

BOARD OF COUNTY COMMISSIONERS

NOVEMBER 10, 2015

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

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

The meeting was called to order at 9:00 am.

The Invocation was given by Chaplain Dennis Moreno with Signature Health Care Port Charlotte, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1 R-6 As requested by the Florida Department of Agriculture an informational item announcing the Forest Service's plans and future public hearing to be held on Tuesday, November 24, 2015 at 11:00 am at the Event Center in Punta Gorda.

Requested by: Commission Office

Addition #2 R-7 Discussion of Charlotte County Health Department Director, Dr. Kurban

Requested by: Commission Office

Change #1 M-1 Added Resolution

Requested by: County Attorney

Change #2 P-1 Added Fixed Base Meter System Project Description & Map, Drinking Water SRF East & West Water Mains, Drinking Water SRF Project Maps and Parkside CRA Drinking Water Improvements.

Requested by: County Attorney

Change #3 R-3 Modified item a) to include "and transition plan/process"

Requested by: County Attorney

Change #4 R-4 Added West Coast Inland Navigation District (WCIND) Agenda

Requested by: County Administration

Change #5 I-2 Added Letter of Support to Western Michigan University Board.

Requested by: Economic Development

Deletion #1 F-2 Request the Board approve Change Order #7 to Contract #15-024, 2015 County Paving Program with Ajax Paving Industries, Inc. Adding 20 calendar days and \$208,492.37 for a revised estimated cost of \$11,320,577.17

Requested by: Public Works

COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGES TO THE AGENDA AND ADDITION R-8,
SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Proclamations - Commissioner Tricia Duffy

COMMISSIONER DOHERTY MOVED TO APPROVE THE PROCLAMATIONS, SECONDED BY
COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

Artist of the Month - Nancy Briechle

Unknown representative for the Arts and Humanities Council accepted the Proclamation.

Kenneth L. Roberson, State Representative, District 75

Commissioner Duffy mentioned the award will be presented to Senator Roberson at a later date.

Employee Recognition - Commissioner Tricia Duffy

5 Years: Ismael Garcia, Utilities; Michael McCrumb, Utilities. **10 Years:** Matthew Logan, Public Works; Federico Gardini, Public Safety; Richard Thorpe, Public Safety; Gail Karakeian, Budget & Administrative Services; James Jones, Public Works; Faezeh Andrews, Human Services; David Cegerenko, Utilities; Allan Lightbourn, Utilities; Tara Musselman, Public Works; Dennis Moore, Budget & Administrative Services. **20 Years:** Hector Flores, Administration. **25 Years:** Benjie Hyatt, Utilities; Raymond Christopher, Public Safety. **30 Years:** John Shields, Public Works.

Award Presentations

Voice of the People Award for Transformation presented to Charlotte County.

Gordon Burger, Budget & Administrative Services Director gave a brief overview of the Voice of the People Award for Transformation and presented **Commissioner Duffy** with the award.

Chair Truex thanked staff.

CITIZEN INPUT - AGENDA ITEMS ONLY

Attorney Kevin Russell commented on Lucienne Pears, Economic Development Interim Director to be considered for the permanent Director position.

Salvatore Castronovo requested the Board do a national search for the Economic Director position, spoke to the Airport and Western Michigan.

David Ferri mentioned will speak at the Public Hearing.

COMMITTEE VACANCIES

Alligator Creek Waterway Unit Advisory Board is seeking one volunteer who must be resident of Charlotte County and reside within the Unit. Terms: one regular member for a three year term from the date of the establishment of the unit. Submit application to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail Kelly.Louittit@CharlotteCountyFL.gov.

Greater Port Charlotte Street and Drainage Advisory Board is seeking one volunteer who must be a resident of Charlotte County and reside within the Unit. Terms: one regular member to serve a three year term from the date of the establishment of the unit. Submit application to Charlotte County Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950 or call 941-743-3600 or email: Kelly.Louittit@CharlotteCountyFL.gov.

Grove City Street and Drainage Advisory Board 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 the establishment of the unit. Submit application and resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950, call 941.575.3600 or e-mail Kelly.Louittit@CharlotteCountyFL.gov.

