

BOARD OF COUNTY COMMISSIONERS

MSBU PUBLIC HEARINGS

July 21, 2011

A Municipal Service Benefit Units (MSBU) Public Hearing was held at the Tringali Community Center, 3460 North Access Road, Englewood, Florida on Thursday, July 21, 2011.

The following members were present: Chairman Bob Starr, Commissioner Christopher Constance, Commissioner Tricia Duffy, Commissioner Robert Skidmore, County Administrator Raymond Sandrock, and Assistant County Attorney Daniel Gallagher. Also in attendance were Municipal Services District Representative Tara Musselman, Fire Chief Dennis Didio, Fire Chief Brian Gorski, County Engineer Danny Quick, and Deputy Clerk Lansing. Members not present: Commissioner Stephen R. Deutsch. The meeting was called to Order at **5:01 PM** followed by the Pledge of Allegiance.

Ms. Musselman explained the Rotonda West Beautification Unit was not created therefore the Public Hearing has been removed from this Agenda.

Public Hearings to set MSBU Rates:

A. Barrier Islands Fire Service Unit

Dennis Didio, Fire Chief - 833-5601, Charlotte County Fire Rescue Department
Chief Gorski, Fire Chief – 474-3311, Englewood Fire Department (EFD)

Advertised Rates for FY11/12 –

Vacant lot or acre accessible by road	\$ 204.75 per Lot or Acre
Vacant lot or acre inaccessible by road	\$ 11.81 per Lot or Acre
Commercial/Industrial	\$.42 per SF (min 1300 SF)
Residential	\$ 511.88 per ERU

Proposed Maximum Rates –

Vacant lot or acre accessible by road	\$ 204.75 per Lot or Acre
Vacant lot or acre inaccessible by road	\$ 11.81 per Lot or Acre
Commercial/Industrial	\$.42 per SF (min 1300 SF)
Residential	\$ 511.88 per ERU

Provide funding mechanism for fire services

Chief Didio explained the proposal in great detail and clarified its options. There was lengthy Board discussion. Chief Didio and Chief Gorski responded to related inquiries. **Commissioner Duffy** expressed concern with approving the rates prior to receiving the related citizen survey. **Chairman Starr** suggested the Board tentatively adopt the highest rate today, meet with the stakeholders once the citizen survey is received, and then adjust the rate. **Chairman Starr** also advised 18 letters were received from citizens opposed to the Barrier Islands Fire Service Unit.

Public Comment:

Mike Mc Kinley spoke in favor of an option that includes ferry service.
Michael Grant spoke in favor of EFD coverage and opined proposed costs are not fair.
Valerie Guenther requested the Board respect the Islanders choice.
Robert Caldwell expressed opposition to first option and opined \$511.00 is too high.
Jim Gordon noted his concern that the Island is not charged the same as Mainlanders.
Kenneth Nicoll questioned how a decision could be made before reviewing the survey.
Richard and Kathleen Sadenwater were opposed to the \$511.00 option and requested denial.
Rose Malone was also opposed to \$511.00 option.
Jody and Jeff Minett expressed opposition to option 1.
Bill and Carol Peterson were also opposed to \$511.00 option and requested a delay.
Wendy Dalzell and Robin Dalzell expressed support of a manned Station with Charlotte County.

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

APPROVED 4/0.

Chief Gorski discussed assessment rates further. **Commissioner Duffy** described the options available and explained why they needed to set the tentative rates today. **Commissioner Constance** remarked further on the process, advised rates cannot be raised after today, and commended the Fire Chiefs for their support. **Chairman Starr** mentioned he lived and was a volunteer firefighter on the island for 15 years, described how they handled fires and addressed 911 calls, assured the group that the Board would accept citizen input after the survey is received, and indicated the importance of maintaining safety on the island.

COMMISSIONER CONSTANCE MOVED TO APPROVE OPTION 1, MOTION FAILED FOR LACK OF A SECOND

COMMISSIONER DUFFY MOVED TO APPROVE OPTION 2, COMMISSIONER SKIDMORE SECONDED FOR DISCUSSION

Board discussion ensued. Attorney Gallagher provided related legalities. Ms. Musselman read Option 2 rates into the record. Chief Didio explained the option in detail.

