

BOARD OF COUNTY COMMISSIONERS

October 25, 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 Carleton. The following members were absent: None

The meeting was called to Order at **9:00 A.M.**

Invocation was given by Pastor Cesar Olivero, St. James Episcopal Church, followed by the Pledge of Allegiance.

Changes to the Agenda:

Change #1: Requested by: Budget & Administrative Services - F-2 - Set a public hearing on Tuesday, ~~November 8, 2011~~ November 22, 2011 at 10:00 a.m., or as soon thereafter as may be heard, to consider adopting an Ordinance updating and modifying the Capital Improvements Program FY2011/2012 through FY2014/2015.

Change #2: Requested by: Purchasing - F-8 - Remove verbiage: The fourth listing is the standard property deletions. The fifth listing is a list of equipment for trade-in.

Change #3: Requested by: Real Estate Services - F-9 - Point of clarification for the number of Resolutions is 102, and not 103 for the Placida Road right of way.

Change #4: Requested by: Administration - D-1 - Set a strategic planning meeting for ~~November 1, 2011~~, November 10, 2011, 1:00 p.m. to 5:00 p.m. at the Port Charlotte Beach Complex.

Change #5: Requested by: Administration - B-1 - Include in Recommended Action: Minutes for August 23, 2011 Regular Meeting, August 23, 2011 Executive Session, September 9, 2011 Joint Meeting with the City of Punta Gorda, and September 12, 2011 Pre-Agenda. The Minutes were included in the agenda packets, but the dates were not listed on the agenda.

Addition #1: Requested by: County Attorney - Z-5 - Discussion and possible appointment of County representative and a Community Partner (in a health related field) to participate in the interview selection panel for the Department of Health Director/Administrator position.

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Bob Starr

Charlotte Symphony Orchestra Week Proclamation, the week of November 5, 2011 through November 12, 2011

COMMISSIONER CONSTANCE MOVED TO PROCLAIM THE WEEK OF NOVEMBER 5, 2011 THROUGH NOVEMBER 12, 2011 AS CHARLOTTE SYMPHONY ORCHESTRA WEEK, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Johnnie Holt, Board of Directors President, and Maestro Francis Wada accepted the Proclamation with thanks.

El Jobean Pre-Veterans' Day Observance Proclamation, November 5, 2011

COMMISSIONER DEUTSCH MOVED TO PROCLAIM NOVEMBER 5, 2011 AS EL JOBEAN PRE-VETERANS' DAY OBSERVANCE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

David Bowling accepted the Proclamation with thanks.

Lung Cancer Awareness Month Proclamation, the month of November, 2011

COMMISSIONER CONSTANCE MOVED TO PROCLAIM THE MONTH OF NOVEMBER, 2011 AS LUNG CANCER AWARENESS MONTH, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Tom Cappiello accepted the Proclamation with thanks.

Mount Pilgrim Missionary Baptist Association Week Proclamation, the week of November 8, 2011 through November 11, 2011

COMMISSIONER DEUTSCH MOVED TO PROCLAIM THE WEEK OF NOVEMBER 8, 2011 THROUGH NOVEMBER 11, 2011 AS MOUNT PILGRIM MISSIONARY BAPTIST ASSOCIATION WEEK, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

Reverend Ellison Haddock, Associate Pastor of the First Macedonia Missionary Baptist Church, accepted the Proclamation on behalf of Dr. Brooks.

National Hospice Month Proclamation, the month of November, 2011

COMMISSIONER CONSTANCE MOVED TO PROCLAIM THE MONTH OF NOVEMBER, 2011 AS NATIONAL HOSPICE MONTH, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Denise Pope, Tidewell Hospice Executive Vice President and Chief Philanthropy Officer, accepted the Proclamation with thanks.

Veterans' Appreciation Month Proclamation, the month of November, 2011

COMMISSIONER DEUTSCH MOVED TO PROCLAIM THE MONTH OF NOVEMBER, 2011 AS VETERANS' APPRECIATION MONTH, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

An unidentified representative accepted the Proclamation with thanks to **Commissioner Duffy**.

