

## BOARD OF COUNTY COMMISSIONERS

MARCH 25, 2014

A Regular meeting was held at the Murdock Administrative Complex in Commission Chambers; Room 119, Port Charlotte, Florida.

Members present were: Chair Doherty, Commissioner Constance, Commissioner Deutsch, Commissioner Duffy, and Commissioner Truex. Also in attendance were: County Administrator Sandrock, County Attorney Knowlton, Chief Deputy Board Services White, Commission Assistant Gant, and Minutes Clerk Greene. The following members were absent: None

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

The Invocation was given by Pastor Dan Dagan, Pentecostals of Englewood, followed by the Pledge of Allegiance.

**Changes to the Agenda:**

**Addition #1: Z-4**

Discussion and direction on the April 2, 2014 Peace River Manasota Regional Water Supply Authority Board Agenda.

Requested by Utilities

**Change #1: Z-1**

Added attachments titled: RPC Letter HB 395 Growth Management-Property Rights, RPC Letter HB 703 Environmental Regulation, RPC Letter HB 7023 Economic Development, RPC Letter SB 372 Development of Regional Impacts, SB 372 Bill Analysis and Fiscal Impact Statement.

Requested by Administration

**Change #2: Z-2**

Change item to Z-3 as reflected on the website. Select by ballot one regular member to the Greater Port Charlotte Street and Drainage Advisory Committee for a term of three years from the date of appointment.

Requested by Administration

**Change #3: Z-3**

Change item to Z-2 as reflected on the website. Select by ballot one alternate member to the Manchester Waterway Benefit Unit Advisory Committee for a two-year term from the date of appointment.

Requested by Administration

**Change #4: G-1**

This item is being brought before the Board of County Commissioners in response to a Florida Land Development Resolution Act (FLUDRA) request. The Act allows for these types of settlement agreements in order to address certain land use disputes without the need for litigation, but is a very seldom used

process. This negotiated settlement agreement address Code Enforcement violations with respect to both Florida Building Code and Charlotte County Zoning Code related issues for a number of properties owned by Mr. Jan Musil. ~~Staff is recommending approval of this item.~~ Staff is bringing forward this agreement for consideration.

Requested by Community Development

**Change #5: R-1**

Updated Loan Application attachment.

Requested by Utilities

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

**MOTION CARRIED 5:0.**

**Proclamations/Awards**

**Proclamations - Commissioner Ken Doherty**

**Parliamentary Law Month**

**COMMISSIONER CONSTANCE MOVED TO PROCLAIM APRIL 2014 AS PARLIAMENTARY LAW MONTH, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

Karen Price, President of the Charlotte County Parliamentary Unit, accepted the Proclamation with thanks, noted history of Robert's Rules of Order, stated the Charlotte County Unit offers classes on the basic rules of Parliamentary Procedure for any Officer or Member of an Organization or anyone interested in learning about Robert's Rules of Order, and commented that the Parliamentarians help Organizations have better meetings through better education.

**Florida's Water Conservation Month**

**COMMISSIONER CONSTANCE MOVED TO PROCLAIM APRIL 2014 AS FLORIDA'S WATER CONSERVATION MONTH, SECONDED BY COMMISSIONER TRUEX**

**MOTION CARRIED 5:0.**

An unidentified individual thanked the Board for recognizing Water Conservation Month, noted the importance for visitors and residents to understand conservation, and commented on the educational materials provided by Charlotte County Utilities. Bernard Milosky, Utilities Regulatory Liaison, expressed thanks for the Proclamation, and indicated water is a limited resource and should be used wisely.

**Poppy Day**

**COMMISSIONER DEUTSCH MOVED TO PROCLAIM MARCH 25, 2014 AS POPPY DAY, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

Joanne Walz, American Legion Auxiliary Unit 110 Poppy Chair Person, accepted the Proclamation, noted June Haber is the Chaplain for the Unit, provided the history of the Poppy, noted proceeds benefit Veterans who construct the paper flowers as well as others, and presented the Board with paper Poppy's.

**Commissioner Duffy** presented the Susan Swanson Day Proclamation.

**Susan Swanson Day**

**COMMISSIONER DEUTSCH MOVED TO PROCLAIM MARCH 28, 2014 AS SUSAN SWANSON DAY, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

Susan Swanson accepted the Proclamation, noted Team Parkside works closely with **Commissioner Duffy**, highlighted Team Punta Gorda members in attendance, expressed thanks to the Board for recognizing the need for and approving Parkside projects, extended special thanks to County Administrator Raymond Sandrock for his "Open Door Policy", and stated her appreciation of his open communication.

**I. CITIZEN INPUT - Agenda Items Only**

Louis Macri spoke to Agenda Item F4, noted maintenance costs were not included, and expressed his preference that items be budgeted to include maintenance costs and be shown on the Agenda.

Dianne Quilty requested to fill the Greater Port Charlotte Street and Drainage Advisory Committee Vacancy, noted she is a County Resident, stated she resides within the confines of the Unit, mentioned she has been an employee of the County for the past eight (8) years, indicated she has a working understanding of the business functions of the Unit, expressed her preference to be more personally involved in her Community, and listed specifics of her resume for Board consideration.

**II. COMMITTEE VACANCIES**

**Chair Doherty** mentioned the open Committee Vacancies and requested participation.

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

Gulf Cove Street & Drainage Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Term: one regular member to serve a three year term from the date of appointment. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail MSBU-TU@CharlotteFL.com.

Pirate Harbor Waterway Unit Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Term: one alternate member to serve a two year term from the date of appointment. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail MSBU-TU@CharlotteFL.com.

Marine Advisory Committee is seeking an organization or association to volunteer to serve as a permanent member of the Marine Advisory Committee. Each organization shall be marine oriented and hold regularly scheduled meetings and have a membership of at least 25 persons. Representatives from this organization/association will serve three (3) year terms. The term of the first representative will be effective once the association/organization is approved or as soon thereafter as a selection is made and shall expire December 31, 2017. Please contact Gayle Moore at 941.623.1094 for an application form to turn in with your resume or e-mail her at Gayle.Moore@CharlotteFL.com or you may access the website to download the form: <http://www.charlottecountyfl.gov/boards-committees/mac/Site%20Documents/MACApplicationForm.pdf>

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

**Chair Doherty** read the Reports Received and Filed into the Record.

2013 Annual Reports for the following Community Redevelopment Areas (CRA): Charlotte Harbor CRA; Murdock Village CRA; and Parkside CRA.

### **IV. CONSENT AGENDA**

**COMMISSIONER CONSTANCE MOVED TO APPROVE THE BALANCE OF THE CONSENT AGENDA WITH THE EXCEPTION OF CONSENT AGENDA ITEMS F4, G1, AND R1, SECONDED BY COMMISSIONER DEUTSCH**

**Commissioner Constance** made note of Agenda Item F3, spoke to Change Orders, and indicated Banks Engineering was returning over \$100,000 due to services no longer required.

**MOTION CARRIED 5:0.**

**Clerk of the Circuit Court**

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

(1) RECOMMENDED ACTION: Approve the Clerk's Finance Memorandum. BUDGETED ACTION:

#### **B. Minutes Division**

(1) RECOMMENDED ACTION: Approve minutes for:  
January 14, 2014 BCC Regular Meeting  
January 21, 2014 Parkside CRA Workshop  
January 30, 2014 Joint Meeting with Punta Gorda

March 6, 2014 Pre-Agenda Meeting  
BUDGETED ACTION:

**Board of County Commissioners**

**C. Commission Office**

(1) RECOMMENDED ACTION: Appoint Jeri K. Reif as a regular member to the Northwest Port Charlotte Street & Drainage Advisory Committee for a three year term from the date of appointment. BUDGETED ACTION:

(2) RECOMMENDED ACTION: Appoint Roger Heller as a regular member to the Northwest Port Charlotte Street & Drainage Advisory Committee for a three year term from the date of appointment. BUDGETED ACTION:

(3) RECOMMENDED ACTION: Approve the re-appointment of Carmine J. Rossi as a regular member to the South Gulf Cove Street & Drainage Unit Advisory Committee for a three year term from the date of appointment. BUDGETED ACTION:

(4) RECOMMENDED ACTION: Approve the re-appointment of Edward G. Minzer as a regular member to the Alligator Creek Waterway Advisory Committee for a three year term from the date of appointment. BUDGETED ACTION:

**D. Administration**

**Administration - No Items**

**Public Information Office - No Items**

**E. County Attorney - No Items**

**F. Budget and Administrative Services**

**Fiscal Services - No Items**

**Information Technology - No Items**

**Purchasing**

(1) RECOMMENDED ACTION: a) Approve Award of Bid #14-148, Plumbing Contractor - Annual Contract, at the hour rates bid to Ray's Plumbing of Punta Gorda, FL. Term of contract is from date of award through and including December 31, 2014. b) Authorize the County Administrator to approve the renewal options for up to two additional one- year terms, at the same prices, terms, and conditions, by mutual consent. BUDGETED ACTION: No budget action required. Funding from various sources approved in the FY 2014 budget process.

(2) RECOMMENDED ACTION: a) Approve Award of Bid #14-147, Contractor/Builder - Annual Contract, at the hourly rates bid to CH Construction Services, Inc. of Port Charlotte, FL. Term of contract is to be from date of award through and including December 31, 2014. b) Authorize the County Administrator to approve the renewal options for up to two additional one- year terms, at the same prices, terms, and conditions, by mutual consent. BUDGETED ACTION: No budget action required. Funding from various sources approved in the FY 2014 budget process.

(3) RECOMMENDED ACTION: Approve close-out of Contract #11-123, East/West Spring Lake Wastewater Pilot Program, with Banks Engineering, reducing the contract amount by \$136,925.25 due to removal of services no longer required. This was for the services of a firm to review and evaluate wastewater service options in the East/West Spring Lake area. BUDGETED ACTION: No budget action required.

(4) RECOMMENDED ACTION: Approve Award of Bid #14-129, Sidewalk Construction - Gardens of Gulf Cove, to the lowest responsive, responsible bidder, Bonness, Inc. of Port Charlotte, FL at the unit prices bid, for a total estimated cost of \$122,850. BUDGETED ACTION: No budget action required. For the Gardens of Gulf Cove portion of the contract, the budget is provided in CIP project "Gardens of Gulf Cove Sidewalks" approved in the 2014 budget process. Curbing in the Lemon Bay Streets & Drainage unit will be provided through savings in other work activities.

**Commissioner Truex** expressed his preference that the Board discuss the Item, stated all projects have ongoing maintenance costs, and recommended the costs be added for future analysis.

**COMMISSIONER TRUEX MOVED TO APPROVE BID #14-129, SIDEWALK CONSTRUCTION - GARDENS OF GULF COVE, TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, BONNESS, INC. OF PORT CHARLOTTE, FL AT THE UNIT PRICES BID, FOR A TOTAL ESTIMATED COST OF \$122,850, SECONDED BY COMMISSIONER DEUTSCH**

**Chair Doherty** expressed his agreement with the concept and noted estimated costs of maintenance could be provided by staff. **Commissioner Constance** stated his agreement and requested staff include the projected lifespan of particular projects. **Commissioner Duffy** noted maintenance costs are considered and requested County Administrator Raymond Sandrock speak to the matter.

County Administrator Sandrock recommended attaching the Capital Improvement Project (CIP) Sheet to the projects, noted projects less than \$100,000.00 go through a different process, affirmed maintenance costs are identified for projects, and stated the information will be provided to the Board.

**MOTION CARRIED 5:0.**

(5) RECOMMENDED ACTION: Approve deletion of the property inventory items listed on the attached for the month of March, 2014. BUDGETED ACTION: No budget action required.

**Real Estate Services - No Items**

**G. Community Development**

**(CHANGE #4)** (1) **RECOMMENDED ACTION:** This item is being brought before the Board of County Commissioners in response to a Florida Land Use Dispute Resolution Act (FLUDRA) request. The Act allows for these types of settlement agreements in order to address certain land use disputes without the need for litigation, but is a very seldom used process. This negotiated settlement agreement addresses Code Enforcement violations with respect to both Florida Building Code and Charlotte County Zoning Code related issues for a number of properties owned by Mr. Jan Musil. Staff is recommending approval of this item. **BUDGETED ACTION:**

Ty Harris, Community Development Director, provided a comprehensive overview of the Florida Land Use Dispute Resolution Act (FLUDRA) request, noted the action was filed on behalf of Mr. Jan Musil by Attorney Derek Rooney, indicated an impasse has been reached, requested the Board provide direction, and responded to Board inquiries.

