPOSING.

Libraries and Historical - No Items.

J. Economic Development

(1) **RECOMMENDED ACTION:** Approve an alternate Economic Development Ad Valorem Tax Exemption application and annual report. **BUDGETED ACTION:** None

K. Facilities Construction and Maintenance - No Items.

L. Human Resources - No Items.

M. Human Services

(1) **RECOMMENDED ACTION:** Approve resolution granting authority to County Attorney's Office, Real Estate Services, and the Housing Division to generate and execute all appropriate documents for the acceptance of 15 grant-funded properties from the Housing Corporation of Charlotte County funded under County grants and maintained as affordable housing rental properties to this point in time. **BUDGETED ACTION:** Under these grants, the cost for the initial properties acquisition has been expensed. There are no other acquisition costs, excepting those related to closing costs by a closing agent for the County.

Resolution 2010-113

(2) *RECOMMENDED ACTION*: Approve membership on the Community Action Agency Advisory Board: a) Re-appoint three Elected Officials or Representatives: Phil Wickstrom; Frank Desguin; and Alleen Miller, and b) Re-appoint two members from the Business/Private Sector: Mary (Dee) Rutko and Kim Gaut; and appoint two new members from the Business/Private Sector: Peter Burnett and Paul Froeschle. *BUDGETED ACTION*: None

(3) *RECOMMENDED ACTION*: Approve the Memorandum of Agreement with the Commission on the Transportation Disadvantaged and County Resolution, and authorize the Chair to sign all necessary documents. This is a necessary step to assure continued grand funding to Transit programs. *BUDGETED ACTION*: This Memorandum is a necessary step in the grant process, and must be renewed every five (5) years for the County's Sunshine Ride grant approval.

Resolution 2010-114; Agreement 2010-052

Commissioner Constance indicated his desire to take Human Services Items M-3 thru M-7 at once and asked Vikki Carpenter to provide a brief outline of services and related grants. Gordon Burger explained how grants and funding sources are processed and clarified actual and total costs for the record. Staff responded to additional Board inquiries.

COMMISSIONER CONSTANCE MOVED TO APPROVE HUMAN SERVICES CONSENT AGENDA ITEMS M-3 THRU M-7, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0.

(4) *RECOMMENDED ACTION*: Approve the annual Section 5310 Federal Grant and County Resolution for FY 2011/2012, and authorize the Chair to sign all necessary documents. *BUDGETED ACTION*: Cost of Vehicles: Federal Transit Administration funding @ 80% 137,022.40 Florida Dept. of Transportation funding @10% 17,127.80 County Match @ 10% 17,127.80 Total Cost \$171,278.00

Resolution 2010-115; Grant 2010-057

(5) *RECOMMENDED ACTION*: Approve the annual Section 5311 Federal Grant and County Resolution for FY 2011/2012, and authorize the Chair to sign all necessary documents. *BUDGETED ACTION*: Grant will be reflected in FY 2011/2012 Budget for Human Services Transit Division: \$54,829

Resolution 2010-116; Grant 2010-058

(6) *RECOMMENDED ACTION*: Approve the annual Section 5316 Federal Grant and County Resolution for FY 2011/2012, and authorize the Chair to sign all necessary documents. *BUDGETED ACTION*: Grant will be reflected in FY 2011/2012 Budget for Human Services Transit Division: \$31,200

Resolution 2010-117; Grant 2010-059

(7) *RECOMMENDED ACTION*: Approve the annual Section 5317 Federal Grant and County Resolution for FY 2011/2012 funding, and authorize the Chair to sign all necessary documents. *BUDGETED ACTION*: Grant will be reflected in FY 2011/2012 budget for Human Services Transit Division: \$17,500

Resolution 2010-118; Grant 2010-060

N. Public Safety

(1) *RECOMMENDED ACTION*: Pursuant to Charlotte County Ordinance 2010-027, approve the following representatives listed below from each hospital to serve on the Medical Advisory Committee.