I. CITIZENS' INPUT - AGENDA ITEMS ONLY

Charlotte Ventola spoke in support of Agenda Item Z-1.

Grace Amodeo spoke in support of Agenda Item Z-1 and provided a summary of Dick Loftus' accomplishments.

Scott Shively spoke in support of Agenda Item Z-2.

James Marshall spoke in support of Agenda Item Z-2 and provided a brief history of the Bunk House.

Gale McGuane, Dennis Craig, Chip Copeman, Weldon Rogers, Len Koldin, Gwyneth Barth White, Peter Watson, John Stanwix, and John Harms spoke in opposition to Agenda Item F-9.

David DeKock spoke in opposition to Agenda Item F-9 and recommended diverting funds to a more deprived area.

Bob Melvin spoke in support of Agenda Item F-9, suggested Gasparilla Road also be widened, and requested bike paths and sidewalks be extended.

George Castrucci spoke in opposition to Agenda Item F-9 and outlined specific reasons why.

Art Hanson spoke in opposition to Agenda Item F-9 and provided recommendations.

Andy Dodd spoke in support of Agenda Item F-9.

Bill Truex spoke in support of Agenda Item F-9 and discussed the voter referendum.

Christopher Specht spoke in opposition to Public Hearing (1).

II. COMMITTEE VACANCIES

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

Boca Grande Street and Drainage Advisory Committee - is seeking one volunteer for a regular member with a term expiring on February 27, 2013. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

Charlotte Ranchettes Street and Drainage Advisory Committee - is seeking one volunteer to serve as an alternate member with a term expiring on January 27, 2014. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

Construction Industry Licensing Board - is seeking one volunteer to represent licensed general contractor category. Must be a resident of Charlotte County for two years and hold a valid license. Length of term - until 1/26/14.

Grove City Street and Drainage Advisory Committee - is seeking three volunteers; two regular members for a three year term from date of appointment and one alternate member for a two year term from date of appointment. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

Gulf Cove Street and Drainage Advisory Committee is seeking one volunteer to serve as a regular member with a term expiring May 1, 2013. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

The Manasota and Sandpiper Key Community Plan Advisory Committee - is seeking one volunteer to fill an unexpired term. Must be a full time resident on either Manasota or Sandpiper Key. Term is effective immediately and shall expire on August 23, 2013. Please send request for appointment and resume to: Roxann Read at roxann.read@charlottefl.com or fax to 941-743-1292.

Rotonda West Street and Drainage Advisory Committee - is seeking one volunteer to fill an unexpired term expiring on February 13, 2013. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

South Gulf Cove Beautification Advisory Committee - is seeking two members; one regular member with a term expiring on November 16, 2013 and one alternate member with a term expiring November 16, 2012. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

South Gulf Cove Street and Drainage Advisory Committee - is seeking three volunteers; two regular members with terms expiring January 13, 2015 and one alternate member with a term expiring February 2013. Volunteers must reside within the boundaries of the MSBU. Submit application to the Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-575-3600; fax 941-637-9265; or e-mail: msbu@charlottefl.com

III. REPORTS RECEIVED AND FILED

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

(1) Community Development - Conduct a Public Hearing to approve an ordinance amending Chapter 1-10 of Charlotte County Code regulating fortunetellers, clairvoyants, palmists, taxicab vehicles and drivers.

Commissioner Skidmore clarified the order of the Agenda. Dan Quick presented the item and responded to inquiries. **Commissioner Skidmore** expressed concern with enforcement. Attorney Knowlton explained why limousines had been added and advised legalities related to criminalizing behaviors. **Commissioner Duffy** gave additional detail. Mr. Sandrock responded to further inquiries. **Commissioner Constance** explained the reasons for the Ordinance.

Howard Shaw pointed out the differences between limousines and taxicabs.

Grace Amodeo commented on the use of medallions in taxicabs for safety reasons.