**Commissioner Truex** questioned the number of properties that have stayed penalties, requested a clarification of the Agreement terms "waiver of permit fees", noted the appearance of waiving all permit fees, expressed his preference for the Agreement to be more reflective of actual happenings, suggested work be done to further clarify the Agreement language, and recommended postponing the item to the following Board meeting. **Commissioner Constance** inquired the timeline for all properties to be brought into compliance, questioned if the properties were liened, requested additional detail of the amount of outstanding and already paid fines and permits, expressed his preference for postponing the item, and asked if a precedent was set related to waiving permit fees. **Chair Doherty** stated his agreement with postponing the item, expressed concern with the potential impacts to Code Enforcement and the Construction Industry Licensing Board, and questioned if the Special Magistrate process would normally be followed. **Commissioner Deutsch** asked if the issues would be addressed if the item was postponed and questioned a cost analysis of the process. **Commissioner Duffy** indicated the Settlement Agreement lists the steps required for resolution and opined staff would not present the Agreement to the Board if it did not resolve the matter.

Attorney Rooney thanked Mr. Harris for providing Case History, noted the proposed Settlement Agreement contains the remainder of the items, indicated one (1) Zoning issue and three (3) additional property issues are included in the Agreement, noted permit waivers are only being sought for issues that his client did not physically work on, questioned the intent of the Board for Enforcement, responded to Board inquiries related to the establishment of liquidated damages, offered details of the timeline required for compliance and specifics of his client's actions towards resolution, stated he would recommend to his client pay the permit fees in an effort to resolve the matter, and noted he would need the permit listing from the Building Department.

County Attorney Janette Knowlton advised that the Code Enforcement Board and the Construction Industry Licensing Board (CILB) have already made rulings related to the case, provided details of the next steps; if the Agreement is not approved, indicated the process is statutorily driven, indicated Attorney Rooney would need to agree to postponement on the record, mentioned additional costs included payment of a Special Magistrate, explained the Special Magistrate process is part of the FLUDRA request, and thanked the Board.

**COMMISSIONER TRUEX MOVED TO POSTPONE THE ITEM TO THE APRIL 8, 2014 AGENDA TO ALLOW STAFF AND ATTORNEY ROONEY TO WORK TOGETHER ON THE COMMENTS MADE BY THE BOARD, SECONDED BY COMMISSIONER CONSTANCE**

**Commissioner Deutsch** suggested staff utilize the term "satisfied" within the Agreement related to permit fees. **Commissioner Duffy** questioned the possibility of receiving the requested list of permits and amounts required prior to the end of the current meeting, suggested tabling the item to a later point of the meeting, and expressed her preference for handling the matter at the current meeting. **Commissioner Truex** noted the item could be pulled and postponed again at the April 8, 2014 meeting and stated his preference to have additional time to analyze the information.

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

**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 - No Items**

**P. Public Works - No Items**

**Q. Tourism Development**

(1) RECOMMENDED ACTION: Update from Charlotte Harbor Super Boat Grand Prix. BUDGETED ACTION: No budget action required.

**R. Utilities**

**(CHANGE #5)** (1) RECOMMENDED ACTION: Adopt a resolution authorizing Charlotte County Utilities (CCU) to submit an application to the Florida Department of Environmental Protection (FDEP) for a loan through the State Revolving Loan Fund (SRF) program for the cost of preconstruction design for the vacuum sewer system for the East & West Spring Lake Wastewater MSBU area. BUDGETED ACTION: No budget action is required. Subsequent approval of the loan will require a budget amendment.



**Commissioner Truex** indicated he did not oppose the Agenda Item as it had been amended, noted the original application request was for more than \$1,000,000.00, and asked for further detail as to why certain amounts were being requested.

**COMMISSIONER TRUEX MOVED TO APPROVE A RESOLUTION AUTHORIZING CHARLOTTE COUNTY UTILITIES (CCU) TO SUBMIT AN APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR A LOAN THROUGH THE STATE REVOLVING LOAN FUND (SRF) PROGRAM FOR THE COST OF PRECONSTRUCTION DESIGN FOR THE VACUUM SEWER SYSTEM FOR THE EAST & WEST SPRING LAKE WASTEWATER MSBU AREA, SECONDED BY COMMISSIONER CONSTANCE**

**Chair Doherty** stated his apprehension to borrowing money, questioned the necessity to borrow money in the pre-construction design vacuum portion of the system, expressed concern with the changing dollar amount requests, noted his review of the Contract in detail, commented on cost balances to be paid for by Charlotte County Utilities (CCU), noted his opposition to the Item until he receives further clarification of Exhibit D, suggested project hookup costs as a possible request from the State Revolving Fund (SRF), and asked if the Municipal Services Benefit Unit (MSBU) paid back the dollars received from the SRF.

Terri Couture, CCU Director, explained balances of the MSBU Assessment Fund, indicated the fund amount increased, stated the original intention was for Offset Costs to be funded through Connection Fees, and affirmed the MSBU repays the SRF.

**Commissioner Truex** thanked **Chair Doherty** for discussing the matter in detail and asked that he be provided with additional information as to what the funding request is needed for.

**COMMISSIONER TRUEX WITHDREW HIS MOTION AND COMMISSIONER CONSTANCE WITHDREW HIS SECOND.**

**Commissioner Truex** questioned the required timeframe for the Item. **Chair Doherty** inquired when the Board would be receiving the Giffels-Webster Engineering Opinion of Costs and noted timing related to receipt of the Opinion of Costs. **Commissioner Deutsch** stated the Board could apply and choose not to accept the award of SRF dollars. **Commissioner Constance** questioned the interest rate of the SRF Loan.

Ms. Couture indicated the County has 210 days from the formation of the SRF priority list to apply for funding, noted the application paperwork is slightly time consuming, stated the Giffels-Webster Engineering Opinion of Costs would be received at the end of April, and explained the SRF Loan interest rate equates to less than three percent (3%) while Fiscal Services built in a five percent (5%) maximum within the request.

**COMMISSIONER TRUEX MOVED TO POSTPONE THE ITEM UNTIL THE DOCUMENTATION IS RECEIVED FROM GIFFELS-WEBSTER ENGINEERING, SECONDED BY CHAIRMAN DOHERTY**

**Commissioner Duffy** requested further clarification of MSBU administrative costs.

Ms. Couture affirmed annual administrative MSBU costs and listed the number of properties included within the Unit. County Administrator Sandrock indicated the aforementioned process is used with

MSBU Projects, noted there was nothing out of the ordinary with the request, and confirmed the information requested by the Board would be provided.

**MOTION CARRIED 5:0.**

**RECESS: 10:12 am - 10:30 am**

**S. Other Agencies - No Items**

**V. REGULAR AGENDA**

**Z. Regular Agenda**

**(CHANGE #1) (1) Administration**

Discussion and direction regarding legislative priorities.

Jason Stoltzfus, Programs Liaison, provided an update related to the following Legislative priorities: status of the funding for the Water Project Application for the Spring Lake Sewer First Phase, first version of the Senate Budget approval of the Spring Lake Project for \$500,000.00, request to increase the Spring Lake Project funding to \$1,000,000.00 in the final Senate Budget, Development of Regional Impact (DRI) Legislation, Senate Bill 372, House Bill 371, impacts to Charlotte County as surrounding Counties would be exempted from the DRI Review process upon approval, requested Board direction to either provide the Regional Planning Council (RPC) letter opposing the Legislation or draft one opposing the Legislation, noted developers in Manatee County pushed for the DRI Bill to be introduced, mentioned staff would ask to grandfather, at minimum, Counties that are in the middle of DRI exempted Counties, commented that the impacts of the Trauma Center Bill no longer greatly impacts Charlotte County, stated the Senate Flood Insurance Bill introduced at State level provides statutory framework and regulations that provide clarification for private companies that wish to offer flood insurance, listed details of Representative Ken Roberson's Little Gasparilla Island Bill, and affirmed he would provide an analysis of the Public Records, Public Meetings and Public Private Partnerships Bill.

**Commissioner Duffy** expressed her preference for a letter from Charlotte County addressing the DRI Legislation, noted she called Senator Lizbeth Benacquisto's office the previous week and has not yet received a returned call, commented on a lawsuit lost by the County regarding inverse condemnation, asked the Board to consider the feasibility of Legislation addressing Counties not being penalized for failure to act, questioned specifics of the Little Gasparilla Island Bill, and requested additional detail of Public Records, Public Meetings, Public Private Partnerships Bill. **Commissioner Constance** opined the RPC Letter would be appropriate to provide in regards to Senate Bill 372 until additional time is available to construct a letter from the County, noted Consensus received to write a letter opposing the DRI Legislation, and questioned why Manatee County has not proceeded with the DRI Special Exemption Process similar to Sarasota. **Chair Doherty** indicated the RPC letter would be sufficient to provide at the current time and noted his receipt of information related to his experience with the DRI process is not applicable to the current process. **Commissioner Truex** stated his agreement related to the letter, indicated he is attempting to meet with Senator Bill Galvano to address the Bill, opined he had no issues with the Little Gasparilla Island Bill, and stated he would be following up with Representative Roberson.

**RECESS: 11:30 am - 11:25 am**

Mr. Stoltzfus provided an analysis of the Public Private Partnerships Bill, noted it creates an exemption for unsolicited proposals, indicated the information would remain exempt until the Project goes through a formal bidding process, stated meetings of the Commission or Representatives would not be subjected to Sunshine Laws, and affirmed he would email a copy to County Attorney Knowlton.

Bob Hebert, Housing / Community Initiatives Manager, requested Board support to advocate for full funding of the State Housing Initiatives Partnership (SHIP) Program, noted a drastic decrease in the ability to provide rehabilitation to homes in the Charlotte County area, and indicated fact sheets have been provided to all Representatives. Mr. Stoltzfus explained that this issue has not been brought to the Board previously and requested Board direction to advocate for full funding of the SHIP Program.

**Commissioner Truex** requested documentation be provided, noted the Trust Fund has been raided for a number of years, indicated the original purpose was to assist with Affordable Housing, and expressed his preference to change the Trust Fund name if it is continually going to be utilized in other ways. **Chair Doherty** expressed agreement.

Assistant County Attorney Daniel Gallagher provided an update regarding the status of actions against the Department of Juvenile Justice (DJJ) for overpayments the County has made over the past four (4) Budget years based on a fault rule making procedure entered into, noted Counties have agreed to Table until the conclusion of the current Legislative Session, detailed three (3) alternative options to be considered including a 50/50 cost share between the Counties and State with an amendment to provide a ten (10) year repayment, a 50/50 cost share between the Counties and State with a twenty-three (23) year repayment, and the Governor's option for Counties to pay fifty-seven percent (57%) and the State to pay forty-three percent (43%) with no repayment, affirmed that Lee and Marion County took action to support the 50/50 cost share, and asked for Board direction or recommendations. Mr. Burger explained the repayment would only include fifty percent (50%) of the overpayment in both proposals.

**Commissioner Truex** noted the total amount of County overpayment, expressed his concern that the County would not be totally reimbursed for overpayments, commented on proposal percentages, and thanked staff for clarifying the information. **Commissioner Constance** asked for additional detail regarding proposed percentages and stated the County overpaid and should be reimbursed. **Commissioner Deutsch** opined the County expended the money and should be reimbursed. **Chair Doherty** stated his agreement. **Commissioner Truex** and **Chair Doherty** noted they would make known the position of the County regarding the DJJ overpayments.

**(CHANGE #2) (2) Commission Office**

Select by ballot one regular member to the Greater Port Charlotte Street and Drainage Advisory Committee for a term of three years from the date of appointment.

**Commissioner Constance** indicated he was informed of an additional vacancy within the Greater Port Charlotte Street and Drainage Advisory Committee, suggested reinstating Mr. Grover Mudd and noted Ms. Dianne Quilty could fill the recently resigned position. **Commissioner Duffy** noted her concerns and questioned if the vacancy was true. **Chair Doherty** stated a Vote must still be taken.