MPO - Bicycle/Pedestrian Advisory Committee (BPAC) is seeking one volunteer who must be a Charlotte County resident to serve as a Mid County Representative. The purpose of the BPAC is to provide recommendations on transportation plans and projects that the MPO Board will consider for adoption or approval. Deadline for submitting application is Wednesday, November 25, 2015. Please go online at www.ccmpto.com or contact the MPO for an application. The MPO mailing address is: Charlotte County-Punta Gorda MPO, 25550 Harbor View Road, Suite 4, Port Charlotte, FL 33980; fax 941.883.3534; call 941.883.3535 or Email: Office@ccmpo.com. The MPO Board will elect the above position at its Monday, December 7, 2015 meeting.

MPO - Charlotte County Transportation Disadvantaged Local Coordination Board (LCB) is seeking one volunteer who must be a Charlotte County resident to serve as a person with a disability representing the disabled in Charlotte County. The purpose of the LCB is to identify local service needs and to provide information, advice and direction to the Community Transportation Coordination of service to be provided to the transportation disadvantaged. Deadline for submitting application is Wednesday, November 25, 2015. Please go online at www.ccmpto.com or contact the MPO for an application. The MPO mailing address is: Charlotte County-Punta Gorda MPO, 25550 Harbor View Road, Suite 4, Port Charlotte, FL 33980; fax 941.883.3534; call 941.883.3535 or Email: Office@ccmpo.com. The MPO Board will elect the above position at its Monday, December 7, 2015 meeting.

MPO - Citizens Advisory Committee is seeking the following volunteers' who must be Charlotte County residents. One At Large Representative, one Mid County Representative, two West County Representatives and two South County Representatives. The purpose of the CAC is to review and make recommendations on transportation plans and projects that the MPO Board will consider for adoption or approval. Deadline for submitting application is Wednesday, November 25, 2015. Please go online at www.ccmpto.com or contact the MPO for an application. The MPO mailing address is: Charlotte County-Punta Gorda MPO, 25550 Harbor View Road, Suite 4, Port Charlotte, FL 33980; fax 941.883.3534; call

941.883.3535 or Email: Office@ccmpo.com. The MPO Board will elect the above position at its Monday, December 7, 2015 meeting.

South Gulf Cove Beautification Advisory Board is seeking two volunteers who must be residents of Charlotte County and reside within the Unit. Terms: two regular members for three year term from date of appointment. Submit application/resume to Public Works Department, 7000 Florida Street, Punta Gorda, FL 33950; call 941.575.3600 or e-mail: Judith.Nothdurft@CharlotteCountyFL.gov.

REPORTS RECEIVED AND FILED

Clerk of Court's County Investment Report, September 30, 2015

Clerk of Court's County Investment Report/Interest on Investments, September 30, 2015

Chair Truex asked if Item R-6 could be put in front of Consent Agenda for timing issue.

(Addition #1) R-6 As requested by the Florida Department of Agriculture an informational item announcing the Forest Service's plans and future public hearing to be held on Tuesday, November 24, 2015 at 11:00 am at the Event Center in Punta Gorda.

Carl Conrath, Florida Forest Service (FFS) gave a brief overview of the Forest Service's plans, the public hearing to be held on Tuesday, November 24, 2015 at 11:00 am at the Event Center in Punta Gorda, and provided information for the Management Plan.

Commissioner Doherty commented on the Babcock Ranch Advisory Board ten (10) year plan and mentioned his plan to attend the November 24, 2015 Public Hearing.

CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED THE BALANCE OF THE CONSENT AGENDA WITH THE EXCEPTION OF F-1, I-2, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Commissioner Constance commended Tommy White, Chief Deputy Board Services for doing a great job with investments in a very low market, commended him for being fiscally conservative, thanked the Clerk's Office, and mentioned the decline for bid from local dealerships for company vehicles.

Clerk of the Circuit Court

A. Finance Division

(1) Finance

RECOMMENDED ACTION: Approve the Clerk's Finance Memorandum. **BUDGETED ACTION:** No action needed.

B. Minutes Division

(1) Minutes

RECOMMENDED ACTION: Approve the following minutes:

September 22, 2015 Regular and Land Use Meeting

October 22, 2015 Pre Agenda Meeting

BUDGETED ACTION: No action needed.