Christopher Specht gave detail related to limousines and taxicabs, mentioned insurance rates, and opined medallions are not necessary.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2011-039, SECONDED BY CHAIRMAN STARR

Mr. Quick addressed further inquiries. **Chairman Starr** discussed the importance of the Ordinance.

COMMISSIONER DEUTSCH MOVED TO TABLE THE ITEM TO A FUTURE MEETING, SECONDED BY COMMISSIONER SKIDMORE

Board discussion ensued. **Commissioner Duffy** suggested changes to Section 8(a) of the proposed Ordinance. **Commissioner Skidmore** opined limousines and taxicabs should be treated in a different manner. **Chairman Starr** pointed out staff should be given specific direction by the Board.

COMMISSIONER DEUTSCH MOVED TO AMEND THE PREVIOUS MOTION TO TABLE THE ITEM UNTIL THE NOVEMBER 22ND MEETING, SECONDED BY COMMISSIONER CONSTANCE

Commissioner Constance recommended changing the Ordinance to say "taxicab vehicles, limousines and their drivers" and commented further. **Commissioner Skidmore** suggested consulting with limousine companies before the Ordinance is drafted. **Commissioner Duffy** expressed concern that sufficient public input had not been gathered and opined appropriate licensing information should be

displayed on the outside of the vehicle. Attorney Knowlton clarified the Board direction and questioned if there was sufficient time before November 22, 2011.

MOTION CARRIED 5:0.

(2) Economic Development - Conduct the first of two public hearings to authorize revisions to the boundary of the Enterprise Charlotte Airport Park (ECAP) Enhancement Zone to include a county-owned parcel.

Debrah Forester presented the item and advised it was the first of two Public Hearings.

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

MOTION CARRIED 5:0.

RECESS: 10:50 AM to 11:00 AM

IV. CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA EXCEPT AGENDA ITEMS F-9, F-4, AND P-1, SECONDED BY COMMISSIONER SKIDMORE

MOTION CARRIED 5:0.

Clerk of the Circuit Court

A. Finance Division

(1) RECOMMENDED ACTION: Approve the Clerk's Finance Memoranda. BUDGETED ACTION: None
Memorandum #2 - Total Disbursements for the Period September 29, 2011 through October 12, 2011 in the amount of \$15,977,700.81

B. Minutes Division

(1) RECOMMENDED ACTION: Approve Minutes for: BUDGETED ACTION: None
August 16, 2011 Land Use Meeting
August 22, 2011 Budget Workshop
August 22, 2011 Pre-Agenda Meeting
August 23, 2011 Regular Meeting
August 23, 2011 Executive Session
September 9, 2011 Joint Meeting with the City of Punta Gorda
September 12, 2011 Pre-Agenda Meeting

Board of County Commissioners

C. Commission Office

(1) RECOMMENDED ACTION: Appoint Rick Halvorson to the Construction Industry Licensing Board representing the General Contractor category. Length of term: until January 26, 2014. BUDGETED ACTION: None

(2) RECOMMENDED ACTION: Appoint David Cowan as an alternate member to serve on the Peace River Shores Street & Drainage Committee, for a term of two years. BUDGETED ACTION: None

D. Administration

Administration

(1) RECOMMENDED ACTION: Set a strategic planning meeting for November 10, 2011, 1:00 p.m. to 5:00 p.m. at the Port Charlotte Beach Complex. BUDGETED ACTION: None

Public Information Office - No Items.

E. County Attorney

(1) RECOMMENDED ACTION: Approve the Mediated Settlement Agreement as to the parties Sabbia & Monti Trust, Trustee James E. Moore III, and Bruno Bouckaert, in reference to the civil lawsuits captioned Sabbia & Monti Trust v. Charlotte County, et al., Case No. 08-3534-CA and Veteran's Peachland Plaza v. Sabbia & Monti Trust, et al., Case No. 09-2318-CA. BUDGETED ACTION: None

Agreement 2011-046

F. Budget and Administrative Services

Budget and Administrative Services

(1) RECOMMENDED ACTION: Approve extension of the 2011 Tax Roll from the Property Appraiser to the Tax Collector in accordance with Section 197.323 F.S. prior to Value Adjustment Board completion of its final meetings. BUDGETED ACTION: None

(2) RECOMMENDED ACTION: Set a public hearing on Tuesday, November 22, 2011 at 10:00 a.m., or as soon thereafter as may be heard, to consider adopting an Ordinance updating and modifying the Capital Improvements Program FY2011/2012 through FY2014/2015. BUDGETED ACTION: No action needed. The first year of the program (FY2011/2012) is aligned with the budget adopted at the Final Public Hearing, September 29, 2011 and budgeted in various funds.