Charlotte Regional Medical Center Primary: Shannon McKusick, RN
Alternate: Dr. Ken Stiles

Englewood Community Hospital Primary: Marie Graham, RN
Alternate: Dr. Raymond James

Fawcett Memorial Hospital Primary: Nancy Reyes, RN Alternate:
Dr. Sam Williams

Peace River Regional Medical Center Primary: Dr. Robert Leyrer
Alternate: Dayna Bloch, RN *BUDGETED ACTION*: None

P. Public Works - No Items.

Q. Tourism Development - No Items.

R. Utilities - No Items.

S. Other Agencies - No Items.

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

(1) Economic Development

Conduct a public hearing to discuss and adopt an ordinance pursuant to Section 125.35, Florida Statutes; creating new section 1-1-16 to the Code of Laws and Ordinances of Charlotte County, Florida; providing for alternative disposition standards and procedures for County-owned lands for economic development purposes; providing competitive qualifying standards; providing for public notice; providing for form of acquisition; providing for negotiation procedures; providing for adherence to local land use regulations; providing for severability; and, providing for an effective date.

Kay Tracy presented the proposed ordinance and responded to inquiries. Assistant County Attorney Derek Rooney provided additional related detail and explained how the ordinance would work if adopted.

Grace Amodio questioned the land locations involved and mentioned land regulations within the CRA.

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

MOTION CARRIED 5:0.

Commissioner Skidmore and Assistant County Attorney Rooney responded to Ms. Amodio's inquiries related to the proposed ordinance.

COMMISSIONER SKIDMORE MOVED TO ADOPT ORDINANCE 2010-073 TO CREATE A NEW SECTION TO THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0.

(2) Economic Development

Conduct a Public Hearing to discuss amending Chapter 1-7, Article V, Economic Development Incentive Program, of the Code of Laws and Ordinances of Charlotte County to offer new and revised incentives to new and expanding businesses.

Ms. Tracy described the proposed ordinance in great detail and announced additional verbiage updates. Attorney Rooney indicated the Board may choose to remove the provision

associated with the estimated annual return. **Commissioner Duffy** suggested it may be difficult to expect a 10% annual return in this economy and asked for clarification. Attorney Rooney explained in detail. There were additional Board comments.

George Wester spoke in favor of the amendment.

COMMISSIONER SKIDMORE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER SKIDMORE MOVED TO APPROVE ORDINANCE 2010-074 AMENDING CHAPTER 1-7 AND TO INCLUDE CHANGES AS READ INTO THE RECORD, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0.

V. REGULAR AGENDA

Z. Regular Agenda

(1) Commission Office - Please choose by ballot and appoint one person to serve as the Member-at-Large on the Beaches and Shores Advisory Committee. The term is effective December 31, 2010 and shall expire December 31, 2014.

The Board voted by ballot. Mr. Sandrock announced Jack Landis received 5 (five) votes.

COMMISSIONER SKIDMORE MOVED TO APPOINT JACK LANDIS AS THE MEMBER-AT-LARGE ON THE BEACHES AND SHORES ADVISORY COMMITTEE, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0.

(2) Economic Development - Approve Resolution identifying locally designated targeted industries.

COMMISSIONER SKIDMORE MOVED TO APPROVE RESOLUTION 2010-119 WITH ADDITIONS AS READ INTO THE RECORD, SECONDED BY COMMISSIONER DEUTSCH

Commissioner Duffy asked if the (alternative energy sources) change discussed at pre-agenda would be included. Ms. Tracy described additions to be included. Attorney Rooney gave further clarification.

MOTION CARRIED 5:0.

(3) Budget and Administrative Services - Presentation of the plan for the FY2011/2012 Budget Process. The presentation will outline the proposed Budget Process for FY2011/2012, an overview of a Two Year Budget Process and a discussion on the existing Focus Areas.

Gordon Burger gave an overview of the Budget Process and paralleled a visual slide presentation.

Mr. Burger asked for formal Board direction to proceed with the creation of a two year budget process. The Commissioners applauded Mr. Burger for his presentation and hard work. There was related Board discussion associated with the positives of outsourcing, transparency, and pro-active budgeting. Mr. Sandrock agreed with a two year budget plan, mentioned past successes, opined the need for additional efficiencies, and commented that the County is well positioned because of the hard decisions already made. **(There was Board Consensus to direct Mr. Burger to move forward with the Two Year Budget Process and to include Transportation as a Focus Area.)**

RECESS: 11:25 A.M. - 11:45 A.M.

(4) Public Safety - New hurricane evacuation zone presentation.

Wayne Sallade gave a new hurricane evacuation zone presentation which paralleled visual slides, included detailed information related to the Hurricane Zone Notification System, noted the use of volunteers during the installation of Evacuation Zone Markers, and explained how the new process will assist our citizens in case of a storm surge. The Board commended the new program and offered suggestions related to the use of volunteers.

