

**BOARD OF COUNTY COMMISSIONERS**

**September 27, 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, County Attorney Knowlton, 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 Peter Burnett of Port Charlotte International Church, followed by the Pledge of Allegiance.

**Changes to the Agenda:**

**Addition #1:** Requested by: County Attorney - Z-2 - Set an Executive Session for September 27, 2011 at 1:00 p.m. in the Charlotte County Attorney's Office Conference Room to discuss settlement negotiations or strategy related to litigation expenditures concerning the lawsuit captioned Charlotte County v. Rotonda Project, LLC; Appellate Court Case No. 2D10-4110.

**Change #1:** Requested by: Administration - D-1 - RECOMMENDED ACTION: Approval of Amendment to Stone Crabs Stadium Lease Agreement. Approve an extension of the current lease agreement and Master Concession Agreement until December 20, 2011, so that staff and Ripken Group can draft an amendment.

**Change #2:** Requested by: Facilities - F-3 - RECOMMENDED ACTION: Approve the award of Bid #11-290, Kiwanis Park - added additional map.

**Deletion #1:** Requested by: Commission Office - E-2 - RECOMMENDED ACTION: Set a Public Hearing for October 11, 2011 at 10:00 a.m., or as soon thereafter as may be heard, to consider an ordinance prohibiting persons from occupying public sidewalks.

**Addition #2:** Requested by: Commission Office - Proclamation - David Bitner Memorial Day.

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER SKIDMORE**

**MOTION CARRIED 5:0.**

**Proclamations - Commissioner Stephen R. Deutsch**

Musclemania Day Proclamation, October 8, 2011

**COMMISSIONER SKIDMORE MOVED TO PROCLAIM OCTOBER 8, 2011 AS MUSCLEMANIA DAY, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

Dr. Mark Asperilla accepted the Proclamation and introduced Lisa Mondelli of Parks and Recreation.

Community Planning Month Proclamation, the month of October 2011

**COMMISSIONER SKIDMORE MOVED TO PROCLAIM THE MONTH OF OCTOBER 2011 AS COMMUNITY PLANNING MONTH, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

Ms. Roxann Read accepted the Proclamation and noted the organization's mission and future workshops.

Howard Hartfelder Day Proclamation, September 27, 2011

**COMMISSIONER SKIDMORE MOVED TO PROCLAIM SEPTEMBER 27, 2011 AS HOWARD HARTFELDER DAY, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

Mr. Hartfelder accepted the Proclamation with thanks.

David Bitner Memorial Day Proclamation, September 29, 2011

**COMMISSIONER SKIDMORE MOVED TO PROCLAIM SEPTEMBER 29, 2011 AS DAVID BITNER MEMORIAL DAY, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**Commissioner Deutsch** announced the Proclamation would be presented to the family at the Memorial Service. **Commissioner Skidmore** suggested a suite at the Stadium be renamed for Mr. Bitner and directed Administration to begin the process. **Commissioner Duffy** commended Mr. Bitner's contributions to the County.

**Employee Recognition - None**

**II. COMMITTEE VACANCIES**

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

Marine Advisory Committee - is seeking one volunteer to serve as a Member-at-Large. This term is effective January 1, 2012 and shall expire on December 31, 2014. Please send letter requesting consideration along with a short resume of qualifications to: Pam Alexander, 18400 Murdock Circle, Port Charlotte, FL 33948; email to: pam.alexander@charlottefl.com or fax to 941-764-4108.

MPO - Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB) - is seeking two (2) individuals to voluntarily serve on the LCB Board. The purpose of the LCB is to identify local service

needs and to provide information, advice, and direction to the Community Transportation Coordination of service to be provided to the transportation disadvantaged. The positions are for: 1) Elderly Interests Representative (a person over 60 years of age); and 2) Local Private for Profit Transportation Industry. Please send a letter or e-mail stating your interest in and qualifications for your respective LCB positions by October 14, 2011 to: Charlotte County-Punta Gorda MPO, 25550 Harbor View Road, Suite 4, Port Charlotte, FL 33980. Fax: 941-883-3534 Email: office@ccmpo.com.

## **II. CITIZENS' INPUT - AGENDA ITEMS ONLY**

Major Earle Bretz spoke in support of Agenda Item Z-1.