Fiscal Services - No Items.

Information Technology - No Items.

Purchasing

(3) RECOMMENDED ACTION: Approve Change Order #2 to Contract #10-179 Burnt Store Road Widening with Bonness, Inc. in the amount of \$222,963.16 for a revised Contract Amount of \$10,386,650.32. This is for the widening of Burnt Store, Phase 1, originally approved by the Board on June 22, 2010. This change is requested and funded by the City of Punta Gorda and consists of installing a new 18-inch water line to replace an existing line which is in conflict with Seminole Gulf Railroad's second track. BUDGETED ACTION: No action needed. Budgeted in approved CIP project C419901 Burnt Store Road.

(4) RECOMMENDED ACTION: a) Approve ranking of firms for Request for Proposal #11-330 Design - Burnt Store Road, Phase 3: 1st Kimley-Horn and Associates, Inc., of Sarasota, FL; 2nd Johnson Engineering of Port Charlotte, FL; and 3rd WilsonMiller/Stantec 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 a firm to design the widening of Burnt Store Road. BUDGETED ACTION: No action needed. Budgeted in approved CIP project c410915, Burnt Store Rd Phase 3.

Commissioner Duffy explained why she pulled the item, suggested holding presentations, and expressed concern with projects not being completed appropriately. Kim Corbett responded to inquiries.

COMMISSIONER DUFFY MOVED TO HOLD PRESENTATIONS. THE MOTION DID NOT RECEIVE A SECOND AND WAS LOST.

COMMISSIONER SKIDMORE MOVED TO APPROVE AGENDA ITEM F-4, SECONDED BY COMMISSIONER CONSTANCE

Commissioner Skidmore gave detail related to the consulting firms involved and explained why he did not support holding presentations.

MOTION CARRIED 5:0.

(5) RECOMMENDED ACTION: Approve the award of Bid# 11-309, Sidewalk Construction - Collingwood Boulevard, to the lowest responsive, responsible bidder: General Contracting Services, Inc. of Port Charlotte, Florida at the project amount of \$592,440.35 for the construction of concrete sidewalks on Collingswood Boulevard (from Toledo Blade Boulevard or Cochran Boulevard to Edgewater Drive). BUDGETED ACTION: No budget action needed. Budgeted in approved CIP project C410918, Sidewalks 2009 Sales Tax Extension. Funding is provided from the 2009 Sales Tax Extension.

(6) RECOMMENDED ACTION: a) Approve Award Bid #11-327, Sod - Supply, Deliver and/or Install and Hydroseeding, to the lowest responsive, responsible bidder, Maloney's Sod Inc., of Punta Gorda, Florida, at the unit prices submitted. Terms of the contract are from November 1, 2011, through and including September 30, 2012; and b) 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. This is an annual contract for supply, delivery and/or installation of sod and hydroseeding on an "as required" basis for various County departments. BUDGETED ACTION: No action needed. Items will be placed into inventory and charged to gas taxes or the appropriate MSBU/TU when used.

(7) RECOMMENDED ACTION: a) Approve Novation for Contract #09-259.b, Construction/Geotechnical Testing Services from current vendor Stantec Consulting Services, Inc. to Lomski Engineering and

Testing, Inc.; and b) Authorize Chairman to sign the Novation. BUDGETED ACTION: None. Funding is budgeted in the Utilities O&M Fund.