Board of County Commissioners

C. Commission Office

(1) Appointment - Deep Creek Street and Drainage Advisory Board

RECOMMENDED ACTION: Appoint Phillip Jacobus to the Deep Creek Street and Drainage Advisory Board as a regular member to serve a three year term from the date of establishment of the Unit. BUDGETED ACTION: No action needed.

(2) Appointment - Murdock Village Community Redevelopment Agency Advisory Committee

RECOMMENDED ACTION: Appoint Mr. Carl J. Johnson to the Murdock Village Community Redevelopment Agency Advisory Committee as the Member at Large for a three year term, effective immediately and shall expire September 20, 2018. BUDGETED ACTION: No action needed.

D. Administration

Administration - No Items

Public Information Office - No Items

E. County Attorney

(1) Resolution Electing to Use the Uniform Method of Collecting Non-Ad Valorem Special Assessments

RECOMMENDED ACTION: Set a public hearing for December 8, 2015 at 10:00 a.m., or as soon thereafter as may be heard, to consider adoption of a Resolution electing to use the Uniform Method of Collecting Non-Ad Valorem Special Assessments. BUDGETED ACTION: No action needed.

(2) Deed of Release for Property Escheated to Charlotte County

RECOMMENDED ACTION: Authorize the Chair to execute a Deed of Release for real property escheated to Charlotte County in error. BUDGETED ACTION: No action needed. **AGR2015-061**

F. Budget and Administrative Services

Fiscal Services

(1) Community Transportation Coordinator Designation

RECOMMENDED ACTION: Approve Resolution requesting that the Charlotte County Transit Division of Charlotte County continue in the status of Community Transportation Coordinator for Charlotte County.
BUDGETED ACTION: No action needed. **RES2015-121**

Commissioner Doherty spoke to recommendations for the continuation of the Community Transportation Coordinator, Transportation Disadvantage Award Ceremony, Local Coordinating Board recipient of the Outstanding Coordinating Board of the Year Award, and thanked Metropolitan Planning Organization (MPO) Staff and Transportation Division.

COMMISSIONER DOHERTY MOVED APPROVAL OF RESOLUTION 2015-121, SECONDED BY COMMISSIONER CONSTANCE

MOTION APPROVED 5:0.

Information Technology - No Items

Risk Management - No Items

Purchasing

~~(Deletion #1) (2) 15-024, Change Order #7, 2015 Paving Program~~

~~RECOMMENDED ACTION: Request the Board approve Change Order #7 to Contract #15-024, 2015 County Paving Program with Ajax Paving Industries, Inc., adding 20 calendar days and \$208,492.37 for a revised estimated cost of \$11,320,577.17. BUDGETED ACTION: No action needed. Funded in CIP "Road & Bridge Paving Program" as approved in the FY16 budget process. Funding is supplied from gas taxes.~~

(3) 15-161, Award, Ingraham Water Transmission Main

RECOMMENDED ACTION: Approve award of File #15-161, Work Order #29, Contract #10-269, Engineers of Record-CCU, Ingraham Water Transmission Main, Design & Construction Services, to DMK Associates, of Englewood for the not to exceed amount of \$193,375. BUDGETED ACTION: No action needed. Funded in CIP "Ingraham Potable Water SR771-Rotonda Booster Station", with funding from Utilities Capital Improvements Bond Fund, as approved in the FY16 budget process.

(4) 15-402, Award, Contractor/Builder - Annual Contract

RECOMMENDED ACTION: a) Approve Award of Bid #15-402, Contractor/Builder - Annual Contract, at the hourly rate bid to ERS Construction of Punta Gorda, FL. Term of contract is to be from date of award through and including December 31, 2016; and 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 action needed. Budgeted in various funds and cost centers.

(5) 15-418, Award, Vehicles - Annual Contract

RECOMMENDED ACTION: a) Approve award of Bid #15-418, Vehicles - Annual Contract, for a 3.05% discount off of Ford Factory invoice and a 0% mark-up on dealer installed options, to Bartow Ford. Term of contract is from date of award through and including September 30, 2016; and 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. This is an annual contract that allows for the purchase of Ford vehicles on an "as needed basis". BUDGETED ACTION: No action needed. This item is budgeted in the vehicle replacement fund.