(5) Public Works - Discussion and direction regarding the attached agreement with Seminole Gulf Railroad (SGLR) to increase the width of the railroad crossing and adding another side track in conjunction with the widening of North Jones Loop Road as part of the Burnt Store Road Widening Project, Phase I.

Dan Quick discussed the Seminole Gulf Railroad (SGLR) Road Widening Project in great detail, mentioned the need for related Board direction, and responded to Board inquiries. County Attorney Knowlton advised that the railroad has threatened to litigate if the County does not except the cost, explained we may be responsible for their attorney fees if they re-open the

1995 case, remarked on staff recommendation to move forward, and responded to Board inquiries. **Commissioner Deutsch** expressed his concerns. **Commissioner Constance** suggested the need for better transparency and questioned the related law. Attorney Gallagher explained past litigation and associated laws, and responded to additional inquiries. **Commissioner Duffy** clarified her understanding, opined the County has no choice but to move forward with the project, and suggested they advise the railroad of their dissatisfaction.

COMMISSIONER DUFFY MOVED TO APPROVE AN AGREEMENT WITH SEMINOLE GULF RAILROAD (SGLR) TO INCREASE THE WIDTH OF THE RAILROAD CROSSING AND ADD ANOTHER SIDE TRACK IN CONJUNCTION WITH THE WIDENING OF NORTH JONES LOOP ROAD AS PART OF THE BURNT STORE ROAD WIDENING PROJECT, PHASE I.

THE MOTION DID NOT RECEIVE A SECOND AND WAS LOST.

COMMISSIONER DUFFY MOVED TO DENY APPROVAL OF AN AGREEMENT WITH SEMINOLE GULF RAILROAD (SGLR) TO INCREASE THE WIDTH OF THE RAILROAD CROSSING AND ADD ANOTHER SIDE TRACK IN CONJUNCTION WITH THE WIDENING OF NORTH JONES LOOP ROAD AS PART OF THE BURNT STORE ROAD WIDENING PROJECT, PHASE I.

THE MOTION DID NOT RECEIVE A SECOND AND WAS LOST.

Attorney Knowlton suggested another option for Board consideration. Attorney Gallagher commented further on costs. Mr. Quick responded to additional inquiries related to the project and safety. Board comments continued. **Commissioner Duffy** recommended approval and withdrew her last motion.

(NO BOARD ACTION WAS TAKEN)

(6) Commission Office -Discuss Commission committee assignments.

After Board discussion, the following 2011 Commission Committee Assignments were filled as follows:

CHAIRMAN STARR:

MONTHLY:

PR/MRWSA (Water Supply Auth.) - ALT
Environmentally Sensitive Lands Oversight Committee
CHEC (Charlotte Harbor Env. Center)
Metropolitan Planning Org. (MPO)

AS NEEDED:

Finance Committee
Value Adjustment Board (VAB)

AD HOC LIAISON:

MAC

Parks & Recreation

Beaches & Shores

COMMISSIONER CONSTANCE:

MONTHLY:

CHEC (Charlotte Harbor Env. Center) - ALT

Metropolitan Planning Org. (MPO)

National Estuary Program (NEP)

W. Coast Inland Nav. (WCIND) - ALT

Arts & Humanities Council

AS NEEDED:

Finance Committee

Value Adjustment Board (VAB) - ALT

COMMISSIONER SKIDMORE:

MONTHLY:

PR/MRWSA (Water Supply Auth.)

SWFRPC (Regional Planning)

Public Safety Coord. Council

Tourist Development Council

W. Coast Inland Nav. (WCIND)

AS NEEDED:

Value Adjustment Board (VAB)

COMMISSIONER DEUTSCH:

MONTHLY:

SWFRPC (Regional Planning) - ALT

Children's Services Council

Metropolitan Planning Org. (MPO)

QUARTERLY:

Community Action Agency Advisory

AD HOC LIAISON:

Affordable Housing

Airport Authority

CH-CRAAC

COMMISSIONER DUFFY:

MONTHLY:

SWFRPC (Regional Planning)

Public Safety Coord. Council - ALT

Metropolitan Planning Org. (MPO) - ALT

BI-MONTHLY:

SWFL Juvenile Justice Council

AS NEEDED:

Finance Committee

AD HOC LIAISON:

ANRAC
Medical Arts Dist.