(8) RECOMMENDED ACTION: Approve deletion of the property inventory items listed on the attached for the month of October, 2011. BUDGETED ACTION: None

Real Estate Services

(9) RECOMMENDED ACTION: Approve the attached 102 Resolutions of Necessity authorizing the acquisition of real property and/or easement interests by any legal means for the CR 775 (Placida Road) Rotonda Boulevard West to Cape Haze Drive Project. BUDGETED ACTION: No budget action needed. The FY12 budget contains \$4,981,000 for right of way acquisitions in Approved CIP project c410521 CR775/(Placida Rd) Rotonda Blvd West to Cape Haze Drive. Funding is supplied from the 2009 Sales Tax Extension.

Commissioner Skidmore announced a conflict of interest, indicated he would file the appropriate form with the Clerk's Office, and stated he would not be participating in any Board action for the item. Attorney Knowlton clarified the specifics of **Commissioner Skidmore's** conflict. **Commissioner Deutsch** spoke in opposition to widening Placida Road in the near future, provided detailed reasons why, mentioned River Road, opined Burnt Store Road is a necessity, suggested improvements to other roads, discussed Economic Development, and expressed concern with the purchase of the Right of Way acquisition. **Commissioner Constance** noted the amount of money that has already been spent and spoke in support of purchasing the Right of Way acquisition.

COMMISSIONER CONSTANCE MOVED TO APPROVE THE ATTACHED 102 RESOLUTIONS OF NECESSITY AUTHORIZING ACQUISITION OF REAL PROPERTY AND/OR EASEMENT INTEREST BY ANY LEGAL MEANS OF CR 775/PLACIDA ROAD/ROTONDA BOULEVARD WEST TO CAPE HAZE DRIVE PROJECT, TO MOVE THE SALES TAX MONEY FROM PLACIDA ROAD FOR THE CONSTRUCTION PHASE OVER TO GASPARILLA ROAD, AND TO MOVE THE GAS TAX MONEY FROM GASPARILLA ROAD OVER TO BURNT STORE ROAD, SECONDED BY COMMISSIONER DEUTSCH

Board discussion ensued. **Commissioner Skidmore** addressed comments from the public, provided historic detail on Winchester Road, mentioned Sarasota County relative to River Road, and commented on several other roads and bridges. Dan Quick responded to inquiries. **Commissioner Duffy** thanked citizens for their comments, read traffic statistics into the record related to the Placida Road area, suggested widening Gasparilla Road first, pointed out both roads are funded in the Capital Improvements Program (CIP), proposed buying the Placida Road Right of Way without starting construction, advocated working proactively on Gasparilla Road, and mentioned safety issues on Placida Road. **Chairman Starr** provided additional historic information related to Placida Road, expressed concern with the amount of money expended and work completed, and spoke in opposition to the Motion. Mr. Sandrock responded to inquiries by **Commissioner Constance** related to the funding of Winchester, Placida, and Gasparilla Roads, recommended keeping sales tax money in West County, and gave detail related to sales tax funds, gas tax funds, and impact fees. Mr. Quick responded in detail to further inquiries related to the possibility of putting the plans on hold and recommended purchasing the property. Board discussion continued. **Commissioner Duffy** spoke in support of purchasing the Right of Way for Placida Road, mentioned the importance of funding Parkside, spoke in opposition to the conditions of the Motion, and stated she needed more information. **Commissioner Deutsch** provided

suggestions for the Motion. **Commissioner Skidmore** indicated he would be advocating for the sidewalks. Paul Payette responded to additional inquiries. Mr. Quick stated he needed direction from the Board in order to make safety improvements.

MOTION FAILED 2:2. CHAIRMAN STARR AND COMMISSIONER DUFFY OPPOSING. COMMISSIONER SKIDMORE RECUSED HIMSELF.

COMMISSIONER DUFFY MOVED TO APPROVE THE PLACIDA ROAD RIGHT OF WAY ACQUISITION, SECONDED BY CHAIRMAN STARR

COMMISSIONER DEUTSCH MOVED TO AMEND COMMISSIONER DUFFY'S MOTION TO APPROVE THE PLACIDA ROAD RIGHT OF WAY ACQUISITION WITH THE 102 RESOLUTIONS (2011-284 THRU AND INCLUDING 2011-385) AND NOT MOVE FORWARD WITH CONSTRUCTION OF PLACIDA ROAD AS IT (PROJECT) CURRENTLY EXISTS, SECONDED BY COMMISSIONER DUFFY

Attorney Knowlton clarified the Motion and Amendment made. Board discussion continued.