## **III. REPORTS RECEIVED AND FILED**

## **IV. CONSENT AGENDA**

**COMMISSIONER SKIDMORE MOVED TO APPROVE THE CONSENT AGENDA EXCEPT AGENDA ITEM F-7, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

### **Clerk of the Circuit Court**

#### **A. Finance Division**

(1) RECOMMENDED ACTION: Approve Clerk's Memorandum. BUDGETED ACTION: None required.

Memorandum #2 - Total Disbursements for the Period September 1, 2011 through September 15, 2011 in the amount of \$6,223,306.26

#### **B. Minutes Division - No Items**

### **Board of County Commissioners**

#### **C. Commission Office**

(1) RECOMMENDED ACTION: Approve Roxann Read's request to have her name considered by Governor Rick Scott as the third name submitted from the Charlotte County Board of County Commissioners to fill an expired term on the Children's Services Council. BUDGETED ACTION: None required.

(2) RECOMMENDED ACTION: Reappoint members to the Historical Advisory Committee for another three year term: Vernon Peeples as the Member-at-Large, and Margie Sue Blackwell as the Punta Gorda Historical Society Representative. The Lemon Bay Historical Society representative will be vacant as Esther Horton does not wish to be reappointed. Terms will expire on September 30, 2014. BUDGETED ACTION: None required.

#### **D. Administration**

**Administration**

(1) RECOMMENDED ACTION: Approval of Amendment to Stone Crabs Stadium Lease Agreement.  
BUDGETED ACTION: None

**Agreement 2008-034**

**Public Information Office - No Items.**

**E. County Attorney**

(1) RECOMMENDED ACTION: Authorize the County Attorney to take all necessary and appropriate legal action against Joan Bent to recover damages due to her negligence in connection with the purchase and removal of a Trane Chiller. BUDGETED ACTION: No action needed. Any funds collected will be deposited into the appropriate account to reimburse for repairs.

(2) RECOMMENDED ACTION: Set a public hearing for October 11, 2011 at 10:00 a.m., or as soon thereafter as may be heard, to consider an ordinance prohibiting persons from occupying public sidewalks. BUDGETED ACTION: None

**F. Budget and Administrative Services**

**Budget and Administrative Services**

(1) RECOMMENDED ACTION: Approve and authorize the Chair of the Charlotte County BCC to execute the FY 2010/2011 County/State Department of Health contract for the operation of the Charlotte County Health Department. BUDGETED ACTION: No action needed. Funding is provided through the County Health Unit millage rate of 0.0907 which provides the \$1,213,200 budgeted in the Charlotte County Health Department Fund as the County's share of this contract.

**Agreement 2011-035**

(2) RECOMMENDED ACTION: Approve and authorize the Commission Chair to sign the attached grant certification for the Supervisor of Elections to meet the State requirement to receive Charlotte County's share of the 2011 Legislature appropriated funds to be distributed to State Supervisors of Elections for federal election activities. BUDGETED ACTION: No action needed. A 15% County match or \$3,115.19 is required to receive the monies. The Supervisor of Elections FY2011/2012 budget contains sufficient amount of funds to cover the required match which will be used for the specific purposes designated in the grant.

**Grant 2011-014**

**Fiscal Services - No Items.**

**Information Technology - No Items.**

**Purchasing**

(3) RECOMMENDED ACTION: Approve the award of Bid #11-290, Kiwanis Park Boardwalk Improvements, to the lowest responsive, responsible bidder, Dave Foote Environmental Construction Inc., of Fort Myers, FL for a total project cost of \$249,711. The purpose of this bid is to secure the services of an experienced, licensed Contractor to remove and construct new boardwalks, bridges, trail, sidewalk, parking and other improvements at Kiwanis Park located at 3100 Donora Street, Port Charlotte, Florida. BUDGETED ACTION: No action needed. Funding is provided by the Capital Projects Fund, project part of the approved FY10/11 CIP.

(4) RECOMMENDED ACTION: Approve Change Order to Contract #10-128, Cleaning Services - Charlotte County Facilities, with Superior Cleaning, Inc., increasing the service provided to the Family Services Center for an annual increase of \$9,163.20, effective October 1, 2011 through September 30, 2012. This is an annual contract for cleaning services at various Charlotte County Facilities originally approved by the Board on March 3, 2010. BUDGETED ACTION: No action needed. The funding is from the General Fund and is budgeted in Facilities - Family Services.