(6) 15-436, Award, Emergency Medical Transport Billing Services

RECOMMENDED ACTION: a) Approve the award of Request for Proposal #15-436 Emergency Medical Transport Billing Services to Advanced Data Processing Inc. a subsidiary of Intermedix Corporation of Fort Lauderdale, FL; at the base fee of 3.25% of net collections, for billing and collection of Non-Medicaid transports and \$9.00 per Medicaid transport processed; and b) Authorize the Chairman to sign the contract for services providing Emergency Medical Services (EMS) Patient Accounts Receivable Services (PARS). BUDGETED ACTION: No action needed. Budgeted in the Emergency Medical Services operating budget.

(7) 15-449, Award, Water Main Replacement & Extension

RECOMMENDED ACTION: Approve the award of Bid #15-449, Water Main Replacement & Extension, to the lowest, responsive, responsible bidder, D.M. Construction Corporation, of Punta Gorda, FL, for the total project amount of \$213,166.80 for Cape Horn Boulevard in Punta Gorda water main replacement and Bachmann Boulevard in Port Charlotte water main extension. BUDGETED ACTION: No action needed. Funding from Utilities Repair & Replacement fund approved in CIP projects "Water & Sewer Waterway Crossings" and "Water Distribution Pipe Replacement", as well as Water Connection Fees in CIP project "Major Water Transmission Lines". These projects were approved in the FY16 budget process.

(8) 16-010, Piggyback, Four Steel 6x4 Dump Trucks

RECOMMENDED ACTION: Approve the award of File #16-010, for the Piggyback Purchase of Four Workstar 7500 Steel 6x4 Dump Trucks to Rechten International Trucks, Inc. under the Florida Sheriffs Association Contract #15-13-0904, Specification #14 for a total cost of \$478,544. BUDGETED ACTION: No action needed. Funding from CCU Operations and Maintenance Fund approved in the FY16 Budget Process.

(9) 16-059 Office Supplies Annual Contract

RECOMMENDED ACTION: a) Approve File No. 16-059, to "Piggyback" the National Cooperative Purchasing Alliance Contract #NCPA11-01, Office Supplies, Supply & Deliver, with American Office Products Distributor's, Inc. and Keeton's Office & Art Supply of Bradenton, Florida, as our local distributor, per the contract terms as specified on the attached documentation for the period from January 1, 2016 through and including November 30, 2017; and b) Authorize the County Administrator to approve renewal options at the same prices terms and conditions, by mutual consent and only if this option of renewal is exercised in accordance with the NCPA Contract terms. BUDGETED ACTION: No action needed. This expenditure is budgeted within each department's budget.

Real Estate Services - No Items

G. Community Development - No Items

H. Community Services

Parks and Natural Resources - No Items

Recreation - No Items

Libraries and Historical - No Items

Environmental Services - No Items

I. Economic Development

(1) Project BAM Incentive Resolution

RECOMMENDED ACTION: a) Approve the Resolution detailing performance based incentive for the establishment of a headquarters operation in Charlotte County; and b) Approve an additional \$64,000 be appropriated, bringing the total appropriated budget for the EDO Incentive Project to \$1,664,200.

BUDGETED ACTION: Approve an additional appropriation in the amount of \$64,000 to fund Project BAM incentives in the EDO Incentive Program project. Funding for this incentive will come from General Fund Reserve for Contingency, and will increase the overall EDO Incentive Program Budget to \$1,664,200.

RES2015-122

(Change#5) (2) Support activities for Western Michigan University (WMU).

RECOMMENDED ACTION: a) Request authorization for the Chairman to prepare and execute a letter of support from the Board of County Commissioners to State Department of Education regarding Western Michigan University's application to expand operations to Charlotte County, FL; and b) Amend the 2016 State Legislative Program to include a statement in support of partnerships with institutions of higher education. BUDGETED ACTION: No action required.

Lucienne Pears, Business Recruitment Supervisor gave a brief overview of the letter of support from the Board to the State Department of Education with regards to Western Michigan.