MOTION CARRIED 3:1 ON THE AMENDMENT. CHAIRMAN STARR OPPOSING. COMMISSIONER SKIDMORE RECUSED HIMSELF.

MOTION CARRIED 3:1 ON THE ORIGINAL MOTION. CHAIRMAN STARR OPPOSING. COMMISSIONER SKIDMORE RECUSED HIMSELF.

G. Community Development - No Items.

H. Community Services

Parks and Natural Resources

(1) RECOMMENDED ACTION: Approve and authorize the Chairman to execute a renewal agreement with the United States Department of Agriculture (USDA) to provide Iguana control in the Charlotte County portion of Boca Grande. The MSBU Advisory Committee has requested and approved funding for this contract. BUDGETED ACTION: No Action Needed. Funded in the Boca Grande Streets and Drainage MSBU.

Agreement 2009-004 (renewal)

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 - No Items.

P. Public Works

(1) RECOMMENDED ACTION: Approve & execute Arthropod Control Budget Amendments #11-A42 and #12-A02; to adjust the State Mosquito Control Certified budget as required by the Florida State Department of Agriculture to reflect actual FY2010/2011 interest earned and grant revenue and adjust FY 2011/2012 Beginning Balance. BUDGETED ACTION: Approve Budget Amendments #11-A42 in the amount of \$4,175 and #12-A02 in the amount of (\$583.87). Increase Mosquito Control Budget by \$4,175 in FY 2010/2011 Decrease Mosquito Control Budget by \$583.87 in FY 2011/2012

Commissioner Skidmore explained why he pulled the item. **Bob Halfhill** responded to inquiries.

COMMISSIONER SKIDMORE MOVED TO APPROVE AGREEMENT 2011-047, SECONDED BY COMMISSIONER CONSTANCE

Commissioner Constance pointed out the savings achieved from Mosquito Control.

MOTION CARRIED 5:0.

Q. Tourism Development - No Items.

R. Utilities - No Items.

S. Other Agencies - No Items.

RECESS: 12:20 PM to 12:50 PM

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

(1) Presentation by Public Works Solid Waste Operations Division recognizing the Ten (10) year anniversary of "Keep Charlotte Beautiful" and its accomplishments as a certified affiliate of the nationally recognized, Keep America Beautiful program.

Glenda Anderson provided a visual PowerPoint presentation, thanked staff and volunteers, and responded to inquiries. **Commissioner Constance** and **Chairman Starr** applauded Ms. Anderson for her efforts.

(2) Presentation by Pat Lehman, Executive Director of the Peace River/Manasota Regional Water Supply Authority, followed by discussion on its request to enter Charlotte County to construct Segment B of the Phase 2 Interconnect Pipeline for the City of North Port.

Pat Lehman presented the item, introduced Mike Coates, paralleled visual slides, requested Board direction for the Phase II Interconnect, and responded to inquiries.

(Commissioner Skidmore returned to the meeting at 1:08 PM.)

Commissioner Skidmore requested direction to take the lead on completing the project at the next Water Authority Meeting and mentioned the "active ownership" concept. Mr. Sandrock gave additional detail and provided his recommendation under the active ownership. Board discussion ensued. **Commissioner Constance** indicated he would wait for direction from staff, opined the need to review the Master Water Contract, and spoke in favor of moving forward. **Commissioner Duffy** suggested getting more information from staff before moving forward with the project. **Commissioner Skidmore** requested meeting with Mr. Sandrock and the Water Authority before moving the item forward and suggested adding the item to the Agenda in November. Mr. Sandrock stated staff would bring the item back to the Board as soon as possible. **Commissioner Constance** suggested not putting the item on the Water Authority Agenda until December.

