

BOARD OF COUNTY COMMISSIONERS

March 7, 2011

A Pre-Agenda meeting in preparation of the March 8, 2011 Regular Meeting was held at the Murdock Administration Complex in Room B-106, Port Charlotte, Florida.

Members present were: Chairman Starr, Commissioner Constance, Commissioner Deutsch, Commissioner Duffy, County Administrator Sandrock, Assistant County Administrator Shoemaker, County Attorney Knowlton, Deputy Clerk Lansing and Deputy Clerk Carleton. The following members were absent: Commissioner Skidmore (**Commissioner Duffy arrived at 9:15 AM**)

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

Gordon Burger announced an update will be given at the 1:00 PM Budget Workshop today.

There was Board Discussion held on the following items:

County Attorney:

Agenda Items E-1 and E-2

(Change #1: E-1 - Move Executive Session from 2:00 PM to 12:00 Noon)

Budget and Administrative Services:

Agenda Items F-1 and F-2

(Deletion #1: Remove F-1 from Agenda)

Purchasing:

Agenda Items F-3, F-4, F-5, F-6, F-7

(Deletion #2: Remove F-3 from Agenda)

Real Estate Services:

F-9

Facilities Construction and Maintenance:

K-1

ADJOURNED: 9:25 AM

Signature on file in Commission Minutes
Chairman

ATTEST:

BARBARA T. SCOTT, CLERK
OF THE CIRCUIT COURT AND
EX-OFFICIO TO THE BOARD
OF COUNTY COMMISSIONERS

By: Signature on file in Commission Minutes
Deputy Clerk

COUNTY OF CHARLOTTE
Board of County Commissioners

18500 Murdock Circle
Port Charlotte, FL 33948
www.CharlotteCountyFL.com

County Commissioners

Bob Starr, District 1, Chairman
Tricia Duffy, District 5, Vice-Chairman
Christopher Constance, District 2
Robert Skidmore, District 3
Stephen R. Deutsch, District 4

County Administrator

Raymond J. Sandrock

County Attorney

Janette S. Knowlton

Clerk of the Circuit Court

Barbara T. Scott

Regular Meeting
3/8/2011 9:00:00AM
18500 Murdock Circle, Room 119

The Charlotte County Commission meeting room is accessible to the physically disabled. If you need assistance, please contact our office at 941-743-1392. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Desk.

9:00 A.M. Call to Order and Roll Call

Invocation

Minister David Rushlow
Church of Christ Peace River

Pledge of Allegiance

Changes to the Agenda: See last page

Proclamations/Awards

- I. Citizen Input - Agenda Items Only**
II. Committee Vacancies
III. Reports Received and Filed
IV. Consent Agenda
V. Regular Agenda
10:00 A.M. VI. Public Hearing
VII. Presentation
VIII. Public Workshop
IX. Board Workshop
X. Citizen Input - Any Subject

Proclamations - Commissioner Bob Starr

Arts and Humanities Council Artist of the Month - Johanna Engel

Great American Cleanup Day

Senior Games Week

The Floridians Annual Birthday Tea Party

YMCA Annual Community Support Campaign Month

Employee Recognition - County Administrator Raymond J. Sandrock

5 Years

Kimberly Campbell	Budget and Administrative Services
Freddie Granger	Utilities
David Johnston	Budget and Administrative Services
Evan Leibman	Information Technology
Claudell Leonard	Utilities
Jerry Livingston	Budget and Administrative Services
Gregory Macomber	Public Works
Lacey Miranda	Community Services
Eric Scully	Facilities Construction & Maintenance

10 Years

David Vance	Building and Growth Management
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15 Years

David Cain	Utilities
Lynda Freas	Budget and Administrative Services
Carole Hartfelder	Budget and Administrative Services

20 Years

William Clark	Public Safety
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Not Attending

David Bennett	5 years	Budget and Administrative Services
Michael Kupferer	5 years	Public Works

Presentations



I. CITIZEN INPUT - AGENDA ITEMS ONLY

Anyone wishing to address the Board during this portion of the meeting must state one's name for the record and what agenda subject is to be discussed. Discussion is limited to matters identified on this agenda and each citizen will be allowed no more than three minutes to express an opinion.



II. COMMITTEE VACANCIES

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

Construction Board of Adjustments and Appeals is currently seeking two members to serve on the committee. One licensed mechanical contractor and one alternate to serve three year terms. Must be residents of Charlotte County. Meetings are held the 1st and 3rd Monday of each month at 8:30 am in Murdock.

Code Enforcement Board is currently seeking one member to serve on the committee. Must be a licensed architect and a resident of the County. Term expires September 2012.