(8) County Administrator - Appoint Dennis Black as the Banking, Finance and Appraisal Sector representative to the Murdock Village Community Redevelopment Agency Advisory Committee, to finish the vacated term. This term shall expire September 20, 2012.

COMMISSIONER SKIDMORE MOVED TO APPOINT DENNIS BLACK AS THE BANKING, FINANCE AND APPRAISAL SECTOR REPRESENTATIVE TO THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

VII. PRESENTATION AGENDA - No Items.

VIII. PUBLIC WORKSHOP AGENDA - No Items

X. CITIZEN INPUT - ANY SUBJECT - None

AA. County Administrator:

Mr. Sandrock described how the County saved \$2 Million on the Regional Interconnect 1A Project. **Commissioner Skidmore** thanked all involved. Mike Coats thanked staff and mentioned related next steps.

BB. County Attorney:

Attorney Knowlton announced that the District 2 Representative for the Parks and Recreation Advisory Board does not meet the code criteria, suggested the Board declare that position vacant and appoint a representative at the next meeting, and advised two motions would be required.

COMMISSIONER CONSTANCE MOVED TO PUT THE PARKS AND RECREATION ADVISORY BOARD REPRESENTATIVE POSITION (DISTRICT 2) ONTO THE NEXT AGENDA FOR APPOINTMENT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO PUBLICLY DECLARE THE DISTRICT 2 PARKS AND RECREATION ADVISORY BOARD REPRESENTATIVE POSITION VACANT, SECONDED BY COMMISSIONER DUFFY

There was Board discussion related to position criteria.

MOTION CARRIED 5:0.

CC. Commissioner Comments:

Commissioner Skidmore thanked those involved with the Breakfast with Santa that was sponsored by Parks and Recreation, mentioned those responsible for events held at Oyster Creek Regional Park, said they will soon begin promotion of the Volunteer Charlotte program, announced which County shelters are open, commended Chief DiDido and his staff for continuing to reduce their budget while they replace equipment and provide excellent service, talked about the revenue opportunity related to library cards, opined the importance of holding Joint Meetings with the Airport Authority, Sarasota County, DeSoto County, and the City of North Port to discuss regional programs, directed Administration to revisit the Adopt A Park program as related to sixteen (16) County parks, expressed the importance of competitiveness related to impact fees and requested the issue be put on the January agenda, and announced a new program to fight Homestead Exemption Fraud has a dedicated telephone number and email address to report suspected fraud. (941-743-1593, records@ccappraiser.com.) **Commissioner Constance** invited those in need to visit County shelters, thanked everyone for allowing him to be part of this process, and wished all Happy Holidays. **Commissioner Deutsch** commented he would like to attend Airport Authority meetings, agreed with regional cooperation, opined the River Road expansion is critical, and wished all a Merry Christmas.

RECESS 1:10 P.M. - 2:00 P.M.

IX. BOARD WORKSHOP AGENDA - 2:00 P.M.

Conduct a Board Workshop for the BCC to provide direction and input to the Interim Administrator of the Charlotte County Health Department.

Chairman Starr reconvened the meeting and noted attendees for the record. Mary Kay Burns said the presenters will provide options on how best to proceed with the selection of a new health officer and introduced Sterling Whisenhunt, Kevin Sherin, and Bill Little. Ms. Burns gave a brief video and slide presentation on Public Health, and fielded Board inquiries.

Dr. Kevin M. Sherin described the importance and criteria of a physician leader, gave a brief Power Point Presentation which covered Orange County Leadership, Community and Programs, and responded to Board inquiries.

Bill Little gave his County Public Health presentation, pointed out a best practice model, mentioned how good communications during Hurricane Charlie helped safely transport Charlotte County special needs citizens, noted Sarasota County health services, stated the expectations of a Health Director, discussed Healthcare Reform, and responded to Board inquiries.

Sterling Whisenhunt described his position as the Florida Statewide Services Director. Ms. Burns mentioned the current process related to opening the new Free Health Department in Englewood. Mr. Whisenhunt said he is responsible for hiring Health Physicians, recommended advertising techniques, explained the interview panel process and required criteria, suggested a Commissioner be on the hiring panel, and responded to Board inquiries.

Chairman Starr closed by thanking all for their input and attendance.

ADJOURNED: 3:20 P.M.

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**

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