COMMISSONER DOHERTY MOVED TO APPROVE A LETTER OF SUPPORT, SECONDED BY CHAIR TRUEX

MOTION CARRIED 5:0.

J. Facilities Construction and Maintenance - No Items

K. Human Resources - No Items

L. Human Services

(1) Emergency Solutions Grant Budget Adjustment

RECOMMENDED ACTION: Approve and sign Resolution for Budget Amendment #BA16-004 in the amount of \$76,905 for the 2015 Emergency Solutions Grant which the Board accepted at its September 8, 2015 meeting. BUDGETED ACTION: Approve Budget Amendment #BA16-004 in the amount of \$76,905. There is 100% match that will be provided from general revenues in the Human Services Department salaries and program accounts. **RES2015-123**

M. Public Safety

(Change #1) (1) Added Resolution EMS County Grant.

RECOMMENDED ACTION: a) Approve and authorize the Chairman to sign an application for an Emergency Medical Services County Grant from the Florida Department of Health for EMS training, equipment and supplies in the amount of \$20,585; and b) Approve a Resolution certifying that the EMS County Grant funds received shall be used to improve and expand the County's pre-hospital EMS system and will not be used to supplant existing County EMS budget allocations. BUDGETED ACTION: A budget amendment will be returned to the Board once the letter of award is received. No match is required. **GRT2015-020, RES2015-125**

N. Public Works - No Items

O. Tourism Development - No Items

P. Utilities

(Change #2) (1) Added Fixed Base Meter System Project Description & Map, Drinking Water SRF East & West Water Mains, Drinking Water SRF Project Maps and Parkside CRA Drinking Water Improvements Drinking Water State Revolving Fund Request for Inclusion Submittal Authorization.

RECOMMENDED ACTION: Authorize staff to submit Request for Inclusion (RFI) Forms to the Florida Department of Environmental Protection (FDEP) to be placed on the priority funding list for Drinking Water Facilities State Revolving Fund (SRF) in Charlotte County. Staff will subsequently bring back to the Board a request for authorization to submit the applications to the program as part of the FDEP submittal process. BUDGETED ACTION: No action needed. Subsequent approval of the loan will require a budget amendment.

Chair Truex requested staff clarification for meter replacements.

Gary Hubbard, Utilities Director confirmed that existing meters will be replaced at no additional costs to the County.

COMMISSIONER DUFFY MOVED TO APPROVE REQUEST FOR INCLUSION (RFI) FORMS TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP), SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

Q. Other Agencies - No Items

REGULAR AGENDA

R. Regular Agenda

(1) Commission Office

Appoint by Ballot - Pirate Harbor Streets and Drainage Advisory Board

RECOMMENDED ACTION: Select by ballot one regular member to the Pirate Harbor Streets and Drainage Advisory Board for the term of three years from the date of establishment of the Unit.

COMMISSIONER CONSTANCE MOVED APPOINTMENT BY BALLOT FOR DENNIS MCCULLUM, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

(2) Commission Office

Appoint by Ballot - Punta Gorda Community Redevelopment Agency

RECOMMENDED ACTION: Select by ballot, a representative to serve on the Punta Gorda Community Redevelopment Agency for a four-year term.

COMMISSIONER DOHERTY MOVED APPOINTMENT BY BALLOT FOR JAMES STURGES, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

County Attorney Knowlton requested the Board to initial the back of the ballots.

(Change #3) (3) Modified item a) to include "and transition plan/process"

Interim Economic Development Director Salary Increase

RECOMMENDED ACTION: a) Discussion and direction on salary increase for Interim Economic Development Director and vehicle usage; and b) Authorize Chairman to execute whatever documents necessary to effectuate same.

Chair Truex opened the discussion with key points of timeline, transition process, and direction for employment search. **Commissioner Deutsch** suggested a 5% increase. **Commissioner Duffy** commented that the salary increase should be set to 10%.