County Administrator Sandrock read the ballot entries into the record as: four (4) votes Grover Mudd and one (1) vote Dianne Quilty.

**COMMISSIONER CONSTANCE MOVED TO APPOINT GROVER H. MUDD AS A REGULAR MEMBER OF THE GREATER PORT CHARLOTTE STREET AND DRAINAGE ADVISORY COMMITTEE FOR A TERM OF THREE (3) YEARS, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**Commissioner Constance** asked if Ms. Quilty's application would automatically be moved to the upcoming Vacancy and directed Commission Assistant Diane Gant to ensure the paperwork is included for consideration.

**(CHANGE #3)** (3) Commission Office

Select by ballot one alternate member to the Manchester Waterway Benefit Unit Advisory Committee for a two- year term from the date of appointment.

County Administrator Sandrock read the ballot entries into the record as: five (5) votes James P. Goulette, zero (0) votes Dennis C. Peck.

**COMMISSIONER CONSTANCE MOVED TO APPOINT JAMES P. GOULETTE AS AN ALTERNATE MEMBER TO THE MANCHESTER WATERWAY BENEFIT UNIT ADVISORY COMMITTEE FOR A TWO (2) YEAR TERM, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**(ADDITION #1)** (4) Utilities

Discussion and direction on the April 2, 2014 Peace River Manasota Regional Water Supply Authority Board Agenda

Ms. Couture listed the upcoming April 2, 2014 Peace River Manasota Regional Water Supply Authority (PRMRWSA) Agenda Items for discussion and responded to Board inquiries.

**Commissioner Constance** mentioned his request to amend the Minutes to reflect that the PRMRWSA Board made no further comments or gave direction when Pat Lehman, Executive Director, requested direction on possibilities of a Common Rate scenario, indicated his request that the Common Rate never be discussed again, noted he has been shown no less than three (3) presentations regarding the Common Rate, provided specifics of the PRMRWSA \$3,000,000.00 for an additional 3 million gallons per day (MGD), stated he questioned the PRMRWSA \$4,000,000.00 for an additional 4 MGD; noting it was related to extra storage and chemicals, expressed his opposition to the Tentative Budget and Resolution setting forth preliminary rates, fees, and charges for FY 15, advised the Board that the Base Water Rate proposes to be increased by \$626,000.00, commented that Charlotte County was being disproportionately assessed, said he plans to provide the PRMRWSA Member Attorneys the proposed Water Purchase Agreement of Exhibit C to the Master Water Supply Contract during the upcoming

meeting, and spoke to positives of the Water Status Report. **Commissioner Duffy** requested additional detail of the Phase 1A Discovery Drive Meter.

**VI. PUBLIC HEARING AGENDA 10:00 A.M. (Items heard after the Consent Agenda)**

(1) County Attorney

Conduct a public hearing to amend the County Code regarding Limousine and Taxicabs by providing for regulation of Nonmedical Wheelchair Transportation Vehicles. **ORD2014-009 (XREF: ORD2011-041, ORD1997-038)**

Assistant County Attorney Lori Tetrault provided details of the item, noted the Board was asked to consider the item in November, 2011, and responded to Board inquiries.

**Commissioner Truex** requested further detail related to the different types of transportation and insurance required for medical and non-medical transports and asked if the language of the proposed Ordinance was in order.

Walt Black, Risk Manager, affirmed the Department of Motor Vehicles with the State of Florida regulates the amount of insurance required, noted the County exceeds the minimum required levels, and explained that anyone requiring any type of medical assistance would not fall under the Non-Medical Transportation Vehicle Ordinance.

Michael Grant, Owner of Ambitrans Ambulance and Wheelchair Service, thanked the Board for their consideration of the proposed Amendment, expressed gratitude to legal staff for working with individuals within the Industry, recommended a change in the Insurance requirements of the Ordinance, noted current Contractors need to have \$1,000,000.00 of coverage, and opined the \$125,000.00 insurance limit is not sufficient.

**COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER TRUEX**

**MOTION CARRIED 5:0.**

**COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2014-009 AMENDING CHAPTER 1-10, ARTICLE XV, TAXICABS, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, RELATING TO TAXICABS AND LIMOUSINES; ADDING REGULATIONS APPLICABLE TO THE OPERATION OF NON-MEDICAL WHEELCHAIR AND STRETCHER TRANSPORTATION VEHICLES; PROVIDING FOR SEVERABILITY AND INCLUSION IN THE CHARLOTTE COUNTY CODE; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER TRUEX**

**Commissioner Constance** expressed his preference to leave the Ordinance as proposed, requested to receive additional information relating to the insurance levels, and expressed concern with potential halting Community taxicab businesses. **Commissioner Truex** stated his agreement and noted staff could bring back options for consideration. **Chair Doherty** agreed and noted staff direction to bring back possible recommendations related to the insurance concerns.

**MOTION CARRIED 5:0.**

(2) County Attorney

Conduct a public hearing to consider approving an Ordinance extending the temporary suspension of all non-transportation impact fees. **ORD2014-010 (XREF: ORD2013-019, ORD2012-024)**

Assistant County Attorney Gallagher provided details of the item, noted the proposed suspension of all Non-Transportation Impact Fees would expire September 30, 2014, and stated new Impact Fees would then be adopted October 1, 2014.

Scott Andrichak stated his belief that taxes are too high in Charlotte County, noted his review of neighboring County taxes, requested the Board consider keeping taxes and fees low, and opined Citizens should be thriving instead of the Government.

**COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER TRUEX**

**MOTION CARRIED 5:0.**

**COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2014-010 AMENDING ORDINANCE NO. 2012-024, WHICH TEMPORARILY SUSPENDED CERTAIN IMPACT FEES, BY EXTENDING THE AUTOMATIC SUNSET DATE OF THE ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE WITH AN AMENDMENT TO STRIKE THE TERM LIBRARIES FROM LINE 28. THE MOTION DID NOT RECEIVE A SECOND AND WAS LOST.**

**COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2014-010 AMENDING ORDINANCE NO. 2012-024, WHICH TEMPORARILY SUSPENDED CERTAIN IMPACT FEES, BY EXTENDING THE AUTOMATIC SUNSET DATE OF THE ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DUFFY**

**Commissioner Truex** stated his understanding of **Commissioner Constance's** position and indicated his preference to receive all information to conduct a better analysis at one time. **Commissioner Constance** stated a Library is absolutely needed in South County and opined further suspension of Library Impact Fees is counter intuitive. **Chair Doherty** spoke to revenue challenges, expressed his preference to be able to conduct a comprehensive review of the Impact Fee Information, and opined the ultimate solution to the revenue challenge is growth within the County. **Commissioner Duffy** agreed with **Commissioner Constance's** concerns of the South County Library, noted other Impact Fees may be restored at a later date, and spoke to low costs for those Residents ready to build within the County.

County Administrator Sandrock indicated the Impact Fee Study would be received in the near future, noted staff would review the information, and stated a presentation would be given in the Summer.

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

**VII. PRESENTATION AGENDA 10:00 A.M. (Item heard after the 10:00 A.M. Public Hearing Agenda)**

(1) Budget and Administrative Services

A presentation by the consultants Tinsdale Oliver & Associates to provide an update on the process and status of the Transit Development Plan (TDP) to date. The final report will be presented in May or June of this fiscal year.

Gordon Burger, Director of Budget and Administrative Services, introduced the presentation and noted the joint effort between Transit Operations and the Metropolitan Planning Organization (MPO). Richard Dreyer, Tindale Oliver & Associates, provided an update related to the Transportation Development Plan (TDP) including specifics of the Charlotte Rides Program, details of the Transit Demand Assessment, the process and results of the Public Outreach Process, explained the "County's Ten (10) Year Needs without funding limitations," suggested routes deemed the North Port - Punta Gorda Connector, the Englewood Beach Hopper, the Lake Suzy - Punta Gorda Connector, and the North Port - Fort Myers Express Route, detailed the Flex-Route Service Option with four (4) suggested Flex Areas, recommended utilizing the Dial-A-Ride Program outside of service times, a Voucher Access Program, a Replacement Program, Bus Stop Amenities, three (3) Transfer Points, and shared Park-and-Rides Stops, indicated a review of cost efficiencies is currently being conducted, advised the Board of the upcoming TDP steps, and advised a Plan Presentation would be made in June, 2014.

**Commissioner Constance** questioned the meaning of the included initials within the Presentation. **Commissioner Deutsch** inquired if the County currently had enough vehicles to implement the proposed TDP, commented on the importance that Residents understand the presentation is a proposal, expressed concern over the price per ride, opined there is no place that operates a public transportation system without subsidy, noted his cautious optimism of the TDP, posed questions regarding the TDP interfacing with existing transportation, mentioned the effects to the Sunshine Ride and Dial-A-Ride Programs, the anticipated ridership, and estimated costs per ride. **Commissioner Duffy** expressed agreement with **Commissioner Deutsch's** concerns, questioned if the TDP was required by the State of Florida, inquired if the funding currently received funded the Dial-A-Ride and Sunshine Ride Programs, asked the cost of the TDP Study, stated her concern of Citizen ability to get to bus stops, spoke to the number of Residents within the Community that would prefer to have a Fixed Route System, stated the County does not have the population to warrant the transportation system, and indicated she would keep an open mind regarding the matter.

Mr. Dreyer responded to Board inquiries related to the County currently not having enough vehicles to implement the portrayed unlimited funding TDP, affirmed there is not a public transportation system in the Country that runs without a form of subsidy, noted the State of Florida requires the TDP to be updated every five (5) years to receive funding, advised funding received currently goes to the Dial-A-Ride Program, and indicated the County and MPO are splitting the \$80,000.00 cost of the TDP Study.

**Chair Doherty** thanked Mr. Dreyer for the presentation and stated he is looking forward to the Final Report.

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

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

**X. CITIZEN INPUT - ANY SUBJECT**

Joan Fischer stated libraries are an essential part of neighborhood vitality and to the literate population, provided history regarding libraries including Thomas Jefferson and Andrew Carnegie, opined an additional Director be responsible for Libraries and Historical, noted the Cultural Center Library is in need of public access, and mentioned approximately 1700 children live within the Port Charlotte Library Area that does not offer Saturday hours.

Kathleen Coppola stated Public Transportation options does not pay for itself, commented on Smart Meters, noted her decision to opt out of the Program after being told the costs, mentioned Residents who have been charged the monthly cost and installation fee without changing over to the new meters, expressed concern that she was not informed of two (2) written reports regarding her septic system, advised she removed a problematic crepe myrtle tree on her own, commented on the number of species of fish in Charlotte Harbor, and opined sewers are not needed in the area.

Scott Andrichak, Save Our Septics (SOS), provided specifics of a letter written by County Administrator Sandrock to Secretary Herschel Vineyard of the Florida Department of Environmental Protection (FDEP), questioned why the letter was sent four (4) months after the receipt of an email from John Iglehart, FDEP, indicating no specific area was required to be sewerred, spoke to an additional email sent by Assistant to the County Administrator Hector Flores requesting the same information from Mr. Vineyard, opined the situation demonstrated how County Administrator Sandrock manipulated and misled the Board, and asked that he be removed from his position.

**Chair Doherty** stated he would inquire of the information on Mr. Andrichak's behalf during an individual meeting with County Administrator Sandrock.

**AA. County Administrator: None**

**BB. County Attorney:**

County Attorney Knowlton stated she had received a Citizen raising the question on how the Board could consider the Impact Fee Ordinance due to a vote received the previous month, noted she reviewed the matter, indicated County Administrator Sandrock had only requested Board direction, and clarified there was no Vote taken.

**CC. Commissioner Comments:**

**Commissioner Duffy** handed out a letter written by Susie Hackett indicating her resignation from the Code Enforcement Board, noted her request for further detail of Code Enforcement Board Member renewal dates and terms, suggested the possibility of having a Special Magistrate handle the Code Enforcement Hearings, requested the Board consider the Special Magistrate Option, and spoke to the Smart Meter Resolution and options it allowed. **Commissioner Constance** expressed agreement with receiving an analysis of the Code Enforcement Special Magistrate option and noted other Boards may be televised on CC-TV. **Chair Doherty** commented on the timing of the Special Magistrate possibility, noted the existing Code Enforcement Board has good productivity, and agreed with reviewing the Special Magistrate possibility. **Commissioner Deutsch** suggested conducting a Public Hearing for the Special Magistrate option, requested staff review the Smart Meter Resolution, noted the Charlotte County



Veteran's Council is moving ahead with the permanent Vietnam Memorial Wall, indicated students made a miniature model of the Wall and it would be on display at the Air Show, mentioned the American Legion Post 110 Wall Ball at the end of April to benefit the Memorial, and presented **Commissioner Constance** a book signed by Cal Ripken Junior.