(5) RECOMMENDED ACTION: a) Approve award Bid #11-291 Safety Mowing - South County to Walker Services, Inc., of Bradenton, FL, at the unit prices listed for the term October 1, 2011, up to and including September 30, 2012; and b) Authorize County Administrator to approve two additional one-year renewals at the same prices, terms, and conditions, by mutual consent. This is an annual contract for mowing of roadway rights-of-way, easements, and drainage facilities in the South County area. BUDGETED ACTION: No action needed. Budgeted in various MSBUs and the Transportation Trust Fund. Funding is supplied from gas taxes and various street and drainage MSBUs.

(6) RECOMMENDED ACTION: a) Approve award of Bid #11-275, Supply Asphalt Concrete - Annual Contract, to Ajax Paving Industries of Florida, LLC of Nokomis, Florida, as indicated on the bid form; and b) Authorize the County Administrator to approve renewal options up to two additional one-year terms at the same prices, terms and conditions, by mutual consent. The contract period will be effective from October 1, 2011, through and including September 30, 2012. This is an annual contract to supply asphalt concrete products to the Maintenance & Operations Division of the Public Works Department on an "as required" basis. BUDGETED ACTION: No action needed. Item will be placed into inventory and charged to the Transportation Trust Fund or the appropriate MSBU/TU as used.

(7) RECOMMENDED ACTION: a) Approve ranking of firms for Request for Proposal #11-278 Land Lease-Composting Bio-Solids Facility: 1st - Synagro-WWT, Inc. of Baltimore, MD; and 2nd - PHE Group, LLC of Port Charlotte, FL; b) Approve start of negotiations with top-ranked firm; and c) Authorize Chairman to sign the contract after completion of negotiations. This is for lease of land at the Zemel Road Landfill for the purpose of providing a bio-solid composting facility. BUDGETED ACTION: No Action Needed - Revenue to be generated for Solid Waste Enterprise Fund. Once lease payment is established, Budget will be adjusted to reflect additional revenue to the Solid Waste Enterprise Fund.

**Commissioner Constance** expressed concern with the initial proposal, requested the results of the negotiations be brought back to the Board, and that Item C be removed.

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE RANKING OF THE FIRMS AND THE START OF NEGOTIATIONS WITH THE TOP RANKED FIRM, SECONDED BY COMMISSIONER SKIDMORE**

Kim Corbett explained the process. **Commissioner Skidmore** agreed and explained further. **Commissioner Duffy** thanked **Commissioner Constance** for bringing the item forward. **Chairman Starr** expressed support and commended Public Works.

**MOTION CARRIED 5:0.**

(8) RECOMMENDED ACTION: a) Approve award of Bid #11-274, Asphalt Repairs for CCU - Annual Contract to Better Roads Inc. of Naples, Florida at the unit prices as indicated on the bid form; and b) Authorize the County Administrator to approval renewal options up to two (2) additional one-year terms at the same prices, terms and conditions, by mutual consent. The Contract period will be effective from October 1, 2011 through and including September 30, 2012. This is an annual contract for the services to repair and/or replace asphalt along selected roads within Charlotte County. BUDGETED ACTION: No Action Needed - Amount Budgeted in FY2012 - \$122,352

(9) RECOMMENDED ACTION: Approve renewal of Contract #10-281 Property & Casualty Insurance Coverage with Florida League of Cities located in Orlando, FL, for the term October 1, 2011 up to and including September 30, 2012. This is an annual contract for a comprehensive program of self insurance. BUDGETED ACTION: None

(10) RECOMMENDED ACTION: a) Approve ranking of firms for Request for Proposal #11-271, Design Bridge - Harborview Road at Desoto Canal: 1st -Charlotte Engineering & Surveying, Inc. of Port Charlotte, FL; 2nd -DMK Associates, Inc. of Englewood, FL; and 3rd-Johnson Engineering, Inc., of Port Charlotte, FL; b) Approve start of negotiations with the firms; and c) Authorize the Chairman to sign the contract after completion of negotiations, for the design of the replacement bridge on Harborview Road at Desoto Canal. BUDGETED ACTION: No action needed. Funded in approved CIP project C410809, Desoto Canal Bridge Replacement. Amount budgeted for Engineering is \$350,000. Funding is supplied from gas taxes.