APPROVED 3/1, CHAIRMAN STARR OPPOSED.

Commissioner Duffy expressed concern with the last decision and requested the Board take a brief recess to allow for further discussion with the attendees.

RECESS: 5:55 PM – 6:05 PM

Board Action:

COMMISSIONER CONSTANCE MOVED TO RECONSIDER THE LAST MOTION, NO SECOND RECEIVED AT THIS TIME, HOWEVER AN AMENDED MOTION WILL BE SECONDED

Attorney Gallagher provided meeting rules and related legalities.

CHAIRMAN STARR MOVED TO SUSPEND THE MEETING RULES AND ALLOW THE LAST MOTION TO BE RECONSIDERED

APPROVED 4/0.

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

APPROVED 4/0.

Board Action:

COMMISSIONER CONSTANCE MOVED TO AMEND THE LAST MOTION TO APPROVE THE MAXIMUM RATE NOW (RESOLUTION 2011-249) AND TO REVISIT THE ISSUE AGAIN IN AUGUST, SECONDED BY COMMISSIONER SKIDMORE

Commissioner Constance noted the amendment will provide more flexibility to later lower the rates and confirmed the survey will reflect all options. Chief Didio directed citizens to contact the Commission Office if they do not receive a survey by August 15, 2011.

APPROVED 4/0.

B. Charlotte County Fire Rescue Department

Dennis Didio, Fire Chief – 833-5601, Charlotte County Fire Rescue Department

Advertised Rate for FY 11/12 – Vacant	\$ 57.77 per ERU
Advertised Rate for FY 11/12 – Occupied	\$ 135.64 per ERU
Proposed Maximum Rate	\$ 203.77 per ERU
First Time Assessed Properties	

Ms. Musselman described the item.

Public Comment:

Michael Grant commented further.

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

APPROVED 4/0.

Board Action:

COMMISSIONER CONSTANCE MOVED TO APPROVE THE RATES (RESOLUTION 2011-250),
COMMISSIONER DUFFY SECONDED

Board discussion ensued.

APPROVED 4/0.

C. Rotonda West Street & Drainage Unit

Tara Musselman, Municipal Services District Representative, Charlotte County Public Works

Advertised Rate for FY 11/12 – Vacant	\$ 100.00 per ERU
Advertised Rate for FY 11/12 – Occupied	\$ 100.00 per ERU
Proposed Maximum Rate	\$ 191.54 per ERU
First Time Assessed Properties	

Public Comment: None

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

APPROVED 4/0.

Board Action:

COMMISSIONER CONSTANCE MOVED TO APPROVE THE RATES (RESOLUTION 2011-251),
COMMISSIONER SKIDMORE SECONDED

Chairman Starr questioned why they need to carry this balance. Ms. Musselman responded related to the budget and beautification. Board discussion ensued.

APPROVED 4/0.

D. Rotonda White Marsh Street & Drainage Unit

Tara Musselman, Municipal Services District Representative, Charlotte County Public Works

Advertised Rate for FY 11/12 – Vacant	\$ 100.00 per ERU
Advertised Rate for FY 11/12 – Occupied	\$ 100.00 per ERU
Proposed Maximum Rate	\$ 169.49 per ERU
First Time Assessed Properties	

Ms. Musselman described the issue. There was Board inquiries.

Public Comment: None

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

APPROVED 4/0.

COMMISSIONER CONSTANCE MOVED TO APPROVE THE RATES (RESOLUTION 2011-252),
COMMISSIONER SKIDMORE SECONDED

APPROVED 4/0.

E. Rotonda Lakes Street & Drainage Unit

Tara Musselman, Municipal Services District Representative, Charlotte County Public Works

Advertised Rate for FY 11/12 – Vacant	\$ 110.00 per ERU
Advertised Rate for FY 11/12 – Occupied	\$ 110.00 per ERU
Proposed Maximum Rate	\$ 110.00 per ERU
Road resurfacing	

Ms. Musselman described the item and responded to inquiries. Mr. Quick explained no road work has been done and recommended and agreed the rates are lower now. Attorney Gallagher explained road paving and how it impacts property values.