County Attorney Knowlton spoke to the proposed Special Magistrate costs, indicated the costs would be about the same as expended for the current process, noted the procedure to hire Special Magistrates is already in place as they are utilized elsewhere, stated the removal of Code Enforcement Board questions and input would greatly reduce the necessary time, commented on the difficult decision due to the dedicated Code Enforcement Board, affirmed no Code change would be required, and said Board direction is required to bring back a Resolution.

**(CONSENSUS TO RECEIVE INFORMATION RELATED TO THE SPECIAL MAGISTRATE PROCESS FOR CODE ENFORCEMENT HEARINGS)**

**ADJOURNED: 12:40 pm**

\_\_\_\_\_  
**Ken Doherty, Chair**

**DATE ADOPTED:** \_\_\_\_\_

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

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

**BOARD OF COUNTY COMMISSIONERS**

**APRIL 08, 2014**

A Regular meeting was held at the Murdock Administrative Complex in Commission Chambers; Room 119, Port Charlotte, Florida.

Members present were: Chair Doherty, Commissioner Constance, Commissioner Deutsch, Commissioner Duffy, and Commissioner Truex. Also in attendance were: County Administrator Sandrock, County Attorney Knowlton, Chief Deputy Board Services White, Commission Assistant Dillon, Minutes Supervisor Lansing, and Minutes Clerk Trainee Russo. The following members were absent: None

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

The Invocation was given by Pastor Adam Willis, Deep Creek Community Church, followed by the Pledge of Allegiance.

**Changes to the Agenda:**

**Addition #1: Z-4**

Approve a Resolution authorizing the temporary use of golf carts on designated County roads at Englewood Beach solely by Event Personnel during the Charlotte Harbor Super Boat Brand Prix. Golf cart use will be allowed on the designated roads from 7:00 a.m., Friday April 11<sup>th</sup> to 11:00 a.m. Monday April 14<sup>th</sup>. Event Personnel is defined in the Resolution as the promoter and its staff, even vendors, racing teams, law enforcement and Fire/EMS personnel.

Requested by County Attorney

**Change #1: G-1**

Updated background information. Added Babcock MDO Resolution NO. 2007-196 and Babcock MDO Resolution NO.2014-047 and Termination Agreement attachments.

Requested by Community Development and County Attorney.

**Change #2: Z-3**

Added Charlotte County FY15 Programmatic Requests attachment.

Requested by Administration

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

**MOTION CARRIED 5:0.**

**Proclamations/Awards**

**Proclamations – Commissioner Christopher Constance**

**Child Abuse Prevention Month**

**COMMISSIONER DUETSCH MOVED TO PROCLAIM APRIL 2014 AS CHILD ABUSE PREVENTION MONTH, SECONDED BY COMMISSIONER TRUEX**

**MOTION CARRIED 5:0.**

An unidentified representative accepted the Proclamation.

**Autism Awareness Month**

**COMMISSIONER TRUEX MOVED TO PROCLAIM APRIL 2014 AS AUTISM AWARENESS MONTH, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

Representatives gave background detail related to Autism, provided outreach tools, and accepted the Proclamation with thanks to the Board.

**Artist of the Month**

**COMMISSIONER TRUEX MOVED TO PROCLAIM APRIL 2014 AS LAURA PICKELL ARTIST OF THE MONTH, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

Laura Pickell accepted the Proclamation with thanks to the Board and the Arts and Humanities Council.

**Baseball Fan Appreciation Month**

**COMMISSIONER DEUTSCH MOVED TO PROCLAIM APRIL 2014 AS BASEBALL FAN APPRECIATION MONTH, SECONDED BY COMMISSIONER TRUEX**

**MOTION CARRIED 5:0.**

Tommy Scott accepted the Proclamation on behalf of Charlotte Sports Park with thanks to the Board.

**I. CITIZEN INPUT - Agenda Items Only**

Tom Rice spoke in support to Item J1, described his reasons, and invited the County to meet the CRA.

Scott Andrichak spoke against Item L1, expressed concern with the hiring of additional full time County staff, and gave tax statistics.

Susan Hutt spoke to Item E1 and read detail into the record related to septic systems.

## II. COMMITTEE VACANCIES

**Chair Doherty** mentioned Committee Vacancies currently available and requested citizen participation.

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

Ackerman Waterway Unit Advisory Committee is seeking six volunteers who must be residents of Charlotte County and reside within the Unit. Terms: five regular members to serve a three year term from the date of appointment and one alternate member to serve a two year term from the date of appointment. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com)

Alligator Creek Waterway Unit Advisory Committee is seeking one volunteer to serve as an alternate member for a two year term from the date of appointment. Applicant must be resident of Charlotte County and reside within the Unit. Submit application to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com).

Code Enforcement Board is seeking one volunteer to serve as a Member-at-Large to finish an unexpired term. Applicant must be a resident of Charlotte County. This term expires August 26, 2014. For an application form please contact the commission office at 743-1300 or e-mail [Bonnie.Stoner@CharlotteFL.com](mailto:Bonnie.Stoner@CharlotteFL.com).

Deep Creek Non-Urban Street & Drainage Unit Advisory Committee is seeking two volunteers who must be residents of Charlotte County and reside within the Unit. Terms: one regular member to serve a three year term from the date of appointment and one alternate member to serve a two year term from the date of appointment. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950, call 941.575.3600 or e-mail [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com).

Gardens of Gulf Cove Street & Drainage Unit Advisory Committee is seeking two volunteers to serve as regular members for a three year term from the date of appointment. Applicants must be a resident of Charlotte County and reside within the Unit. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com).

Greater Port Charlotte Street and Drainage Advisory Committee is seeking one volunteer who must be a resident of Charlotte County, and reside within the Unit. Terms: one regular member to complete an unexpired term that will expire on December 11, 2015. Submit application to Charlotte County Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-743-3600 or email: [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com).

Gulf Cove Waterway Benefit Unit Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Term: one alternate member to serve a two year term from the date of appointment. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com).

Harbour Heights Street & Drainage Unit Advisory Committee is seeking one volunteer to serve as a regular member for a three year term from the date of appointment. Applicant must be a resident of Charlotte County and reside within the Unit. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail: [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com).

Harbour Heights Waterway Unit Advisory Committee is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Term: one regular member to serve a three year term from the date of appointment. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com).

Lemon Bay Street and Drainage Unit Advisory Committee is seeking five volunteers who must be residents of Charlotte County and reside within the Unit. Terms: four regular members and one alternate member. The term lengths will be determined at the first regular meeting. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com).

Marine Advisory Committee is seeking an organization or association to volunteer to serve as a permanent member of the Marine Advisory Committee. Each organization shall be marine oriented and hold regularly scheduled meetings and have a membership of at least 25 persons. Representatives from this organization/association will serve three (3) year terms. The term of the first representative will be effective once the association/organization is approved or as soon thereafter as a selection is made and shall expire December 31, 2017. Please contact Gayle Moore at 623-1094 for an application form to turn in with your resume or e-mail her at [Gayle.Moore@CharlotteFL.com](mailto:Gayle.Moore@CharlotteFL.com) or you may access the website to download the form: <http://www.charlottecountyfl.gov/boards-committees/mac/Site%20Documents/MACApplicationForm.pdf>

Peace River Shores Street & Drainage Unit Advisory Committee is seeking four volunteers who must be residents of Charlotte County and reside within the Unit. Terms: three regular members to serve a three year term from the date of appointment and one alternate member to serve a two year term from the date of appointment. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com).

South Bridge Waterway Unit Advisory Committee is seeking five volunteers who must be residents of Charlotte County and reside within the Unit. Terms: four regular members to serve a three year term from the date of appointment and one alternate member to serve a two year term from the date of appointment. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com).

South Burnt Store Street and Drainage Unit Advisory Committee is seeking one volunteer to serve as an alternate member for a two year term from the date of appointment. Applicant must be a resident of Charlotte County and reside within the Unit. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950, call 941.575.3600 or e-mail [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com).

Suncoast Waterway Maintenance Unit Advisory Committee is seeking four volunteers who must be residents of Charlotte County and reside within the Unit. Terms: three regular members to serve a three year term from the date of appointment and one alternate member to serve a two year term from the date of appointment. Submit application to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com).

Tropical Gulf Acres Street & Drainage Unit Advisory Committee is seeking three volunteers. Terms: two regular members to serve a three year term from the date of appointment and one alternate member to serve a two year term from the date of appointment. Applicants must be residents of Charlotte County and reside within the Unit. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail [MSBU-TU@CharlotteFL.com](mailto:MSBU-TU@CharlotteFL.com).

**III. REPORTS RECEIVED AND FILED – No Items**

**IV. CONSENT AGENDA**

**COMMISSIONER TRUEX MOVED TO APPROVE THE BALANCE OF THE CONSENT AGENDA WITH THE EXCEPTION OF CONSENT AGENDA ITEMS F2, G2, L1, Q1, SECONDED BY COMMISSIONER CONSTANCE**

**Clerk of the Circuit Court**

**A. Finance Division**

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

**B. Minutes Division**

(1) RECOMMENDED ACTION: Approve minutes for:  
February 11, 2014 BCC Regular Meeting  
February 18, 2014 Workshop  
February 25, 2014 BCC Regular Meeting  
March 20, 2014 Pre-Agenda Meeting  
BUDGETED ACTION: None

**Board of County Commissioners**

**C. Commission Office**

(1) RECOMMENDED ACTION: Appoint Dianne M. Quilty as an alternate member to the Mid Charlotte Stormwater Utility Advisory Committee for a two-year term from the date of appointment. BUDGETED ACTION: None

(2) RECOMMENDED ACTION: Appoint Karen R. Totten as a regular member to the Northwest Port Charlotte Street and Drainage Advisory Committee for a three-year term from the date of appointment. BUDGETED ACTION: None

**D. Administration**

(1) RECOMMENDED ACTION: Set a Board Workshop on April 22, 2014 at 2:30 p.m. in Room B106 to continue discussion from April 12, 2014 BCC Workshop regarding Sales Tax Extension projects.

BUDGETED ACTION: None

(2) RECOMMENDED ACTION: Approve extending Sheriff's Department budget submission date to June 1<sup>st</sup>.

BUDGETED ACTION: None

**Public Information Office - No Items**

**E. County Attorney**

(1) RECOMMENDED ACTION: Set a public hearing on Tuesday, April 22, 2014 at 10:00 a.m. or as soon thereafter as may be heard, to consider an ordinance revising County Code Chapter 3-8, Article VIII, concerning On-site Sewage Treatment and Disposal System (ISTDS) requirements. BUDGETED ACTION: No Budget action required.

**F. Budget and Administrative Services**

**Fiscal Services - No Items**

**Information Technology - No Items**

**Purchasing**

(1) RECOMMENDED ACTION: a) Approve Award of Bid #14-113 Shell/Rock Material – Annual Contract to Florida Dirt Source of Fort Myers, FL; Youngquist Brothers of Fort Myers, FL Farabee Mine & Shell LLC of Naples, FL; and Sitework Supplier of Nokomis, FL as indicated below; and b) Authorize the County Administrator to approve renewal options up to two (2) additional one-year terms at the same prices, terms and conditions by mutual consent. The contract period is from date of award through and including December 31, 2014. BUDGETED ACTION: No action needed. Funding from various sources approved in the FY13/14 budget process.

(2) RECOMMENDED ACTION: a) Approve Amendment #5 to Contract #05-193, Engineering Services - Pirate Harbor Waterway, with Coastal Engineering Consultants in the amount of \$114,200, for a revised total contract amount of \$386,086.16; and b) Authorize the Chairman to sign the Amendment when completed. This contract was for professional services in applying for separate standard general permits for dredging a 2,300- foot channel and removing rock in the Pirate Harbor Waterway System. BUDGETED ACTION: No action needed. Funding from the Pirate Harbor Waterway MSBU in CIP Pirate Harbor Rock Ledge/Maintenance Dredging approved in the FY14 CIP Process.