(11) RECOMMENDED ACTION: a) Approve award of Bid #11-260, Water Quality Analysis, to Benchmark EnviroAnalytical of North Port, FL at the unit prices listed on the attached tabsheet for the term October 1, 2011 up to and including September 30, 2012; and b) Authorize the Administrator to approve two additional one year renewals at the same prices, terms, and conditions, by mutual consent. This is an annual contract for the procurement of water testing services to be utilized by three of Charlotte County's Divisions/Departments. BUDGETED ACTION: No action needed. Funding for the following amounts is budgeted for FY 2012: CCU - \$152,599; MSWMD - \$6,500; Stormwater - \$132,000. Funding for this expenditure comes from the Utilities Operations and Maintenance Fund - contract services; Solid Waste Enterprise Fund - contract services; and Stormwater portion comes from the Mid, South, and West County Stormwater MSBUs (\$44,000 each).

(12) RECOMMENDED ACTION: Approve the Renewal Agreement, File #11-334, Maintenance and Repair of 800 MHz Communication Infrastructure, to Motorola, for the period from October 1, 2011 through and including September 30, 2012, for an annual cost of \$148,315.80. This Agreement provides for the maintenance and repair of the County's 800 MJZ communication infrastructure. BUDGETED ACTION: No action needed. This item is budgeted in the Radio Communications FY11/12 budget.

**Real Estate Services**

(13) 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 Chapter 125, Florida Statutes. BUDGETED ACTION: No action needed. This item is requesting approval to allow these surplus properties to be disposed of through the bid process.

**Resolution 2011-268**

(14) RECOMMENDED ACTION: Approve the attached Resolution authorizing the Chair of the Charlotte County Board of County Commissioners to approve the agreement for exchange of the County's interest in eight platted lots for the interest in seven privately owned platted lots owned by Charlotte County Habitat for Humanity Inc., located in Charlotte County, Florida. BUDGETED ACTION: No action needed. The land swap is considered an even exchange based on the market value of the properties.

**Resolution 2011-269; Agreement 2011-040**

**G. Community Development**

(1) RECOMMENDED ACTION: Approve an interlocal agreement between the City of Punta Gorda and Charlotte County to provide for the design, permitting, right-of-way acquisition, and construction of sidewalks on Aquí Esta Drive, between Magdalena Drive and US 41. This contract, which will be administered by the City, will be funded 50% by the City and 50% by the County, up to a maximum of \$250,000 each. BUDGETED ACTION: No action needed. Funded in approved CIP project C 419301 Aquí Esta. This project was approved as part of the FY10/11 CIP process. Charlotte County's share is funded from gas taxes.

**Agreement 2011-036**

(2) RECOMMENDED ACTION: Approve a Resolution to enter into an Urban and Community Forestry Grant Memorandum of Agreement and a Maintenance Memorandum of Agreement with the State of Florida, Department of Agriculture and Consumer Services, Division of Forestry. BUDGETED ACTION: No action needed. If approved, the \$20,000 program cost will provide \$10,000 grant funds and a \$10,000 County match from the Charlotte County Native Tree Fund.

**Resolution 2011-270**

(3) RECOMMENDED ACTION: Authorize Chairman to execute the Updated Interlocal Agreement for Coordinated Planning and School Concurrency. BUDGETED ACTION: No action needed.

**Agreement 2011-039**

**H. Community Services**

**Parks and Natural Resources - No Items.**

**Recreation - No Items.**

**Libraries and Historical - No Items.**

**J. Economic Development - No Items.**

**K. Facilities Construction and Maintenance - No Items.**

**L. Human Resources - No Items.**

**M. Human Services - No Items.**

**N. Public Safety**

(1) RECOMMENDED ACTION: a) Approve the EMS County Grant application for grant funds in the amount of \$11,868 to be used to improve and expand the County's pre-hospital Emergency Medical Services (EMS) system; b) Approve a Resolution stating the County will not use the grant funds to supplant existing County EMS budget allocations; and c) Authorize BCC Chair to sign any grant related documents. BUDGETED ACTION: No action needed. The EMS budget will be amended when approval of the grant applications is received.

**Resolution 2011-271; Grant 2011-045**

**P. Public Works - No Items.**

**Q. Tourism Development - No Items.**

**R. Utilities - No Items.**

**S. Other Agencies - No Items.**

**V. REGULAR AGENDA**

**Z. Regular Agenda**

(1) Administration - RECOMMENDED ACTION: Discussion and direction regarding the funding of the Civil Air Patrol, Cadet Program, for \$6,000.