V. REGULAR AGENDA

Z. Regular Agenda

(1) Economic Development - Approve a Resolution to name the new Melbourne Street Bridge the Dick Loftus Bridge in recognition for his service to the Charlotte Harbor Community Redevelopment Area.

Debrah Forester presented the item and responded to inquiries.

COMMISSIONER SKIDMORE MOVED TO APPROVE RESOLUTION 2011-283, SECONDED BY COMMISSIONER DUFFY

MOTION CARRIED 5:0.

(2) Commission Office - a) Discussion and direction on the Historical Advisory Committee's request for \$30,000 for the County to fund the first phase of the preservation plan for the Bunk House. b) If approved, Board authorizes staff to transfer \$30,000 from Capital Projects reserves (Transfer # 12-01)

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

John Jackson responded to inquiries.

COMMISSIONER SKIDMORE MOVED TO AMEND HIS PREVIOUS MOTION TO APPROVE THE ITEM WITH THE CONDITION THAT IF EXCESS FUNDS ARE RAISED AFTER THE BUNKHOUSE IS RESTORED, THE \$30,000 WOULD BE RETURNED TO THE COUNTY, SECONDED BY COMMISSIONER CONSTANCE

Commissioner Duffy commented on the importance of confirming the feasibility of the project and mentioned Team Punta Gorda. Jim Marshall pointed out the building belongs to the County, gave detail related to the Historical Advisory Committee, indicated the Committee is prepared to hold fundraisers, explained the need for the funds, and responded to additional inquiries. **Commissioner Constance** commented further.

MOTION CARRIED 5:0.

(3) Human Services - Board discussion and staff direction regarding the lease between the County and Peace Lutheran Church for the Stillwater Home property.

Bob Hebert presented the item. Pastor Steuben commented on the time factors involved with the project, indicated grants are anticipated to be awarded, and responded to inquiries.

COMMISSIONER CONSTANCE MOVED TO APPROVE THE RENEWAL OF AGREEMENT 2011-015 TO EXTEND THE LEASE BY SIX MONTHS WITH ADDITIONAL OPTIONS TO RENEW, SECONDED BY COMMISSIONER SKIDMORE

Commissioner Deutsch spoke in favor of extending the lease for four (4) months. Mr. Hebert provided historical background related to the item. **Commissioner Duffy** expressed concern with the funds expended and agreed with extending the lease for four months. Pastor Steuben pointed out the property is not a shelter and noted savings to the County. **Commissioner Skidmore** suggested entering into the agreement for six months and commented further.

COMMISSIONER SKIDMORE MOVED TO AMEND COMMISSIONER CONSTANCE' MOTION TO HAVE NO OPTION FOR RENEWAL AFTER SIX MONTHS AND TO HAVE PASTOR STEUBEN COME BACK BEFORE THE BOARD, SECONDED BY COMMISSIONER CONSTANCE

Mr. Hebert advised the County Attorney's Office needs to be given permission to re-write the Lease and the Chair be given authority to sign it.

MOTION CARRIED 5:0.

(4) Commission Office - Board discussion of County Administrator's evaluation.

Attorney Knowlton advised legalities.

COMMISSIONER CONSTANCE MOVED TO ADOPT THE COUNTY ADMINISTRATOR'S EVALUATION RATING, SECONDED BY COMMISSIONER DEUTSCH

The Commissioners commended Mr. Sandrock for his performance.

MOTION CARRIED 5:0.

Mr. Sandrock thanked the Commissioners for their support.

(5) County Attorney - Discussion and possible appointment of County representative and a Community partner (in a health related field) to participate in the interview selection panel for the Department of Health Director/Administrator position.

Attorney Knowlton gave a brief update on the recruitment process for the Department of Health Director, indicated two applicants are scheduled to be interviewed, requested direction related to a Commissioner and Community Partner participating in the process, recommended appointing Dr.