**Chair Doherty** explained why he pulled the item, expressed agreement with the scope, but disagreed with the language, and announced he is unable to support the item at this time. **Commissioner Constance** mentioned the history of the item and said he is in favor of tabling at this time.

Charles Mopps, Public Works Engineering responded to Board inquires and provided historical detail.

**COMMISSIONER CONSTANCE MOVED TO POSTPOSE F2 TO ALLOW STAFF TO RENEGOTIATE WITH COASTAL ENGINEERING RELATIVE TO CONTRACT LANGUAGE TO ELIMINATE ANY ADDITIONAL SERVICES, SECONDED BY COMMISSIONER DEUTSCH.**

**MOTION CARRIED 5:0.**

(3) RECOMMENDED ACTION: Approve Change Order #5 to Contract #13-314, Cleaning Services, Charlotte County Facilities, Group A, with United States Service Industries, Inc. (USSI) in the amount of \$882. This is for additional cleaning services at the Florida Street location in Punta Gorda. BUDGETED ACTION: No action needed. Funding from the County Transportation Trust Fund approved in the FY 2014 budget process.

#### **Real Estate Services - No Items**

#### **G. Community Development**

(CHANGE #1) (1) RECOMMENDED ACTION: Approve a request by the Babcock Property Holdings, LLC and Babcock Ranch Community Independent Special District to terminate Affordable Housing Agreement 2009-016 between Charlotte County, Babcock Property Holdings, LLC and Babcock Ranch Community Independent Special District. BUDGETED ACTION: None **AGR2014-016 (XREF: AGR2009-016, RES2007-196, RES2014-047)**

(2) RECOMMENDED ACTION: This item is being brought before the Board of County Commissioners in response to a Florida Land Use Dispute Resolution Act (FLUDRA) request. The Act allows for these types of settlement agreements in order to address certain land use disputes without the need for litigation, but is a very seldom used process. This negotiated settlement agreement addresses Code Enforcement violations with respect to both Florida Building Code and Charlotte County Zoning Code related issues for a number of properties owned by Mr. Jan Musil. Staff is bringing forward this agreement for consideration. BUDGETED ACTION: None **AGR2014-013**

**Commissioner Truex** explained why he is unable to support the item at this time, said he has studied the provided information but would like to table the item until Attorney Rooney is available to offer further detail.

Attorney Ty Harris responded, explained the Settlement Agreement, recommended approval, and responded to Board inquiries.

**COMMISSIONER DUFFY MOVED TO APPROVE G2, MOTION FAILED FOR LACK OF SECOND.**

**COMMISSIONER CONSTANCE MOVED TO TABLE THIS TO THE APRIL 22, 2014 MEETING, SECONDED BY COMMISSIONER DEUTSCH.**

**MOTION CARRIED 5:0.**

#### **H. Community Services**



**Parks and Natural Resources - No Items**

**Recreation - No Items**

**Libraries and Historical - No Items**

**J. Economic Development - No Items**

**L. Human Resources - No Items**

(1) RECOMMENDED ACTION: Authorization is requested to approve 17 part-time positions transitioning to 15 full-time positions and to approve the posting for 1 full-time Executive Assistant for the office of the Board of County Commissioners. BUDGETED ACTION: No action need at this time. Due to vacancies and managed cost within the departments, there will be no need for a budget adjustment for FY13/14 to cover variance for the remainder of the fiscal year. However, the department's budgets for FY14/15 will be adjusted and presented to the Board of County Commissioners at the July Tentative Budget meeting.

**Chair Doherty** explained Item L1. **Commissioner Constance** discussed the hiring structure, unfortunately opined the Board must approve L1 based on regulations, and spoke to the excellent County Health Care Plan. **Commissioner Deutsch** agreed the mandates are a disservice to our citizens and announced he would not vote in favor. **Commissioner Duffy** gave detail related to past County staff reductions, mentioned possible \$2 Million in penalties, and explained the positions. **Commissioner Truex** discussed the amended positions and efficiencies found.

Heather Bacus, Human Resources explained the penalties involved if the Board does not approve and responded to Board inquires.

**COMMISSIONER DUFFY MOVED TO APPROVE 17 PART TIME POSITIONS TRANSITIONING TO 15 FULL TIME POSITIONS AND 1 FULL TIME EXECUTIVE ASSISTANT FOR THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, SECONDED BY COMMISSIONER CONSTANCE**

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

**RECESS: 10:14 am - 10:28 am**

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

**M. Human Services - No Items**

**N. Public Safety - No Items**

**P. Public Works**

(1) RECOMMENDED ACTION: Approve an Interlocal Agreement between the City of Punta Gorda and Charlotte County under which the Charlotte County Public Works Department will provide labor and materials to fabricate and furnish the City with traffic signs, street signs and accessories when requested by the City. The City will pay County an hourly rate for labor and actual material costs. BUDGETED ACTION: No action needed. Revenues earned will go into the Transportation Trust Fund to cover the cost of fabricating the signs. **AGR2014-01**

**Q. Tourism Development**

(1) RECOMMENDED ACTION: Update from Charlotte Harbor Super Boat Grand Prix.  
BUDGETED ACTION: No action needed

**Commissioner Deutsch** clarified event details related to the Boat Races, commented on its positive impact to the County, and noted the work involved. **Commissioner Duffy** remarked on incorrect information publicly reported with bridge closures and parking. **Commissioner Truex** asked for citizen patience with traffic, said a lot of misinformation has been circulating, spoke to sponsorship, and requested support for the event. **Chair Doherty** opined the event will be a success. **Commissioner Constance** expressed disappointment with not having a Boat Race representative present today.

Sean Doherty, Sales and Marketing Manager provided facts related to Boat Race traffic, bridge closures, Boat Race sponsorship, parking, ticket sales information, and responded to related Board inquiries.

**County Attorney Knowlton** provided financial information related to costs and invoicing. Board discussion ensued.

**R. Utilities – No Items**

**S. Other Agencies - No Items**

**V. REGULAR AGENDA**

**Z. Regular Agenda**

(1) Commission Office Select by ballot one alternate member to the Manasota Key Street & Drainage Advisory Committee for a two -year term from the date of appointment.

County Administrator Sandrock read the ballot entries into the record: three (3) votes Tommy Brock, two (2) votes Kim Frahn.

**COMMISSIONER DUFFY MOVED TO APPOINT TOMMY BROCK AS AN ALTERNATE MEMBER TO MANASOTA KEY STREET & DRAINAGE ADVISORY COMMITTEE FOR A TWO-YEAR TERM FROM THE DATE OF APPONTMENT, SECONDED BY CHAIR DOHERTY.**

**MOTION CARRIED 5:0.**

(2) Select by ballot three names of those listed alphabetically to be submitted to Governor Rick Scott for consideration to fill the seat vacated by Roxann Read's resignation from the Children's' Services Council.

Attached are applications and for each of the candidates. This appointment is to serve the remainder of time on a three year term which shall expire May 2016.

**CHAIR DOHERTY MOTIONED TO MOVE THE BALLOT, SECONDED BY COMMISSIONER CONSTANCE.**

**MOTION CARRIED 5:0.**

**(CHANGE #2)** (3) Administration Discussion and direction regarding legislative priorities – Jason Stoltzfus, Program Liason.

**Chair Doherty** handed out a letter related to SB 372 sent to Senator Bill Galvano in April, 2014 and remarked on the process. **Commissioner Constance** commented on the letter, spoke to the Regional level process, mentioned the impact to Charlotte County, and commented on the importance of Inter-County communications. **Commissioner Duffy** spoke to the DRI approval procedure throughout Southwest Florida, discussed the Super Majority requirement, and suggested the inclusion of Piper Road and Murdock Village. Related discussion ensued.

**(ADDITION #1)** (4) County Attorney Approve a Resolution authorizing the temporary use of golf carts on designated County roads at Englewood Beach solely by Event Personnel during the Charlotte Harbor Super Boat Grand Prix. Golf cart use will be allowed on the designated roads from 7:00 a.m., Friday April 11th to 11:00 a.m. Monday April 14th. Event Personnel is defined in the Resolution as the Promoter and Promoter Staff, Event Vendors, Racing Teams, Law Enforcement and Fire/EMS Personnel. **RES2014-107**

Dan Gallagher, Assistant County Attorney offered detail related to the item.

**COMMISSIONER DEUTSCH MOVED TO APPROVE RESOLUTION 2014-107, SECONDED BY COMMISSIONER TRUEX.**

**MOTION CARRIED 5:0.**

- VI. PUBLIC HEARING AGENDA – No Items**
- VII. PRESENTATION AGENDA – No Items**
- VIII. PUBLIC WORKSHOP AGENDA - No Items**
- IX. BOARD WORKSHOP AGENDA - No Items**
- X. CITIZEN INPUT - ANY SUBJECT**

Ms. Patricia Fallon spoke to a swale near her home in Punta Gorda and described the issues related with storm water.

Susan Hutt spoke to past requests for all Board of County Commission meetings to be held in Commission Chambers; Room 119, suggested electronic citizen input, proposed the Board allow Citizens

to speak 3 minutes on each item as opposed to the current rule of 3 minutes total, and mentioned CCU loan requests.

Calvin La Buffe spoke in regards to emails sent to the Commissioners related to the Salt Water Catch Basin, mentioned related conversations with the DEP, and requested he be allowed to provide the Board with another presentation in the future.

Richard Chave questioned what additional information the Board is requesting related to the swale issue in Punta Gorda.

Salvatore Castronovo provided a hand out containing a letter he sent to the Charlotte Sun Editor related to Charlotte County Airport which appeared on April 7, 2014, discussed negative issues, loss of income, suggested the County hire someone to manage the Airport, talked about the demand support system, and mentioned permit processing.

Kathleen Coppola spoke to tax funding related to the Airport and provided detail on what is and will be offered to citizens, and discussed past Murdock Village plans.

Chair Doherty explained the Rules of Procedure to Scott Andrichak, Save Our Septics (SOS) who attempted to offer a visual presentation today and explained how to proceed in the future.

Mr. Scott Andrichak, Save Our Septics (SOS), questioned fund loan for Spring Lake pre-construction design, asked why it is now being withdrawn, again asked for the removal of Raymond Sandrock, County Administrator, pointed out certain Rules of Procedure, opined he followed the rules, provided specifics of a letter written by County Administrator Sandrock to Secretary Herschel Vineyard, Florida Department of Environmental Protection (FDEP) and questioned why the letter was sent four (4) months after the receipt of an email from John Iglehart.

**AA. County Administrator: None**

**BB. County Attorney: None**

**CC. Commissioner Comments:**

Commissioner Deutsch expressed the importance of addressing parking problems related to mud at the Charlotte County Stadium, suggested they contact Southwest Florida Water Management District (SWFWMD), commented on a newly formed Committee working to raise \$350,000 to build a replica of the Vietnam wall to honor those Veterans who served, noted \$12,000 has already been raised and spoke in favor of Citizen input and Volunteers.

Mr. Sandrock informed the Board of receipt Letter of Interest to do a study of the parking lot and suggested roping off the problem parking areas.

Chair Doherty provided additional background related to the parking problems at the Ball Park, discussed the current permit, and mentioned the SWFWMD application process. Commissioner Constance suggested they could avoid the permit process with proper maintenance and by updated

pumps and announced \$11,229 Million was paid to Sarasota for the Winchester Project in Sarasota County. Commissioner Truex spoke to efficiencies and consistencies related to the need to review further, expressed concerns related to electronic cigarettes and their sales locations.

Commissioner Duffy mentioned the passing of Jim Reif, commended his involvement with Emergency Management, spoke to the passing of Bradley J. Murray, Sheriff Deputy, asked that citizens keep them both in their thoughts, and expressed concern with Code Enforcement requirements. There was Board discussion related to Salt Water Catch Basin, the unavailability of a full scale model, the lack of proof that it works, funding options, the need to dredge Stump Pass, gave related history.

Attorney Knowlton requested Board direction since it must be done via Resolution pertaining to vacancy process for Code Enforcement requirements.