Hector Flores read the item into the record and responded to inquiries.

**COMMISSIONER CONSTANCE MOVED TO APPROVE GRANT 2011-046, SECONDED BY COMMISSIONER DEUTSCH**

**Commissioner Deutsch** commented on the program and offered to work on a private fundraiser next year. **Commissioner Duffy** explained her opposition to approval. **Commissioner Constance** gave reasons for supporting the Program. **Chairman Starr** expressed his support and suggested the Board go back to line items. **Commissioner Duffy** spoke further and opined line items do not work.

**MOTION CARRIED 4:1. COMMISSIONER DUFFY OPPOSING.**

(2) County Attorney - Set an Executive Session for September 27, 2011 at 1:00 p.m. in the Charlotte County Attorney's Office Conference Room to discuss settlement negotiations or strategy related to litigation expenditures concerning the lawsuit captioned Charlotte County v. Rotonda Project, LLC; Appellate Court Case No. 2D10-4110.

**COMMISSIONER DEUTSCH MOVED TO APPROVE AGENDA ITEM Z-2, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**RECESS: 9:43 A.M. - 10:00 A.M.**

**VII. PRESENTATION AGENDA - 10:00 A.M.**

(1) Commission Office - RECOMMENDED ACTION: Hepatitis C Health Concern and Potential Health Issues by Dr. Mark Asperilla.

Dr. Asperilla and Dr. Chizea provided an overview of Hepatitis C and paralleled visual slides. Dr. Klein provided historical detail, described drugs used for treatment, noted the risk factors involved, and mentioned the high cost of medication. Dr. Asperilla, Dr. Klein, and Mary Kay Burns responded to Board inquiries.

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

(1) County Attorney - RECOMMENDED ACTION: Hear proposed changes to the Charlotte County Code of Laws and Ordinances specifically dealing with firearms pursuant to 790.33, Florida Statutes.

County Attorney Knowlton explained the item.

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

**MOTION CARRIED 5:0.**

**COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2011-037, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

(2) County Attorney - RECOMMENDED ACTION: Consider approving an ordinance relating to pain management clinics.

Attorney Knowlton explained the item and thanked **Commissioner Constance** and Assistant County Attorney Kira Honse for their efforts. Attorney Honse spoke further.

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

**MOTION CARRIED 5:0.**

**COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2011-038, SECONDED BY COMMISSIONER SKIDMORE**

**Commissioner Constance** expressed appreciation for everyone's participation. **Commissioner Deutsch** commended **Commissioner Constance** for his efforts. Board discussion ensued.

**MOTION CARRIED 5:0.**

**VIII. PUBLIC WORKSHOP AGENDA - No Items**

**IX. BOARD WORKSHOP AGENDA - No Items.**

**X. CITIZEN INPUT - ANY SUBJECT**

Lynn Freda spoke to the importance of the Hepatitis C Health Concern.

**AA. County Administrator:**

County Administrator Sandrock gave an update on the County Administrators' Meeting of the Water Authority, explained the change to active ownership, noted recommendations and impacts, mentioned the upcoming Phase II Pipeline Water Authority Agenda Item, and responded to Board inquiries. **Chairman Starr** commended Mr. Sandrock for his efforts. Mr. Sandrock announced the upcoming Water Authority Meeting on October 5th and an upcoming Public Meeting at Englewood Library also on October 5th.

**BB. County Attorney:**

Attorney Knowlton gave updates on the Office of Regional Conflict Council and the repeal of the Animal Control Special Act.

**CC. Economic Development Director:**

Tom Patton described the Governors Trade Mission, suggested the Board take the opportunity to partner with the City of Punta Gorda (\$5,000) and Charlotte County Chamber of Commerce (\$2,500) and contribute \$6,000 to bring 15 International Business Representatives to Charlotte County. County Attorney Knowlton advised the Board to add this item to the Agenda by Motion.

**COMMISSIONER SKIDMORE MOVED TO ADD THE GOVERNOR'S TRADE MISSION ALLOCATION OF \$6,000.00 TO THE AGENDA, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**Commissioner Deutsch** congratulated Mr. Patton and Pam Seay on the Airport Authority and commented further.