O'Leary as the Community Partner, and gave detail related to the advertising of the position. **Commissioner Constance** responded to inquiries related to medical industry publications and expressed concern with having only two candidates. **Chairman Starr** agreed and commented further. Attorney Knowlton advised the number of individuals who had applied for the position. **Commissioner Skidmore** commended Mary Kay Burns for her performance and recommended **Commissioner Constance** to represent the Board on the Committee. **Commissioner Constance** stated he would be happy to serve on the Committee if directed and recommended Dr. O'Leary to serve as the Community Partner on the Committee. **(Board Consensus for Commissioner Constance and Dr. O'Leary to serve on the Committee for the Health Department Director)** Attorney Knowlton stated she would re-advertise the position in order to get a larger pool of candidates.

VIII. PUBLIC WORKSHOP AGENDA - No Items

IX. BOARD WORKSHOP AGENDA - No Items.

X. CITIZEN INPUT - ANY SUBJECT

Grace Amodeo thanked the Board and congratulated Mr. Sandrock on his evaluation.

Douglas Tucker expressed relief with the Board action related to Placida Road and expressed concern with costs to the citizens.

AA. County Administrator:

Mr. Sandrock announced the upcoming Joint Meeting with Punta Gorda on December 2nd, noted the Board's receipt of a memo from the Community Healthy Living Initiative Committee, and commented on a Motion passed requesting a Public Hearing regarding a smoking ban in beaches and parks.

BB. County Attorney: None

CC. Commissioner Comments:

Commissioner Duffy noted the receipt of unexpended funds returned by the Sheriff, provided an update on the activities of Team Port Charlotte, stated volunteers were needed, mentioned the creation of a directory of Parkside businesses and completion of the website by the Communications Department, gave detail on the monitoring of abandoned and foreclosed properties by the Housing Department, and discussed Project Phoenix. **Commissioner Constance** thanked the Board for his selection on the Health Department Committee, suggested exploring a State Infrastructure Bank Loan for County road projects, questioned the possibility of holding a Burnt Store Road summit with Punta Gorda, Cape Coral, and Lee County, commented on property inventory issues, and suggested replatting Murdock Village with respect to entitlements. **Commissioner Duffy** agreed and commented further. **Commissioner Skidmore** noted the Big Brothers Big Sisters event at Tringali, thanked staff who participated, spoke in support of eliminating Pre-Agenda meetings, mentioned the Marine Advisory Council, thanked Mr. Quick for his efforts on the Placida Road issue, gave an update on the Regional Planning Council, proposed adding a Regional Planning Council presentation to the Agenda in the future, indicated he would not seek a fourth year on the Council, and commented on issues related to West Coast Inland Navigation District

(WCIND). **Commissioner Duffy** noted an email from a local business person related to rules on metal re-sale, mentioned air conditioner unit thefts, and asked for Consensus to direct Attorney Knowlton to research the matter with respect to the Ordinance. **(Board Consensus) Chairman Starr** expressed concern with County regulation of farm ponds, mentioned Southwest Florida Water Management (SWFWMD) and South Florida Water Management (SFWMD), and asked for Consensus to direct the County Attorney to draft an Ordinance. Board discussion ensued. **(Board Consensus)**

RECESS TO EXECUTIVE SESSION: 2:35 PM

BOARD OF COUNTY COMMISSIONERS - EXECUTIVE SESSION

October 25, 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, Commissioner Deutsch, Commissioner Duffy, and Commissioner Skidmore. Also in Attendance were County Attorney Knowlton and Deputy Clerk Carleton. The Executive Session was called to order at **2:35 PM**.

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 Andress Family Florida LLP, et al. v. Charlotte County, Case No. 10-639-CA [a/k/a "Rotonda II"] and noted the following would be in attendance: **Chairman Starr, Commissioner Constance, Commissioner Deutsch, Commissioner Duffy, Commissioner Skidmore**, County Administrator Sandrock, Assistant County Attorney Philip Fairman, Special Counsel Bob Gill, and herself.

EXECUTIVE SESSION RECESS: 2:35 PM – 3:20 PM

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

ADJOURNED: 3:21 PM

Chairman

ATTEST:

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

By: _____
Deputy Clerk

sfc