COMMISSIONER DEUTSCH MOVED TO SET THE SALARY INCREASE TO 5%, SECONDED BY CHAIR TRUEX

COMMISSIONER DUFFY MOVED AN AMENDMENT TO THE MOTION TO INCREASE THE SALARY TO 10% AND USE OF A COUNTY VEHICLE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

Chair Truex commented on keeping the position open until filled and compiling all facets of the process sometime in January after the holidays. **Commissioner Constance** suggested a national search, holiday schedule issues, expressed confidence of Ms. Pear's abilities to perform as Interim Director, and the fair process for the best candidate selection. **Commissioner Deutsch** spoke to time constraints, human resource process, and usage of the County vehicle. **Commissioner Doherty** expressed concern for timeline issues, suggested realistic targets, and informed the Board of his holiday schedule. **Commissioner Duffy** commented on timeline and past process for selections. Heather Bacus, Human Resource Director recommended job posting immediately, process for interviews, ranking, and detailed the timeline.

(Consensus - January 5, 2016 set for candidate interviews)

(Change #4) (4) Discussion & Direction on the Westcoast Inland Navigation District (WCIND) November 13, 2015 Board Meeting Agenda.

RECOMMENDED ACTION: Discussion & Direction on the Westcoast Inland Navigation District (WCIND) November 13, 2015 Board Meeting Agenda

Commissioner Constance inquired the location of the main office and availability of the Agenda. **Commissioner Deutsch** mentioned the last West Coast Inland Navigation District (WCIND) meeting, procedure format, the Charlotte Harbor CRA, and WCIND fund extension.

RECESS: 10:00 am - 10:12 am

S. 10:00 A.M. Public Hearing

(1) Budget and Administrative Services

Approve and Sign Resolution to Adopt Budget Adjustments. Conduct a public hearing to consider approving a resolution to adopt budget adjustments that amend the FY14/15 budget. These budget adjustments which impact various funds are required to complete the FY14/15 budget closing process and satisfy audit requirements. **RES2015-124**

Mr. Burger introduced the Budget Adjustments.

Public Hearing: No speakers

COMMISSIONER DOHERTY MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSONER CONSTANCE

MOTION CARRIED 5:0

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2015-124, SECONDED BY CHAIR TRUEX

MOTION CARRIED 5:0.

(2) County Attorney

Ordinance Amending Section 3-8 of the County Code of Ordinances Relating to Mandatory Connection to Public and Private Utilities. Conduct a public hearing to consider approving an Ordinance amending County Code Chapter 3-8, Articles II and IV, Relating to Mandatory Connection to Public and Private Utilities.

Assistant County Attorney Miller introduced the changes in detail, spoke to outdated provisions, codes, mandatory provisions for connections, grandfathering process, permits, water quality, engineering reports, notice to property owners, and noted inconsistencies. **ORD2015-050**

Chair Truex expressed concerns for homes under construction, **Commissioner Constance** requested clarification for the water main references, grandfathering process, rental property safety, noted precedence for other county citizens. **Commissioner Doherty** pointed out revisions to be made to the Ordinance, mentioned potable water, and thanked Attorney Miller for the corrections. **Commissioner Duffy** spoke to water availability, costs to citizens for their existing systems, and commented on new homes under construction testimony.

Public Hearing:

Andrew Hagelin spoke to the Ordinance language, pointed out past inspections, seasonal residents, and systems sitting for long periods of time.

Max Bell commented on past research in Missouri on water quality testing, water separation, fresh water, salt water process, and well water systems.

Charles O'Hara gave a brief description of the timeline of homes since the 1960's, water capacity, potable water, maintenance on his system with great results from Benchmark, noted nitrates, CCU water results, fees, and support for grandfathering.

Midge O'Hara commented on the seller disclosures, State Laws, plumbing, drinking water sources, water flow, quality, nitrates, water testing by Benchmark, and CCU water test scores.

Robert Mitchell spoke to well water, cisterns, water testing, expenses, rates, transfer of exemption to family members, no reported illnesses, and noted water conservation.

Dave Ferry described his two (2) residences that are self-maintained, water testing results, Gasparilla Island challenges, and family education of water conservation.

David Morris commented on property ownership rights.

Brittany pointed out mandatory water connection, certified letters, Gasparilla Water Utility compliance, impact fees, infrastructure, code of laws, zoning, and recorded Resolution.

Ashton Boyer detailed Palm Island timeline, Little Gasparilla Island Fire District, pointed out a Cape Coral past case for water connection, financial burdens, and water testing.