**COMMISSIONER DEUTSCH MOVED TO APPROVE A GOVERNOR'S TRADE MISSION ALLOCATION OF \$6,000, SECONDED BY COMMISSIONER CONSTANCE**

**Commissioner Constance** spoke in support. **Chairman Starr** requested the Business Representatives be shown the entire County.

**MOTION CARRIED 5:0.**

**DD. Commissioner Comments:**

**Commissioner Deutsch** noted a Special Celebration of Life Service in honor of David Bitner and a free presentation on the Constitution at the United Methodist Church. **Commissioner Duffy** addressed Ms. Freda's comments related to Hepatitis C, apologized to the Civil Air Patrol, and commented on conversations with the Lt. Governor. **Commissioner Constance** discussed Burnt Store Road, mentioned Piper Road, commended those involved with the Hepatitis C Presentation, and expressed concern with the accessibility of the Regional Water Authority Meeting back up material. **Commissioner Skidmore** addressed **Commissioner Constance's** concerns. Board discussion ensued. Attorney Knowlton pointed out the item is not critical and suggested bringing it back to the Board at a later time. Mr. Sandrock gave additional detail and mentioned an upcoming Liaison Meeting. **Commissioner Constance** expressed the importance of relationships with State Representatives, asked the Board to pick one Legislative Priority to be responsible for (handout), indicated receipt of an email from the Supervisor of Elections, and requested consensus to represent the Commission on the Canvassing Committee. **(Board Consensus)** **Commissioner Skidmore** announced an upcoming meeting with the Florida Association of Counties, noted Charlotte is the first County to secure substantial funds from a bank through a utility by participating in a debt collection program, commented on an article related to Southwest Florida Water Management District (SWFWMD) selling conservation land (Charlotte Harbor Buffer Preserve), spoke in opposition to purchasing the land, thanked Administration for participation in the Water Authority meetings, encouraged the Commission to attend the Water Authority's October 5th Meeting, honored Mr. Bitner, addressed Ms. Freda's concerns related to the Sidewalk Ordinance, and mentioned the Tampa Bay Rays. **Commissioner Duffy** pointed out the October 5th Water Authority Meeting is the same day as the Energy Options Conference. **Chairman Starr** mentioned the recommendation of the Heritage Society related to the Bunk House and inquired about the Board's interest in participation. **Commissioner Skidmore** questioned the amount of funds raised by private groups. **Commissioner Constance** proposed having an engineer donate services to provide a report on the condition of the building. **Chairman Starr** suggested giving Administration direction to contact the Historical Society to give an estimate on stabilization costs. **(Board Consensus)** **Commissioner Deutsch** explained the difference in costs of rehabilitation and restoration. **Commissioner Skidmore** questioned the status of the Environmental Deputy. Mr. Sandrock confirmed there is a new Environmental Deputy, indicated he would provide details, and stated the Program is continuing.

**RECESS: 11:15 A.M. - 1:00 P.M.**

**BOARD OF COUNTY COMMISSIONERS - EXECUTIVE SESSION**

**September 27, 2011**

An Executive Session was held this date at the Murdock Administration Complex in Room 119, Port Charlotte, Florida. The following were in attendance: Chairman Starr, Commissioner Constance, and Commissioner Deutsch. Also in Attendance were County Attorney Knowlton and Deputy Clerk Lansing. The Executive Session was called to order at **1:00 P.M.**

County Attorney Knowlton announced the opening of the public portion of the Executive Session, advised the attorney/client portion of the Executive Session would be held in the County Attorney's Large Conference Room, announced the purpose of the session is to discuss the lawsuit captioned Charlotte County v. Rotonda Project, LLC, Appellate Court Case No. 2D10-4110 and noted the following would be in attendance: **Chairman Starr, Commissioner Constance, Commissioner Deutsch, Commissioner Skidmore**, County Administrator Sandrock, Assistant County Attorney Philip Fairman, Special Counsel Michael Burke, and herself.

**EXECUTIVE SESSION RECESS: 1:00 P.M. - 2:05 P.M.**

The Executive Session was reconvened and closed in Room 119 with **Chairman Starr, Commissioner Constance, Commissioner Skidmore**, County Attorney Knowlton, and Deputy Clerk Lansing present.

**ADJOURNED: 2:06 P.M.**

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Chairman

**ATTEST:**

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

By: \_\_\_\_\_  
Deputy Clerk

sfc