Manasota Sandpiper Key Advisory Committee is seeking one volunteer to finish a two year term. This term is effective immediately and shall expire August 24, 2012. Please send letter of interest and resume to the Charlotte County Commission Office at 18500 Murdock Circle, Port Charlotte, FL or fax to 941-743-1310.



III. REPORTS RECEIVED AND FILED



IV. CONSENT AGENDA

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:
February 2, 2011, 6:00 p.m., Budget Review Public Hearing
February 3, 2011, 5:30 p.m., Public Charrette
February 7, 2011, 9:00 a.m., Pre-Agenda Meeting
February 7, 2011, 9:45 a.m., Strategic Focus Area Workshop
BUDGETED ACTION: None

Board of County Commissioners

C. Commission Office

- (1) **RECOMMENDED ACTION:** Approve the appointment of John M. Derr as the alternate member on the Construction Board of Adjustments and Appeals. Mr. Derr is in the construction industry and has a current license. This term is effective immediately and will expire in March 2014
BUDGETED ACTION: None

Board of County Commissioners

- (2) **RECOMMENDED ACTION:** Approve the appointment of Charles A. Lindberg to the Code Enforcement Board to fill the unexpired term of Peter Craig Taylor, who resigned. This term is effective immediately and will expire in September 2014.
BUDGETED ACTION: None
- (3) **RECOMMENDED ACTION:** Appoint Michael Quinn to the Marine Advisory Committee filling the unexpired term of Mr. Bergman who recently resigned. The term ends December 31, 2011
BUDGETED ACTION: None
- (4) **RECOMMENDED ACTION:** Reappoint Nigel Morris to the Charlotte Ranchettes MSBU Committee. This will be a three year term expiring on January 23, 2014.
BUDGETED ACTION:
- (5) **RECOMMENDED ACTION:** Reappoint Grover Mudd to the Greater Port Charlotte Street & Drainage MSBU Committee. This will be a three year term expiring on March 13, 2014.
BUDGETED ACTION: None

- (6) **RECOMMENDED ACTION:** Reappoint John Eckstrom and Ron Kubala to the Gulf Cove Waterway MSBU Committee. Both will be three year terms with Mr. Eckstrom's expiring on February 12, 2014, and Mr. Kubala's expiring on July 8, 2013.
BUDGETED ACTION: None
- (7) **RECOMMENDED ACTION:** Reappoint Robert Kueny to the Mid Charlotte Stormwater MSBU Committee. This will be a three year term expiring on December 8, 2013.
BUDGETED ACTION: None
- (8) **RECOMMENDED ACTION:** Reappoint Carmine Rossi and appoint Paul Chattinger to the South Gulf Cove Street and Drainage MSBU Committee. Mr. Rossi's term will expire on February 10, 2014 and Mr. Chattinger will fill an unexpired vacancy with a term ending on January 13, 2012.
BUDGETED ACTION: None
- (9) **RECOMMENDED ACTION:** Reappoint Ronald Bick to the South Gulf Cove Waterway MSBU Committee. This will be a three year term expiring on January 22, 2014.
BUDGETED ACTION: None

D. Administration

Administration - No Items.

Public Information Office - No Items.

E. County Attorney

- (1) **RECOMMENDED ACTION:** Hold an Executive Session on March 8, 2011 from 2:00 p.m. to 3:00 p.m., in the Charlotte County Attorney's Office Large Conference Room to discuss settlement negotiations and strategy related to litigation expenditures concerning the civil case captioned Paul D. Brown, et al. v. Charlotte County, Case No. 06-400-CA.
BUDGETED ACTION: None
- (2) **RECOMMENDED ACTION:** Approve a resolution supporting the Prescription Drug Monitoring Program and associated database.
BUDGETED ACTION: None

F. Budget and Administrative Services

Budget and Administrative Services

- (1) **RECOMMENDED ACTION:** Approve attached budget transfers and amendments to adjust carryover balances for various account lines for the FY10/11 budget.
BUDGETED ACTION: The attached budget transfers and amendments are to "carry over" prior year unspent budget amounts that relate to Capital Projects, grants, or purchases of Capital Equipment. The amounts were anticipated to be spent in the prior year but for various reasons were not, usually they are timing issues. The typical example is with a major capital project such as the construction of a building, park, or roadway where it is necessary to "carry over" these unspent budgeted amounts in order to have the proper total budget to complete a project. These are not new budget items. Funds for these transfers and amendments are in various budgets.
- (2) **RECOMMENDED ACTION:** Approve \$103,000 from the Retained Boater Improvement Fund to reimburse the City of Punta Gorda for expenditures for a vessel launch in Gilchrist Park.
BUDGETED ACTION: Approve an expenditure of \$103,000 from the Retained Boater Improvement fund for a vessel launch at Gilchrist Park.