Janet Hinkle commented on fresh water, no chemicals, grandfathering, taxes, and fire taxes.

Bob Davis spoke to cistern investment, no reported sickness, water testing, artisan wells, aquifers, and commented on grandfathering.

Diane Boyer mentioned tabled items by the Board, vacation homes, rentals, Charlotte County Tourism, Southwest Florida Water Management District (SWFWMD), shallow wells, water regulations, Florida Building Codes, potable water, permits, legal liabilities, and grandfathering.

Karress Slattery commented on fire protection, cisterns, certified letters, theft, new home construction, disconnection regulations, rental homes, enforcement, permits, certificate of occupancy, bonding requirements, and impact fees.

Courtney DePhillips detailed private, public utilities, State of Florida Department of Environmental Protection (FDEP) regulations, community water systems, ordinances, tie-in's, roadways, waste management, comprehensive plan cases, timelines, correspondence to County Administration, and rates.

Mathew DePhillips commented on rate cases, timelines, customer base, water connections, full audit, support from the Board, certified letters, concerns, and redevelopment.

Frank Campamore spoke to statutes, grandfathering, water utility letter, mandatory hook up, transfer of property language, well requirements, and permits.

Audrey Rice pointed out banking letters, loan agreements, water quality to public health, mandatory water hook up ordinances, infrastructure, public water requirement expenses, and changes to the requirements.

Jack Boyer expressed concerns for decision changes made by the Board, noted the history of the water utilities, funding, water connection codes, public safety, safe water drinking, pointed out past meetings, grandfathering, wells that are not permitted, SWFWMD regulations, infrastructure, service availability, guidelines, and customer service.

Kathleen Stokes thanked the Board, Attorney Miller, and County staff for all their help, spoke to amendments, inspections, illegal water hook ups, permits, improper piping, inspection reports, and meter monitoring.

Donna Davis spoke to rental properties, damages from hydrant flushes, rates, and services for citizens.

Thomas McCoy commented on regulations, exemptions, and hook up enforcement.

COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSONER DOHERTY

MOTION CARRIED 5:0.

Chair Truex spoke to grandfathering, new construction issues, water quality, and timelines. **Commissioner Constance** read sections from existing Ordinance into the record, commented on grandfathering, fire protection lines, health, safety, credits to customers, and citizens with wells. **Commissioner Deutsch** expressed concerns for existing systems, regulations, and suggested credits be given to citizens with existing systems. **Commissioner Doherty** mentioned homes under construction, revisions to be made to the Ordinance, wells, engineering, water testing, timeline for grandfathering,

and questioned permits. **Commissioner Duffy** spoke to citizen comments, water quality, customer base, water testing, and property ownership changes,

County Attorney Knowlton spoke to grandfathering guidelines, Assistant County Attorney Miller commented on customer responsibility for water testing, deed recording, and revisions.

COMMISSIONER CONSTANCE MOVED TO AMEND ORDINANCE 2015-050 TO SPECIFY APPLICATIONS SUBMITTED BY FEBRUARY 1, 2016 AND GRANDFATHERING UP TO JANUARY 1, 2021, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:1, COMMISSIONER DUFFY OPPOSED

County Attorney requested when Commissioner Duffy reads the Ordinance to please insert the word Distribution between Water and Systems.

COMMISSIONER DUFFY MOVED TO APPROVE ORDINANCE 2015-050 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-8, ARTICLES II AND IV, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY FLORIDA, "WATERS AND SEWERS;" AMENDING SECTION 3-8-41 BY REVISING PROVISIONS RELATING TO MANDATORY CONNECTION TO AVAILABLE WASTEWATER DISTRIBUTION SYSTEMS AND DELETING THE REQUIREMENT FOR MANDATORY CONNECTION TO A POTABLE WATER SYSTEM; ADDING A NEW SECTION 3-8-42 RELATING TO MANDATORY CONNECTION TO AVAILABLE PRIVATE POTABLE WATER SYSTEMS; DELETING SECTIONS 3-8-43, 3-8-44, AND 3-8-103; REVISING SECTION 3-8-233 RELATING TO MANDATORY CONNECTION TO PUBLIC POTABLE WATER SYSTEMS; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE., SECONDED BY CHAIR TRUEX

County Attorney Knowlton stated that where the Ordinance was read Potable Water Systems should reflect Potable Water Distribution Systems.

