

BOARD OF COUNTY COMMISSIONERS

May 17, 2011

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 Sandrock, 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.

A. PLANNING AND ZONING PUBLIC HEARING

(1) RECOMMENDED ACTION: Approve an Ordinance adopting revisions to the Enterprise Charlotte Airport Park (ECAP) Zoning District. BUDGETED ACTION: None

Inga Williams presented the proposed Ordinance per packet material, paralleled visual slides, and responded to Board inquiries.

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

MOTION CARRIED 5:0.

COMMISSIONER SKIDMORE MOVED TO ENACT ORDINANCE 2011-015, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

(2) RECOMMENDED ACTION (Legislative): Deny a Resolution for a Street Vacation request for Paul Hartt for Petition SV-08-04-10. BUDGETED ACTION: None

Steve Ellis presented Petition SV-08-04-10 per packet material, paralleled visual slides, recommended denial, and responded to Board inquiries. Assistant County Attorney Derek Rooney and Dan Quick provided additional detail and responded to inquiries. **Commissioner Deutsch** opined additional time was needed to review the issues and make a decision. **Commissioner Duffy** commented on the importance of having a survey done. Attorney Rooney remarked on related legalities.

Paul Hartt requested time to complete the survey and addressed Board inquiries.

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

Board discussion ensued related to proper procedure for Public Hearings. Attorney Rooney recommended tabling the item to a time certain and addressed concerns related to the Public Hearing process.

MOTION CARRIED 5:0.

(3) RECOMMENDED ACTION (Quasi-Judicial): Approve a Preliminary Plat for Toledo Blade Peachland, LLC, for Petition PP-11-02-01. BUDGETED ACTION: None

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

Mr. Ellis presented Petition PP-11-02-01 per packet material, paralleled visual slides, and recommended approval with five conditions.

Attorney Rob Berntsson spoke on behalf of the applicant, requested approval, and fielded Board inquiries.

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

MOTION CARRIED 5:0.

COMMISSIONER SKIDMORE MOVED TO ADOPT PETITION PP-11-02-01, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

B. CITIZEN INPUT - ANY SUBJECT

Charlotte Ventola addressed comments made by Paul Hartt related to Agenda Item A-2, commended **Commissioner Constance** on the fertilizer issue, and pointed out school children are the best advertisers for environmental issues.

AA. County Administrator: None

BB. County Attorney: None

CC. Commissioner Comments:

Commissioner Duffy mentioned an email received from a construction company requesting landscape requirement updates at Enterprise Charlotte Airport Park (ECAP). **Commissioner Skidmore** gave additional related detail, referred to a conversation with Attorney Knowlton related to the Public Service Commission, suggested shifting the approval process for small utilities back to the Public Service Commission, and proposed the Board review the benefits and weaknesses of changing the policy at an upcoming meeting. **Commissioner Constance** spoke in support of having the discussion and explained why. **Chairman Starr** gave additional detail related to landscaping and spoke in opposition to giving the approval process back to the Public Service Commission. **Commissioner Duffy** suggested additional information is needed in order to make a decision. Attorney Knowlton advised consensus is not needed on the issue, indicated staff would place the item on the next available Agenda, and provided additional legalities. Board discussion ensued. **Commissioner Skidmore** pointed out private utilities are involved as opposed to Charlotte County Utilities. Mr. Sandrock provided additional detail. Attorney Knowlton and Assistant County Attorney Marty Burton responded to Board inquiries.

ADJOURNED: 9:47 AM

Chairman

ATTEST:

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

By: _____
Deputy Clerk

sfc/jl