**(CONSENSUS TO RECEIVE INFORMATION RELATED TO PERMITTING ISSUES FOR THE CHARLOTTE COUNTY STADIUM PARKING LOT).**

**ADJOURNED: 12:01 pm**

---

**Ken Doherty, Chair**

**DATE ADOPTED:** \_\_\_\_\_

**ATTEST:**

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

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

APRIL 21, 2014

A Pre-Agenda meeting was held in preparation for the April 22, 2014 Regular Meeting at the Murdock Administrative Complex in Room B-106, Port Charlotte, Florida.

The following members were present: Commissioner Constance, Commissioner Deutsch, Chair Doherty Commissioner Duffy and Commissioner Truex. Also in attendance were: County Administrator Sandrock, Assistant to the County Administrator Flores, County Attorney Knowlton, Minutes Supervisor Lansing, Minutes Trainee Russo, and various County staff members.

**The meeting was called to Order at 1:33 p.m.**

There was Board discussion on the following items:

**County Attorney:** E1

**Purchasing:** F1, F2, F3

**Real Estate:** F5

**Community Development:** G1

**Human Services:** M1, M2

**Utilities:** R1

**Regular Agenda:** Z1, Z2, Z3, Z4

**Public Hearing:** #1

**Presentation Agenda:** #1

**ADJOURNED:** 2:02 pm

\_\_\_\_\_  
Ken Doherty, Chair

DATE ADOPTED: \_\_\_\_\_

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

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

**Board of County Commissioners**

18500 Murdock Circle  
Port Charlotte, FL 33948  
[www.CharlotteCountyFL.gov](http://www.CharlotteCountyFL.gov)



**County Commissioners**

Ken Doherty, District 1, Chairman  
Bill Truex, District 3, Vice-Chairman  
Christopher Constance, District 2  
Stephen R. Deutsch, District 4  
Tricia Duffy, District 5

**County Administrator**

Raymond J. Sandrock

**County Attorney**

Janette S. Knowlton

**Clerk of the Circuit Court**

Barbara T. Scott

Regular Meeting  
4/22/2014 9:00:00AM  
18500 Murdock Circle, Room #119

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941-764-4191, TDD/TTY 941-743-1234, or by email to [Walt.Black@charlottefl.com](mailto:Walt.Black@charlottefl.com)

**9:00 A.M. Call to Order and Roll Call**

**Invocation** - For those who wish to join, please rise for the invocation

Pastor Jim Ammerman  
Deep Creek Community Church

**Pledge of Allegiance**

**Changes to the Agenda:** See last page

**Proclamations/Awards**

- I. Citizen Input - Agenda Items Only
- II. Committee Vacancies
- III. Reports Received and Filed
- IV. Consent Agenda
- V. Regular Agenda
- 10:00 A.M. VI. Public Hearing
- 10:00 A.M. VII. Presentation Agenda
- 2:00 P.M. VIII. Land Use Public Hearing
- IX. Public Workshop
- X. Board Workshop
- XI. Citizen Input - Any Subject

## **Proclamations** - Commissioner Bill Truex

The Centennial of the Smith-Lever Act Establishing the Cooperative Extension System  
Sons of the American Revolution Day  
Child Care Provider Appreciation Day  
Mental Health Awareness Month  
National Drug Court Month  
National Drinking Water Week  
Charlotte County Travel and Tourism Week  
Diane D'Andrea Day  
National Day of Prayer

## **Employee Recognition** - Commissioner Bill Truex

Employee of the Month for March, 2014 - Brittany Rainey of Community Services

## **Government Academy April, 2014 Class Graduates**

Donna Barrett  
Brian Bitgood  
Marsha Bitgood  
Richard Cabral  
Susan Dupper  
Linda Engemann  
Lyndon Engemann  
Alice Esposito  
Lois Gardner  
William Jones  
Alma Jordan  
Kathy Karlen  
Bill Karlen  
Sandra Landgraf  
Fred Landgraf  
Bonnie Leroy  
Deborah Lilley  
Ernie Maresca  
Sharon Rask  
Jim Rask  
Gary Skillicorn  
James Thompson  
Donna Thompson  
Edward Tracy



## **I. CITIZEN INPUT**

### **Citizen Input - Agenda Items Only**

Anyone wishing to address the Board during this portion of the meeting must fill out a card, state their name for the record, and state which agenda item(s) will be addressed. Remarks shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members. There will not be any discussion.





## II. COMMITTEE VACANCIES

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

**Northwest Port Charlotte Street and Drainage Unit Advisory Committee** is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Terms: one alternate member to serve a two year term from the date of appointment. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail MSBU-TU@CharlotteFL.com.

**Little Gasparilla Island Advisory Committee** is seeking three volunteers who must be residents of Charlotte County. Terms: one member who is a representative of the Little Gasparilla POA and two at-large members to serve two-year terms from the date of appointment. Submit application and resume to Community Development Department, c/o Elizabeth Nocheck, 18500 Murdock Circle Room 208, Port Charlotte, FL 33948. Call 941.764.4920 or email Elizabeth.Nocheck@CharlotteFL.com.

**Marine Advisory Committee** is seeking an organization or association to volunteer to serve as a permanent member of the Marine Advisory Committee. Each organization shall be marine oriented and hold regularly scheduled meetings and have a membership of at least 25 persons. Representatives from this organization/association will serve three (3) year terms. The term of the first representative will be effective once the association/organization is approved or as soon thereafter as a selection is made and shall expire December 31, 2016. Please call Gayle Moore at 941.623.1094 for an application form to turn in with your resume or e-mail her at Gayle.Moore@CharlotteFL.com.

**Construction Board of Adjustments and Appeals** is seeking the following volunteers: one general building contractor, one mechanical contractor, one architect, one member to serve as an alternate. The alternate must be a licensed member of the construction industry. Terms are for three years. Committee meets 1st and 3rd Monday of each month at 8:30 a.m. in Murdock. For an application call 941.743.1300 or email Joann.Dillon@CharlotteFL.com.

**Affordable Housing Advisory Committee** is seeking the following volunteers to serve: one residential home builder, one for-profit provider, one real estate professional. Terms are for three years. The committee meets 3rd Wednesday of each quarter. For an application, please call Joann Dillon at 941.743.1300 or email: assistant@CharlotteFL.com

**The Code Enforcement Board** is seeking one (1) volunteer to serve as a Member-at-Large to finish an unexpired term. Applicant must be a resident of Charlotte County. This term expires August 26, 2014. Please contact the Commission Office for an application form at 941.743.1300 or send e-mail to Bonnie.Stoner@CharlotteFL.com.

**The Parkside Land Use Advisory Committee** is seeking five (5) volunteers as follows: One (1) owner of residential property who resides in the Parkside CRA; Two (2) commercial property owners in the Parkside CRA; and Two (2) representatives from land use, planning or construction (this would include a licensed architect, a registered landscape architect, a general contractor, or an AICP Planner or an individual with five (5) years of work experience in land use planning). Please contact Kathy Knee for an application form at (941) 764-4941 or by e-mail: Kathy.Knee@CharlotteFL.com.



## III. REPORTS RECEIVED AND FILED

Charlotte County Utility's (CCU's) 2013 Annual Report.



## IV. CONSENT AGENDA

### Clerk of the Circuit Court

#### A. Finance Division

- (1) **RECOMMENDED ACTION:**  
Approve the Clerk's Finance Memorandum.  
**BUDGETED ACTION:** None

#### B. Minutes Division

- (1) **RECOMMENDED ACTION:**  
Approve Minutes for:  
February 7, 2014 BCC Meeting with Sarasota County  
March 11, 2014 BCC Regular Meeting  
March 17, 2014 BCC Meeting with Punta Gorda  
March 18, 2014 BCC Workshop  
April 7, 2014 Pre-Agenda  
**BUDGETED ACTION:** None

### Board of County Commissioners

#### C. Commission Office

- (1) **RECOMMENDED ACTION:**  
Approve the re-appointment of Mel R. Rathbun as a regular member to the Gardens of Gulf Cove Street and Drainage Unit Advisory Committee for a term of three years from the date of appointment.  
**BUDGETED ACTION:** None
- (2) **RECOMMENDED ACTION:**  
Approve the re-appointment of Lee J. Phillips as a regular member to the Harbour Heights Waterway Unit Advisory Committee to serve a three year term from the date of appointment.  
**BUDGETED ACTION:** None
- (3) **RECOMMENDED ACTION:**  
Approve the re-appointment of George H. Kearns as a regular member to the Deep Creek Non-Urban Street & Drainage Unit Advisory Committee for a three year term from date of appointment.  
**BUDGETED ACTION:** None
- (4) **RECOMMENDED ACTION:**  
Approve the re-appointment of Michael Shaughness as an alternate member to the Alligator Creek Waterway Advisory Committee for a two year term from the date of appointment.  
**BUDGETED ACTION:** None
- (5) **RECOMMENDED ACTION:**  
Approve the reappointment of Mr. John Hitzel as the District #4 representative on the Charlotte County Parks and Recreation Advisory Committee. Mr. Hitzel has been serving as the District #4 representative and wishes to continue serving. Term will expire in April 2017.  
**BUDGETED ACTION:** None

## D. Administration

### Administration

No Items.

### Public Information Office

No Items.

## E. County Attorney

### (1) RECOMMENDED ACTION:

Set a public hearing for May 13, 2014, at 10:00 a.m., or as soon thereafter as may be heard, to consider approving an Ordinance providing for a referendum election to be held in conjunction with either the 2014 primary or general election for the extension of the one percent (1%) local sales tax by the voters of Charlotte County.

**BUDGETED ACTION:** No action needed.

## F. Budget and Administrative Services

### Fiscal Services

No Items.

### Information Technology

No Items.

### Purchasing

### (1) RECOMMENDED ACTION:

- a) Approve ranking of firms for Request for Proposal #14-195, Manasota Key Master Plan Design; 1st The Weiler Engineering Corp. of Punta Gorda, and 2nd Charlotte Engineering & Surveying, Inc. of Port Charlotte; and
- b) Approve start of negotiations; and
- c) Authorize Chairman to sign the contract after completion of negotiations. This is for design and permitting of priorities identified in the Manasota Key Conceptual Master Plan.

**BUDGETED ACTION:**

No action needed. Budgeted in the Manasota Key Street & Drainage fund and approved in CIP "Manasota Key Community Plan", in the FY14 budget process.

### (2) RECOMMENDED ACTION:

- a) Approve Amendment #13 to Contract #06-190 Project Management-Dredging Projects with Coastal Engineering Consultants, Inc. of Naples, FL, in the amount of \$18,692; and
- b) Authorize Chairman to sign Amendment. This is for additional construction administration and observation for the Northwest Port Charlotte Dredging project.

**BUDGETED ACTION:**

No action needed. Budgeted in Northwest Port Charlotte Waterway fund and approved in CIP "Northwest Port Charlotte Exterior Channel Dredging", in the FY14 budget process.

### (3) RECOMMENDED ACTION:

Approve Change Order #3 to Contract 14-024, 2014 County Paving Program as awarded to Ajax Paving Industries of Florida, LLC of Nokomis, Florida in the amount of \$577,973.13 for a revised total amount of \$9,760,086.03.

**BUDGETED ACTION:**

No action needed. Budgeted in Greater Port Charlotte Street & Drainage fund and approved in CIP "Greater Port Charlotte (GPC) Road Paving Program", in the FY14 budget process.

**(4) RECOMMENDED ACTION:**

- a) Approve Amendment #5 to Contract #05-193, Engineering Services - Pirate Harbor Waterway, with Coastal Engineering Consultants in the amount of \$124,600 for a revised total contract amount of \$396,486.16; and
- b) Authorize the Chairman to sign the Amendment when completed. This contract was for professional services in applying for separate standard general permits for dredging a 2,300-foot channel and removing rock in the Pirate Harbor Waterway System.

**BUDGETED ACTION:**

No action needed. Funding from the Pirate Harbor Waterway MSBU in CIP Pirate Harbor Rock Ledge/Maintenance Dredging approved in the FY14 CIP Process.

**Real Estate Services**

**(5) RECOMMENDED ACTION:**

Board of County Commissioners (Board) approval of attached Resolution designating one (1) platted lot in Charlotte Harbor owned by Charlotte County for future use as affordable housing, and authorizing the transfer of the parcel to Habitat for Humanity, Inc., a Florida nonprofit entity.

**BUDGETED ACTION:**

No action needed.