MOTION CARRIED 4:1, COMMISSIONER CONSTANCE OPPOSED

RECESS: 12:25PM - 1:30 PM

Commissioner Constance requested Addition #2 R-7 be moved up to accommodate speakers that were present to speak.

(Addition #2) (7) Discussion of Charlotte County Health Department Director, Dr. Kurban.

Commissioner Constance spoke to Dr. Kurban leaving the Health Department, misled information that has been released to the public, and mentioned the accomplishments Dr. Kurban has examined, and requested information for the formula Tallahassee uses for healthcare funding and ranking.

Commissioner Deutsch requested clarification of job offers to Dr. Kurban. **Commissioner Doherty** suggested Dr. Kurban attend next workshop to provide the facts and details of the situation.

Commissioner Duffy commended Dr. Kurban's professionalism, hard work, and requested clarification for the reason Dr. Kurban was leaving.

Suzanne Roberts, CEO of the Virginia B. Andes Clinic gave a brief overview of the communication timeline of Dr. Kurban's departure from the Health Department, mentioned future struggles for the clinics with Dr. Kurban's absence, and the accomplishments they have all benefitted from his leadership.

(5) County Administration

Update on Sales Tax Projects

RECOMMENDED ACTION: Update on Sales Tax Projects.

Commissioner Duffy left the meeting at 2:10 pm.

Travis Mortimer, Capital Projects Manager gave a brief overview of the Sales Tax Extension Projects Update, Active Past Projects, Revenue Forecast, Project Categories, Quality of Life Projects, Ann Dever Memorial Regional Park Recreation Center, North Charlotte Regional Park Recreation Center, Family Services Center Expansion and Renovations, Recreation Centers Renovation, South County Library and Archive, McGuire Park (Phase I) Veterans Memorial Park, Public Safety Projects, Sheriff District 1 Headquarters (West County), West County Annex Replacement, Jail Expansion - Medical Wing, Transportation & Infrastructure, Schools, and Tier II Projects.

Commissioner Constance requested clarification for Family Services Recreation Centers Renovations, site information, design, San Casa site, and pointed out land to the south.

(Addition #3) (8) Gulf Consortium ESA Presentation.

Commissioner Constance spoke to the Gulf Consortium ESA Presentation, gave a brief overview of the Monroe County breakdown, Total Florida Settlement, Pot 1, Pot 3, Pot 5, Natural Resource Damages, Economic Damages, Restore Act, POT 1-POT 5, Florida Direct Component, RA Spill Impact, What makes sense for the SEP, Maximizing Impact, What are Regionally Significant Projects, Beneficial Reuse of Tampa AWT wastewater, Naples Bay Rookery Bay Restoration, Potential Sources of Leverage, County Independent SEP Development Process, Formulas, Expenditure Plans, Monroe County Proposal explained, pointed out POT 1 formula and Triumph, Percentage splits, Distribution Scenarios in Monroe's Memo dated August 24, 2015, Monroe Re-Proposes, water sheds mentioned, commented on fish kills, and fish tumors.

Chair Truex thanked Commissioner Constance for the detailed update and mentioned direction for the 2A Scenario support. **Commissioner Doherty** commended **Commissioner Constance** for a great job and asked for allocation decision making process.

COMMISSIONER DOHERTY MOVED TO SUPPORT THE COMMITTEE OF THE FIFTEEN (15) NON-DISPROPORTIONATELY IMPACTED COUNTIES RECOMMENDATION OF SCENARIO 2A ON PAGE 18 OF THE PRESENTATION, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

(Addition #4) (9) Economic Director Salary Discussion.

County Attorney Knowlton spoke to Human Resources inquiry of the Economic Development Director job posting to include or not include the salary range and mentioned the job description review.

Chair Truex spoke to the salary range and commented on the surrounding areas salaries for the Economic Development Director positions.

COMMISSONER DEUTSCH MOVED TO APPROVE SALARY GUIDELINES, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 4:0.

CITIZEN INPUT - ANY SUBJECT

Joanne Mulvaney spoke to Elkam Boulevard, