

BOARD OF COUNTY COMMISSIONERS

October 18, 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 Lansing. The following members were absent: None

The meeting was called to order at **9:00 A.M.**, followed by the Pledge of Allegiance.

A. PLANNING AND ZONING PUBLIC HEARING

(1) RECOMMENDED ACTION: Approve a preliminary plat for Emil Bella, for Petition #PP-11-07-02.
BUDGETED ACTION: None

(Chairman Starr advised it is a Quasi-Judicial hearing. Deputy Clerk Lansing administered the oath to prospective witnesses. Chairman Starr polled the Board for ex parte disclosures. Commissioners Duffy and Skidmore acknowledged ex parte communications.)

Steve Ellis presented Petition #PP-11-07-02, paralleled visual slides, recommended approval, and responded to Board inquiries. Attorney Geri Waksler spoke on behalf of the Applicant and requested approval.

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

MOTION CARRIED 5:0.

COMMISSIONER DUFFY MOVED TO APPROVE AGENDA ITEM A-1, SECONDED BY COMMISSIONER DEUTSCH

Chairman Starr questioned if the easement should be included.

MOTION CARRIED 4:1. COMMISSIONER CONSTANCE OPPOSING.

(2) RECOMMENDED ACTION: Approve transmittal of this large scale plan amendment from Parks and Recreation (PKR) and Coastal Residential (CR) to Preservation (PR) to the Department of Economic Opportunity for review and comments. The subject site includes the mainland and island portions of Don Pedro Island State Park. This property is located north and east of the Gulf of Mexico and of Little Gasparilla Island, and southwest of Placida Road (C.R. 775), in the West County area, containing a total of 239.04± acres. BUDGETED ACTION: None

Inga Williams presented Petition PA-11-07-13-LS, paralleled visual slides, and introduced Chad Locke, Park Manager, Don Pedro Island State Park. Mr. Locke explained the volunteer program in detail and responded to Board inquiries.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE AGENDA ITEM A-2, SECONDED BY COMMISSIONER SKIDMORE

MOTION CARRIED 5:0.

(3) RECOMMENDED ACTION: Approve transmittal of Petition #PA-11-07-14-LS to the Department of Economic Opportunity for review and comments; amending the Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to Preservation (PR); for property located north of Shell Creek, south of Royal Palm Drive, east of the Peace River and west of Duncan Road (U.S.17), in the East County area, containing 67.76± acres; Applicant: Charlotte County Board of County Commissioners; Commission District I. BUDGETED ACTION: None

Jie Shao presented Petition #PA-11-07-14-LS, paralleled visual slides, and recommended approval.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE AGENDA ITEM A-3, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

(4) RECOMMENDED ACTION: Transmit a Large Scale Plan Amendment to the Department of Economic Opportunity for review and comments; the amendment requests a change to Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Commercial (COM) to Preservation (PR); requests a change to Charlotte County FLUM Series Map #2, 2050 Framework from Maturing Neighborhood to Agricultural/Rural, and also requests a change to Charlotte County FLUM Series Map #3: 2030 Service Area Delineation, removing the subject property from the Urban Service Area; for property located southeast of Oakland Hills Road, northwest of the State-owned environmentally-sensitive lands and east of Annapolis Lane, in the Rotonda area, containing 16.68± acres; Applicant: Charlotte County Board of County Commissioners; Commission District III. BUDGETED ACTION: None

Roxann Read presented Petition #PA-11-07-15-LS, paralleled visual slides, and recommended approval. Assistant County Attorney Rooney responded to Board inquiries.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE AGENDA ITEM A-4, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

(5) RECOMMENDED ACTION: Transmit a Large Scale Plan Amendment to the Department of Economic Opportunity for review and comments; the amendment request is to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to Preservation (PR); for property located north of Carbon Avenue, south of Joppa Avenue, east of Flamingo Waterway and west of Flamingo Boulevard, in the Port Charlotte area, containing 28.63± acres; Applicant: Charlotte County Board of County Commissioners; Commission District IV. BUDGETED ACTION: None

Roxann Read presented Petition #PA-11-07-16-LS, paralleled visual slides, and recommended approval. **Commissioner Constance** commented on future use related to recreation.

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

MOTION CARRIED 5:0.

COMMISSIONER DEUTSCH MOVED TO APPROVE AGENDA ITEM A-5, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

(6) RECOMMENDED ACTION: Approve transmittal of this large scale plan amendment to the Department of Economic Opportunity for review and comments. The requested change is from Coastal Residential (CR) to Preservation (PR). This property is located northeast of Palm Island, south of Stump Pass Beach State Park and west of Lemon Bay, in the West County area, containing 35.04± acres. BUDGETED ACTION: None

Matt Trepal presented Petition #PA-11-07-17-LS, paralleled visual slides, recommended approval, and responded to Board inquiries.

There was Board discussion. Attorney Rooney explained related legalities. Andy Stevens discussed Federal Grants associated with the item and expressed concern that future preservation Federal Grants could be impacted.

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

MOTION CARRIED 5:0.

Attorney Rooney responded to Board inquiries.

COMMISSIONER DEUTSCH MOVED TO TAKE THE 35 UNITS ASSOCIATED WITH THE PROPERTY, SEVER THE DENSITY, AND RETAIN THE UNITS, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0.

COMMISSIONER DEUTSCH MOVED TO APPROVE AGENDA ITEM A-6 WITHOUT THE 35 UNITS OF DENSITY, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

(7) RECOMMENDED ACTION: Approve transmittal of Petition #PA-11-07-18-LS to the Department of Economic Opportunity for review and comments; amending the Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Parks and Recreation (PKR) to Preservation (PR); for property located northwest of San Casa Drive, south of S. McCall Road (S.R. 776) and east of Oyster Creek Drive, in the Englewood area, containing 106.97± acres; Applicant: Charlotte County Board of County Commissioners; Commission District III. BUDGETED ACTION: None

Jie Shao presented Petition #PA-11-07-18-LS, paralleled visual slides, and recommended approval.

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

MOTION CARRIED 5:0.

Commissioner Skidmore disclosed he represents a client adjacent to the property. Attorney Rooney confirmed related legalities. **Commissioner Constance** repeated that the land should be available for recreation.

COMMISSIONER CONSTANCE MOVED TO APPROVE AGENDA ITEM A-7, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

B. CITIZEN INPUT - ANY SUBJECT

Keith Waltz questioned the Pilot Sewer Program discussed at the Strategic Planning Workshop on October 17, 2011 and expressed concerns.

AA. County Administrator:

Mr. Sandrock referred to the previous day's Strategic Planning Workshop and asked for Board direction to hold a continuation of the meeting. **Commissioner Deutsch** questioned the protocol related to comments at a Land Use Meeting. Attorney Knowlton advised legalities. **(Board Consensus to continue the Strategic Planning Workshop)** Board comments ensued. Mr. Sandrock indicated he would schedule another Workshop. Kelly Shoemaker provided a follow-up to the State Legislative Session, stated she had a list of related Bills and names of committees, mentioned two Bills as part of the six (6) priorities, indicated the Repeal on the Animal Control Bill had been filed, and responded to Board inquiries.

Chairman Starr requested the lists and noted he would forward the information. **Commissioner Constance** commented on committee assignments and suggested having a point person for each Bill. **Chairman Starr** agreed and commented further. County Attorney Knowlton asked for direction related to the request to include a change to the Public Service Commission (PSC) Language that any decisions must conform to the Comprehensive Plan. **Commissioner Skidmore** suggested the issue be brought up at the Legislative Policy Conference in November.

BB. County Attorney: None

CC. Commissioner Comments:

Commissioner Duffy addressed Mr. Waltz' comments related to the sewer project, commented on the issue of fecal matter in Charlotte Harbor, and expressed concern with the need to speed up the process. **Commissioner Constance** agreed. **Chairman Starr** also responded to Mr. Waltz' comments, mentioned pollution issues, and explained the importance of doing things correctly and cost-effectively. **Commissioner Duffy** pointed out costs would be lower than expected.

ADJOURNED: 10:11 AM

Chairman

ATTEST:

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

By: _____
Deputy Clerk

sfc