**G. Community Development**

**(1) RECOMMENDED ACTION:**

Set a public hearing for Tuesday, May 13th, 2014, at 10:00 a.m., or as soon thereafter to hear proposed changes to Section 3-2 of the Charlotte County Code. The definitions of scope of work of some local specialty contractors would be amended to keep up with industry changes. Additionally, violations that are found in chapter 489 of the Florida Statutes would be created under the Charlotte County Code in place of the code's present reference to chapter 489.

**BUDGETED ACTION:**

No action needed.

**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**

**(1) RECOMMENDED ACTION:**

Approve a memorandum of understanding between the Charlotte County Board of County Commissioners and the Charlotte County Homeless Coalition.

**BUDGETED ACTION:**

No action needed. Cost of implementing the CIS data base is budgeted in the Information Technology Maintenance Budget for FY14.

**(2) RECOMMENDED ACTION:**

Approve a Resolution authorizing acquisition of property located at 429 Showalter Avenue in Punta Gorda, Florida, to fulfill State Housing Initiatives Partnership (SHIP) Program requirements.

**BUDGETED ACTION:**

No action needed. Funding from the Human Services Department SHIP Program Housing Budget was approved in the FY14 Budget process. Purchase will be with 100% grant funds, with no local match required.

**N. Public Safety**

No Items.

**P. Public Works**

No Items.

**Q. Tourism Development**

No Items.

**R. Utilities**

**(1) RECOMMENDED ACTION:**

Board of County Commissioners (Board) approval of Resolution amending Res. No. 2010-019, which adopted new County Environmental Health Fee Schedules, by deleting the \$115 five-year permit fee for managed septic systems within the East & West Spring Lake Wastewater MSBU (MSBU), as these septic systems are in the process of being replaced with a new central wastewater system.

**BUDGETED ACTION:**

No action needed.

**S. Other Agencies**

No Items.



## V. REGULAR AGENDA

### Z. Regular Agenda

- |                           |   |
|---------------------------|---|
| (1) Administration        | Discussion and direction regarding the 2014 Federal Legislative Agenda.   |
| (2) Commission Office     | Select by ballot one regular member to the Harbour Heights Street and Drainage Advisory Committee for a term of three years from the date of appointment.   |
| (3) Community Development | This item is being brought before the Board of County Commissioners in response to a Florida Land Use Dispute Resolution Act (FLUDRA) request. The Act allows for these types of settlement agreements in order to address certain land use disputes without the need for litigation, but is a very seldom used process. This negotiated settlement agreement addresses Code Enforcement violations with respect to both Florida Building Code and Charlotte County Zoning Code related issues for a number of properties owned by Mr. Jan Musil. Staff is bringing forward this agreement for consideration. |
| (4) Community Development | Discussion, direction and possible approval of a resolution providing for a special magistrate and sunseting of the code enforcement board under chapter 1-2, Charlotte County Code.  |



## VI. PUBLIC HEARING AGENDA

**10:00 A.M.**

- |                     |   |
|---------------------|---|
| (1) County Attorney | Conduct a public hearing to consider and adopt an Ordinance revising County Code Chapter 3-8, Article VIII, concerning On-Site Sewage Treatment and Disposal System (OSTDS) requirements. |
|---------------------|---|



## VII. PRESENTATION AGENDA

**10:00 A.M.**

- |                       |  |
|-----------------------|--|
| (1) Commission Office | Presentation regarding the Englewood Archives. |
|-----------------------|--|



## VIII. LAND USE PUBLIC HEARING AGENDA

**2:00 P.M.**

**(1) RECOMMENDED ACTION:**

Approve an ordinance adopting Petition # PA-13-10-12-LS, amending the Charlotte County FLUM Series Map #1: 2030 Future Land Use, from DRI Mixed Use (DRI) to Low Density Residential (LDR); applying an annotation to the 2030 Future Land Use Map allowing a maximum of 234 residential dwelling units on the site; for property located at 2414 Loveland Boulevard and 24051 Suncoast Boulevard, in the Port Charlotte area, containing 50± acres; Applicant: Charlotte County Board of County Commissioners; Commission District I.

**Legislative**

**BUDGETED ACTION:** None

**(2) RECOMMENDED ACTION:**

Approve an Ordinance adopting Petition Z-14-01-01, amending the Charlotte County Zoning Atlas from Planned Development (PD) to Residential Multi-family 3.5 (RMF-3.5); for property located south of San Casa Drive and east of Placida Road (C.R. 775), in the Englewood area, containing 169.68± acres; Petition Z-14-01-01; Applicant: Placida 169 Holdings, LLC; Commission District III.

**Quasi-Judicial**

**BUDGETED ACTION:** None



## IX. PUBLIC WORKSHOP AGENDA

Public input permitted.

**No Items**



## X. BOARD WORKSHOP AGENDA

No public input.

**No Items.**



## **XI. CITIZEN INPUT - ANY SUBJECT**

Anyone wishing to address the Board during this portion of the meeting must state their name for the record. Remarks, on any County related subject, shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members. There will not be any discussion.

### **AA. County Administrator:**

### **BB. County Attorney:**

### **CC. Commissioner Comments:**

Ken Doherty, District 1, Chairman  
Bill Truex, District 3, Vice-Chairman  
Christopher Constance, District 2  
Stephen R. Deutsch, District 4  
Tricia Duffy, District 5



# Board of County Commissioners

## Schedule of Future Closures/Hearings/Workshops

*BOOK 72, PAGE 248*  
*APRIL 21, 2014*

Thursday, May 08, 2014, 1:30 p.m., Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Tuesday, May 13, 2014, 9:00 a.m., Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, May 20, 2014, 09:00am, Board of County Commissioners Monthly Workshop, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Tuesday, May 20, 2014, 01:30pm, Board of County Commissioners Budget Workshop, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Thursday, May 22, 2014, 1:30 p.m., Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

### **Monday, May 26, 2014, All County Buildings Closed for Memorial Day**

Tuesday, May 27, 2014, 9:00 a.m., Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, May 27, 2014, 2:00 p.m., Board of County Commissioners Land Use Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Thursday, June 05, 2014, 1:30 p.m., Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Tuesday, June 10, 2014, 9:00 a.m., Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Monday, June 16, 2014, 05:30pm, Community Feedback Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, June 17, 2014, 9:00 a.m., Board of County Commissioners Monthly Workshop, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Thursday, June 19, 2014, 1:30 p.m., Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Tuesday, June 24, 2014, 9:00 a.m., Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, June 24, 2014, 2:00 p.m., Board of County Commissioners Land Use Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Thursday, July 03, 2014, 1:30 p.m., **\*\*CANCELED\*\*** Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

### **Friday, July 4, 2014, All County Buildings Closed for Independence Day**

Tuesday, July 08, 2014, 9:00 a.m., **\*\*CANCELED\*\*** Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, July 15, 2014, 9:00 a.m., Board of County Commissioners Monthly Workshop, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Thursday, July 17, 2014, 1:30 p.m., Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Monday, July 21, 2014, 1:30 p.m., Presentation of Tentative Budget, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Monday, July 21, 2014, 05:30pm, Community Feedback Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, July 22, 2014, 9:00 a.m., Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

# Board of County Commissioners

BOOK 72, PAGE 249

APRIL 21, 2014

## Schedule of Future Closures/Hearings/Workshops (Continued...)

Tuesday, July 22, 2014, 2:00 p.m., Board of County Commissioners Land Use Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Wednesday, July 23, 2014, 5:01pm, MSBU Public Hearing, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Thursday, July 24, 2014, 5:01pm, MSBU Public Hearing, Tringali Community Center, 3460 N. Access Road, Unit #1, Englewood

Thursday, August 07, 2014, 1:30 p.m., **\*\*CANCELED\*\*** Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Tuesday, August 12, 2014, 9:00 a.m., **\*\*CANCELED\*\*** Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, August 19, 2014, 9:00 a.m., **\*\*CANCELED\*\*** Board of County Commissioners Monthly Workshop, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Thursday, August 21, 2014, 1:30 p.m., **\*\*CANCELED\*\*** Board of County Commissioners Pre-Agenda Meeting, Murdock Administration Center, 18500 Murdock Circle, Building B, Room #106-B, Port Charlotte

Tuesday, August 26, 2014, 9:00 a.m., **\*\*CANCELED\*\*** Board of County Commissioners Regular Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

Tuesday, August 26, 2014, 2:00 p.m., **\*\*CANCELED\*\*** Board of County Commissioners Land Use Meeting, Murdock Administration Center, 18500 Murdock Circle, Room #119, Port Charlotte

**BOARD OF COUNTY COMMISSIONERS**

**APRIL 22, 2014**

A BCC Sales Tax Workshop was held at the Murdock Administrative Complex, Room B-106, Port Charlotte, Florida.

Members present were: Chair Doherty, Commissioner Constance, Commissioner Deutsch, Commissioner Duffy, and Commissioner Truex. Also in attendance were: County Administrator Sandrock, County Attorney Knowlton, Deputy County Administrator Shoemaker, and Minutes Clerk Greene. The following members were absent: None.

**The meeting was called to Order at 2:30 pm**, followed by the Pledge of Allegiance.

Deputy County Administrator Kelly Shoemaker provided an overview of the Agenda.

**1. Gun Range**

David Milligan, Director of Facilities Construction and Maintenance, detailed discussions with the Sheriff's Office regarding the Gun Range, noted accommodations, advantages, and disadvantages of an indoor gun range, stated an indoor gun range would be acceptable to meet training needs, and indicated sniper training may be slightly affected if changed to an indoor range.

**Commissioner Duffy** questioned if the proposed indoor gun range would be on the same piece of property as the existing outdoor Range. **Commissioner Deutsch** asked if the outdoor Gun Range was used during evening hours, questioned what is precipitating the discussion of an indoor range, and inquired what would become of the outdoor range if the indoor range was pursued. **Chair Doherty** requested details of the Airport Master Plan relating to the Gun Range.

Mr. Milligan affirmed the proposed indoor gun range would be built on the existing Airport Annex Property, noted some sniper training may be affected as the Range transitioned to an indoor facility, commented that lighting scenarios can be simulated with an indoor range, said the current outdoor range is not deficient to the Sheriff's Office needs, explained the status and projected plans of the Airport Annex Site Master Plan, indicated the Master Plan included development of a District Three (3) Headquarters, stated the Master Plan is included in the upcoming year Capital Improvement Projects (CIP), and advised that the outdoor Gun Range would ultimately be abandoned in the proposed indoor range scenario.

**2. South County Library and Archive**

Deputy County Administrator Shoemaker stated the Board requested staff work together to provide figures relating to operating costs based upon the functions of the Englewood Library. Tommy Scott, Community Services Director, provided a listing of costs required to operate the Library in addition to existing expenses.

**Commissioner Duffy** commented on the proposed costs, questioned if the costs were more due to the larger size of the facility, mentioned past discussions that the South County Library would not be as large as a regional library, spoke to the size of the Port Charlotte Library, inquired if the functions of the Bayshore Road Historical

Center functions would be moved to the Archive portion of the proposed South County Library, requested research conducted for renovations of the existing Punta Gorda Library Building, and asked if the concept of utilizing the existing Punta Gorda Library as an Archive has been explored by staff. **Commissioner Constance** requested a further breakdown of the salaries and wages listed, commented on the number of employees required for Library operation, questioned the current operating costs of the Mid County Regional Library, asked for a breakdown of the Mid County and West County Library operating costs, inquired how staff quantifies the usage of the Punta Gorda Library, spoke to the population density surrounding the Port Charlotte Library related to the number of annual transactions, and opined there is no space for expansion of parking spaces for the current Punta Gorda Library site. **Commissioner Deutsch** questioned the square footage of the proposed Archive, opined the Archive is too small for the amount of material needing to be stored, requested a comparison of the Punta Gorda Library transactions to the Englewood Library, asked if the South County Library proposal would be similar to the Englewood Library, and commented on the size of the proposed South County Library. **Chair Doherty** spoke to the utilization of the Punta Gorda Library Building as an Archive location, and opined the finished floor elevation is too low for archival purposes.