Public Comment:

Chris Burke commented that the mailing did not explain the increase and suggested mailings include proposed increase detail in the future.

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

MOTION: APP 4/0.

COMMISSIONER SKIDMORE MOVED TO APPROVE THE RATES (RESOLUTION 2011-253), SECONDED BY
COMMISSIONER CONSTANCE

APPROVED 4/0.

F. Rotonda Sands North Street & Drainage Unit

Tara Musselman, Municipal Services District Representative, Charlotte County Public Works

Advertised Rate for FY 11/12 – Vacant	\$ 145.00 per ERU
Advertised Rate for FY 11/12 – Occupied	\$ 145.00 per ERU
Proposed Maximum Rate	\$ 145.00 per ERU
Road resurfacing	

Public Comment:

Kendall Leach asked for the number of opposed emails and was in favor of the lower rates.
James Kemp requested the rate be reduced.
John Vellucci provided his opinion.

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

MOTION: APP 4/0.

Ms. Musselman gave detail related to discussions with residents and explained paving program bid criteria. Board discussion ensued. Budget and Administration Director Gordon Burger explained cost allocation methods and associated information. Ms. Musselman continued to respond to additional Board inquires.

Board Action:

COMMISSIONER SKIDMORE MOVED TO APPROVE THE RATES (RESOLUTION 2011-254), SECONDED BY COMMISSIONER DUFFY

APPROVED 3/1, COMMISSIONER CONSTANCE OPPOSED

RECESS: 7:06 PM – 7:20 PM

Commissioner Constance pointed out detail related to the last MSBU associated with paving. **Commissioner Skidmore** explained further.

G. Rotonda West Beautification Unit

Tara Musselman, Municipal Services District Representative, Charlotte County Public Works

Public Hearing not required per Board direction from the July 12, 2011 BCC Meeting, Rotonda West Beautification Unit was not created.

H. Gulf Cove Street & Drainage Unit

Tara Musselman, Municipal Services District Representative, Charlotte County Public Works

Advertised Rate for FY 11/12 – Vacant	\$ 166.00 per ERU
Advertised Rate for FY 11/12 – Occupied	\$ 155.00 per ERU
Proposed Maximum Rate	\$ 166.00 per ERU
Road resurfacing	

Ms. Musselman explained the item related to an increase for paving.

Public Comment:

Sue Vaughn remarked on a petition she provided with the names of 60 opposed.

Sid Pinsky spoke in opposition of the increase.

Richard Van Acker expressed opposition to the increase and questioned the loan process.

Ron Molway spoke in opposition to an increase for paving.

Ron Wozniak was opposed and pointed out a discussion had at the March MSBU meeting.

Warren Fishpaw spoke in favor of the increase.

Rebecca Wirth spoke in favor of Gulf Cove paving.

Tom Ricciardo (no show)

Rick Peleske said the streets need to be paved, not repaired, and opined the proposed rate is fair.

Darcy Manos was in favor of the repair approach.

Chairman Starr read citizen comments into the record.

Tom Instone spoke in favor of the increase and opined it will cost more later.

Christine Perry questioned how long the increase would be charged.

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

APPROVED: 4/0.

Mr. Quick and Ms. Musselman responded to Board inquires related to road condition, pricing, and loans. Board discussion ensued. Attorney Gallagher responded to inquires. **Commissioner Constance** explained why he moved to approve the maximum rate and pledged not to support the increase at the final meeting. Ms. Musselman confirmed the MSBU Committee 3/2 vote was in favor. **Commissioner Skidmore** agreed that some roads needed to be paved and expressed hope that Gulf Cove could create a paving program. **Chairman Starr** discussed the Rejuvenation Fund and asked questions related to engineering. Mr. Quick responded and provided related suggestions.

Board Action:

COMMISSIONER CONSTANCE MOVED TO APPROVE THE MAXIMUM RATES (RESOLUTION 2011-255) AND INSTRUCT STAFF TO DISCUSS PAVING FURTHER WITH GULF COVE RESIDENTS, SECONDED BY COMMISSIONER SKIDMORE

APPROVED 3/1, COMMISSIONER STARR OPPOSED

ADJOURNED: 8:05 P.M.

Chairman

ATTEST:

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

By: _____
Deputy Clerk

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