Fiscal Services - No Items.

Information Technology - No Items.

Purchasing

- (3) **RECOMMENDED ACTION:** a) Approve Amendment #2 to Contract #06-283R, Design/Build-Human Services Building, with Mathews/Taylor Construction, LLC for the Guaranteed Maximum Price (GMP) of \$1,961,105.43; and b) Authorize Chairman to sign the Amendment. This is for the construction of a new building to house the Human Services Department, including Veterans' Services, and additional office space. **BUDGETED ACTION:** None. Funding source is impact fees. Total budgeted in CIP project c190606 is \$2,714,000. This project was adopted as part of the FY2010/11 CIP budget.
- (4) **RECOMMENDED ACTION:** Approve Change Order #4 to Contract #09-361 Manasota Key Drainage Improvements as awarded to BJ Enterprises, Inc., of Ft. Myers, FL, in the amount of \$38,952.35, for a revised total of \$1,121,096.15, with an additional 90 calendar days added to the contract completion time. **BUDGETED ACTION:** None. Budgeted in CIP project n064108 Manasota Key Drainage Phase. This project was adopted as part of the FY10/11 CIP.
- (5) **RECOMMENDED ACTION:** a) Rescind award from The Konnection, of Fort Myers, FL, on Bid #10-292, Sand, Rock, and Rock Screening, for #57 Rock, Locations: Port Charlotte and Englewood; b) Award Bid #10-292, Sand, Rock, and Rock Screening, for #57 Rock, Locations: Port Charlotte and Englewood to JJJ Enterprises, LLC of Port Charlotte, FL, at the unit prices below with the initial contract term beginning from date of award, through and including September 30, 2011; and c) Authorize the County Administrator to approve renewal options for up to two additional one-year terms at the same prices, terms, and conditions, by mutual consent. **BUDGETED ACTION:** None
- (6) **RECOMMENDED ACTION:** Approve the "Piggyback", File #11-137, John Deere 850K Crawler Dozer, from Nortrax, of Lutz, FL ("Piggyback" off the Florida Sheriffs Association, Florida Association of Counties, and Florida Fire Chiefs Association, Contract #09-18-0907, Specification #72), for a total cost of \$287,196.44 to purchase a Crawler Dozer with waste package and a 5-year, 7,500-hour full machine extended warranty for the County Landfill. **BUDGETED ACTION:** Amount Budgeted \$273,000 -Funding for this expenditure will come from the Solid Waste Enterprise Fund
- (7) **RECOMMENDED ACTION:** Approve the "Piggyback", File #11-145, Volvo Wheeled Excavator, from Flagler Construction Equipment, LLC of Fort Myers, FL ("Piggyback" off the Florida Sheriffs Association, Florida Association of Counties, and Florida Fire Chiefs Association, Contract #09-18-0907, Specification #58), for a total cost of \$197,902. **BUDGETED ACTION:** None. Budgeted in the Transportation Trust Fund, CIP project c411102, Rubber Tired Excavator. This project was approved as part of the FY10/11 CIP process.
- (8) **RECOMMENDED ACTION:** Approve deletion of the property inventory items listed on the attached for the month of March, 2011. **BUDGETED ACTION:** None

Real Estate Services

- (9) **RECOMMENDED ACTION:** Approve the Easement and Waiver of Riparian Rights Agreement between Charlotte County and Charlotte Harbor Development, LLC, as required by the Florida Department of Environmental Protection for docks located within the Peace River. **BUDGETED ACTION:** None

- (10) **RECOMMENDED ACTION:** Approve the attached Resolution that declares the real property listed on Exhibit "A" to be surplus to County needs and authorizes County staff to dispose of the real property in accordance with the provisions of Florida Statute 125. **BUDGETED ACTION:** None. Any revenue from these properties will be deposited into the appropriate fund to defray any costs that have occurred for maintaining these properties and/or processing costs.

G. Building and Growth Management - No Items.

H. Community Services

Parks and Natural Resources

- (1) **RECOMMENDED ACTION:** Approve a grant application with the Florida Department of Environmental Protection / Land and Water Conservation Fund for Tippecanoe Environmental Park in the amount of \$150,000. **BUDGETED ACTION:** None

Recreation - No Items.