Mr. Scott spoke to additional personnel costs equating to \$258,000 for operation of the proposed facility, affirmed he would provide a breakdown of all County library operating costs, indicated the size of the South County Library would be smaller than a regional library but would include the Archive spacing of 1,000 square feet, explained the function of the Archive, noted the Archive would not diminish the Bayshore Historical Center purpose, clarified items for the Archive go through an intake process and would be stored appropriately, provided statistics related to the annual number of items used per County library, highlighted the issue of parking with the current Punta Gorda Library, detailed staff exploration of the Punta Gorda Library renovation, and stated research has not been conducted for additional Archive locations. Anne Shepherd, Division Manager of Library and History, responded to Board inquiries related to the number of full and part time employees, described how the number of visitors are quantified for the libraries, and noted the Punta Gorda Library is exponentially busier than the Englewood Library. Jackie Brown, Historian, differentiated items for archive purposes and museum objects which have a need to be stored.

### **3. Placida Bunkhouse**

Deputy County Administrator Shoemaker noted the Board requested specific information related to the estimates provided for the Placida Bunkhouse, mentioned approximately twelve (12) to fifteen (15) volunteers have been actively involved in attempts for preservation, and indicated the group is not yet a 501c(3) organization. Mr. Milligan stated an extensive review was conducted of the estimate, indicated two (2) staff members reviewed the inflation, explained that approximately \$30,000 was reduced in inflation costs, and advised he was not comfortable with bringing forth different estimated costs. Ms. Shepherd commented that the Charlotte County Historical Board has conducted a Community awareness event at the Placida Bunkhouse inviting people to work with them. Ms. Brown stated the Charlotte County Historical Board has been appointed by the Board of County Commissioners (BCC) and have been working hard to get this Project completed.

**Commissioner Duffy** expressed her reservations regarding the Project, questioned who would staff the Bunkhouse, asked if there would be an admissions charge, and commented that all Projects on the Sales Tax List should be thoroughly reviewed. **Commissioner Constance** opined the importance of preserving historical items

and archives, indicated the need for an economic generator, and stated relevance needs to be programmed into the projects. **Chair Doherty** requested to meet with the organization pushing the Project completion, questioned the budget encompassment, and asked that the additional information be provided. **Commissioner Truex** commented that information is needed related to the future use of the Bunkhouse, expressed concern with the Project timeframe, indicated the building is unprotected and will wither away, opined the Bunkhouse would never be self-sustaining, and asked how the Bunkhouse could become a tourist destination.

#### **4. CR 771 (next phase)**

Dan Quick, Public Works Director, provided an overview of Scenarios One (1) and Two (2) related to the next phases of CR 771.

**Chair Doherty** stated he requested additional information on the topic due to Mid County and South County having Sales Tax Infrastructure Projects opposed to West County, indicated he speculated that a road project of CR 771 magnitude would be costly, expressed concern with the hurricane evacuation route of the Cape Haze Peninsula, and questioned if the Project should be considered if additional funding is received. **Commissioner Duffy** opined there may be less of an issue with hurricane evacuation in the area due to the retirement age of the Community and their tendency to evacuate sooner. **Commissioner Truex** questioned specifics of the proposed Road improvements, commented on the number of vacant lots that will eventually be developed on the Cape Haze Peninsula, inquired of possible savings for the design of the Project, and stated the Project may fall into a category other than Tier One (1) and Tier Two (2) Projects. **Commissioner Deutsch** opined the Project is complex because the bridge would then require lane widening. **Commissioner Constance** stated his agreement and spoke to concurrency on the maps provided.

#### **5. Justice Center Discussion (Continued from April 22, 2014 Regular Meeting; Commissioner Comments)**

**Chair Doherty** indicated he would be meeting with the County Administrator the following day to discuss the matter, questioned if the Justice Center spatial requirements and implementation schedule were identified, inquired of the primary deficiencies in the current space, requested sequencing specifics required for the improvements, noted the importance of cash flow due to the interconnectedness of the upgrades, mentioned the need for options to review for the May 13, 2014 Public Hearing, and stated the Justice Center Project may need to be integrated into the Sales Tax Project List. **Commissioner Constance** commented that expansions of the Justice Center are needed due to population growth, questioned when the building was constructed, noted past sentiments that the building is too large, opined purchasing the land abutting the Justice Center for parking spaces would be less expensive than construction of a parking garage, inquired if estimates could be reworked, and spoke to stormwater drainage. **Commissioner Truex** provided details of his tour and meeting the previous day at the Justice Center, noted all needs have not yet been identified, indicated the storage space on the first floor comprises of approximately 16,000 square feet, commented on the ability to destroy a number of documents that have been scanned and stored electronically, mentioned space is still needed for documents unable to be disposed of, spoke to the State Attorney's Office challenge with requiring additional staff with space limitations, stated the Public Defender's Office wished to remain within the Justice Center, advised that the walkway could be enclosed to provide the security screening process, questioned if space transitioning qualifies for utilization of Sales Tax dollars, and opined the Probation Department is in need of an updated

facility including secluded restrooms for urine testing purposes. **Commissioner Duffy** questioned if the walkway portion of the Justice Center could be built out, suggested the possibility of moving the Probation Department to another location, inquired if CareHere could provide resources to conduct the Probation Department's urine testing, asked if efficiencies in departments have been researched to keep the number of employees required for operations down, and expressed concern for taking other projects off of the Sales Tax List to accommodate the costs for Justice Center renovations.

Mr. Milligan responded to Board inquiries related to the Stakeholders original study, deficiencies including the Public Defender and State Attorney Offices, sequencing of the interrelated plans, expressed agreement that the documents should be removed from the Justice Center first, affirmed the estimates could be reworked to include the hypothetical purchase of the land and construction of parking spaces, noted the Conceptual Plan includes the enclosure of the walkway, indicated the Project is scheduled for completion in 2022, and stated efficiency efforts include going paperless. Deputy County Administrator Shoemaker explained additional information could be found within their Sales Tax Project List binders and stated the Justice Center was constructed with 1994 Sales Tax Revenue. County Administrator Sandrock suggested as in the past; bundling the Projects together and increasing the millage rate for those types of Projects.

Deputy County Administrator Shoemaker provided an overview of the process for the May 13, 2014 Public Hearing related to the Sales Tax Projects list, noted the length of the referendum, and project marketing pieces. County Administrator Sandrock questioned if the Board would consider an eight (8) year referendum. Board discussion ensued related to the length of referendum, upcoming meeting format, the Sales Tax Project Ordinance, and ballot language. Assistant County Attorney Daniel Gallagher advised requirements related to the Sales Tax Project Ordinance and Ballot Language.

**Commissioner Duffy** stated the Board should decide whether or not to spend money fixing the Stadium parking lot and stated her preference to use remaining funds for construction of a splash pad. **Commissioner Constance** said Sales Tax Revenue may not be needed for Stadium parking lot repairs due to the increase in Tourism Tax dollars.

**ADJOURNED: 3:49 pm**

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**Ken Doherty, Chair**

**DATE ADOPTED:** \_\_\_\_\_

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

**By:** \_\_\_\_\_

**BOARD OF COUNTY COMMISSIONERS**

**APRIL 28, 2014**

The 11<sup>th</sup> Annual Joint Workshop between the Board of County Commissioners (BCC) of Charlotte County, City of Punta Gorda, and the Charlotte County School Board was held at the Murdock Administrative Complex, Room B-106, Port Charlotte, Florida.

The following BCC members were present: Vice Chair Bill Truex, Commissioner Christopher Constance, Commissioner Stephen R. Deutsch, and Commissioner Tricia Duffy. The following BCC members were absent: Chair Kenneth Doherty. The following Charlotte County School Board Members were present: Chair Ian Vincent, Vice Chair Lee Swift, Member Alleen Miller, Member Barbara Rendell, Member Robert Segur, and Superintendent Dr. Doug Whittaker. The following Charlotte County School Board Members were absent: None. The following Punta Gorda City Councilmembers were present: Mayor Rachel Keesling, Councilmember Nancy Prafke, and Councilmember Tom Cavanaugh. The following Punta Gorda City Councilmembers were absent: Councilmember Kim Devine and Vice Mayor Carolyn Freeland. Also in attendance were: Charlotte County Administrator Ray Sandrock, Charlotte County Attorney Janette Knowlton, Chief Planner for the City of Punta Gorda Joan LeBeau, Director of Information and Communications Systems for Charlotte County Public School District John Weant, Assistant Superintendent for District Support for Charlotte County Public School District Jerry Olivo, Comprehensive Planner of Charlotte County Community Development Department Inga Williams, Minutes Clerk Karly Greene, and Minutes Clerk Trainee Shelly Russo.

**1. Call to Order**

**BCC Vice Chair Truex called the meeting to Order at 2:00 pm**, followed by the Pledge of Allegiance.

**2. Welcome and Introduction of Workshop Participants**

**3. Public input on agenda items only**

**4. Slide Presentation of Packet Materials**

**A. Welcome**

Joan LeBeau, Chief Planner, City of Punta Gorda

Ms. LeBeau, spoke to the Interlocal Agreement (ILA) and its requirements, and introduced the group responsible for bringing together the packet of information.

**B. School Boundary Update**

John Weant, Director, Information and Communication Systems, Charlotte County Public School District

Mr. Weant explained a public hearing must be conducted each year, prior to the regular meeting scheduled for May, to review enrollment data for East Elementary and Sallie Jones Elementary Schools

to determine whether their attendance zones should be modified and noted that the residents in the portion of East Elementary School attendance zone located within the City of Punta Gorda are still permitted to attend Sallie Jones Elementary School.

**C. 5-Year District Facilities Work Plan for 2013-2014**

Jerry Olivo, Assistant Superintendent for District Support, Charlotte County Public School District

Mr. Olivo spoke to the 5-Year District Facilities Work Plan including a small increase in property taxes for the past year, noted no funds are available for new construction, remodeling, or renovations, stated Legislation continues to be a problem throughout the state of Florida, and indicated the 2013-2014 Plan is only able to continue to fund the Lemon Bay High School Project.

**D. School District Building Update**

Jerry Olivo, Assistant Superintendent for District Support, Charlotte County Public School District

Mr. Olivo paralleled visual slides that depicted the status of Phase Five (5) of Lemon Bay High School construction, detailed the Phase Six (6) rendering for the Gymnasium and Labs, and responded to related inquiries.

**E. Residential Land Use Approvals**

Inga Williams, Comprehensive Planner, Charlotte County Community Development Department

Ms. Williams spoke to the following for the year 2013 regarding both the City and County: no Multi-family Permits were pulled, Residential Construction Permits, Rezoning and Plan Amendments, and Site Plan Review Applications.

**4. Questions from the Workshop Participants**

Mayor Rachel Keesling commented on the kickoff meeting for the upcoming Charter School, questioned the interrelation between the Charter School and Charlotte High School, asked if students enrolled in schools other than Charlotte High will be permitted to enroll in the Charter School Program, and inquired of the related timeframe. **Commissioner Constance** asked the purpose and benefits of the Charter School Program. **Commissioner Duffy** requested further detail of a recent past Land Use Change for the School Board property located on Suncoast. Councilmember Nancy Prafke inquired how the School Board handles changes in demographics within neighborhoods. Councilmember Tom Cavanaugh questioned the status of School Board negotiations relating to natural gas powering vehicles.

Vice Chair Lee Swift, School Board Member, indicated the Charter School is a part of the Charlotte High School, noted the Charter School will not be accepting students enrolled outside of Charlotte High, commented on Grant Funding not received, stated implementation is delayed due to the lack of funding,



stated the Charter School is a Pilot Program to be expanded throughout the District, and mentioned the Program purpose is to pursue a different approach to curriculum. Ms. Williams stated the School Board Suncoast property was originally a portion of the Maple Leaf Development of Regional Impact (DRI), indicated the property was removed from the DRI in the past, and noted the Land Use had never been changed since the removal of the property from the DRI. Mr. Swift noted the property is still available for future use by the School Board indicating a school may be needed in the vicinity between Charlotte and Port Charlotte High Schools. Mr. Olivo affirmed the Charlotte County School District is able to accept the change in demographics due to planning with the end in mind, stated that negotiations with NoPetro are ongoing, and indicated the closing negotiations are anticipated in the near future.

**5. Closing Comments**

**BCC Vice Chair Truex** thanked all participants for attending.

**ADJOURNED: 2:32 pm**

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**Ken Doherty, Chair**

**DATE ADOPTED:** \_\_\_\_\_

**ATTEST:**

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

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