Libraries and Historical

- (2) **RECOMMENDED ACTION:** Approve a Resolution authorizing overnight camping and parking for artisans and handcrafters at Bayshore Live Oak Park for the 15th Annual Florida Frontier Days Festival, from March 23-26, 2011, only. **BUDGETED ACTION:** None

J. Economic Development - No Items.

K. Facilities Construction and Maintenance

- (1) **RECOMMENDED ACTION:** Approve a Resolution authorizing the Chairman to sign and execute a District Office Lease for Congressman Thomas Rooney **BUDGETED ACTION:** None

L. Human Resources - No Items.

M. Human Services - No Items.

N. Public Safety

- (1) **RECOMMENDED ACTION:** Request Chairman's signature on FY10 Community Emergency Response Team grant agreement not to exceed in the amount of \$5,121 to support CERT volunteers. **BUDGETED ACTION:** No budget action required - no match required. Grant will be recognized in the Emergency Management budget. No County match required.
- (2) **RECOMMENDED ACTION:** a) Approve the EMS County Grant application for grant funds in the amount of \$9,388 to be used to improve and expand the County's pre-hospital Emergency Medical Services (EMS) system; and b) Approve a Resolution stating the County will not use the grant funds to supplant existing County EMS budget allocations. **BUDGETED ACTION:** None. The FY 10/11 EMS budget will be amended when approval of the grant applications is received.
- (3) **RECOMMENDED ACTION:** Authorize submission of an on-line application for the Severe Repetitive Loss Mitigation Program grant for FY2011 (re-opened) and FY2012 (if needed) for the mitigation reconstruction of property located at 522 Darst Avenue. **BUDGETED ACTION:** None. There is no financial obligation to the County. The property owner will be responsible for the 10% match required under the program.

P. Public Works

- (1) **RECOMMENDED ACTION:** Approve a Resolution authorizing the County Engineer, or his designee, to execute Florida Department of Transportation Construction Agreements as the Charlotte County Construction Coordinator. A sample copy of a Construction Agreement is attached as Exhibit A.
BUDGETED ACTION: None

Q. Tourism Development

- (1) **RECOMMENDED ACTION:** Approve submission of an application to VISIT FLORIDA to apply for the Cultural Heritage and Nature Tourism Grant. **BUDGETED ACTION:** None at this time.

R. Utilities - No Items.

S. Other Agencies - No Items.



V. REGULAR AGENDA

Z. Regular Agenda

(1) Commission Office

Choose by ballot three property owner/residents to serve as members of the Rotonda West Street & Drainage MSBU Committee.

- * Two regular members to fill vacancies
- * One alternate member to fill vacancy

(2) Commission Office

Choose by ballot two property owner/residents to serve as regular members of the Alligator Creek Waterway MSBU Committee. The terms will expire on March 25, 2014.



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

(1) Building and Growth Management

Conduct a public hearing to discuss proposed changes to the regulations surrounding Fortune Tellers and Taxi Cabs.



VII. PRESENTATION AGENDA - No Items.



VIII. PUBLIC WORKSHOP AGENDA - No Items.

Public input permitted.



IX. BOARD WORKSHOP AGENDA - No Items.

No public input.



X. CITIZEN INPUT - ANY SUBJECT

Anyone wishing to address the Board during this portion of the meeting must state his/her name for the record and may address his/her comments to items that were or were not discussed during the meeting. Each citizen will be allowed no more than three minutes to express his/her opinion.

AA. County Administrator:

BB. County Attorney:

CC. Commissioner Comments:

Bob Starr, District 1, Chairman
Tricia Duffy, District 5, Vice-Chairman
Christopher Constance, District 2
Robert Skidmore, District 3
Stephen R. Deutsch, District 4

Schedule of Future Closures/Hearings/Workshops

Tuesday, March 15, 2011, 9:00 a.m. Board of County Commissioners **Land Use Meeting**, Murdock Administration Building, Room # 119

Tuesday, March 22, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room # 119

Tuesday, April 12, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room # 119

Tuesday, April 19, 2011, 9:00 a.m. Board of County Commissioners **Land Use Meeting**, Murdock Administration Building, Room # 119

Tuesday, April 26, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room # 119

Thursday, April 28, 2011, 1:30 p.m. **Budget Focus Area Workshop**, Murdock Administration Building, Room # 119

Thursday, May 5, 2011, 1:30 p.m. **Budget Focus Area Workshop**, Murdock Administration Building, Room # 119

Tuesday, May 10, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room # 119

Thursday, May 12, 2011, 1:30 p.m. **Budget Focus Area Workshop**, Murdock Administration Building, Room # 119

Tuesday, May 17, 2011, 9:00 a.m. Board of County Commissioners Land Use Meeting, Murdock Administration Building, Room # 119

Tuesday, May 24, 2011, 9:00 a.m. Board of County Commissioners Regular Meeting, Murdock Administration Building, Room # 119

Monday, May 30, 2011, All County Buildings Closed in observance of Memorial Day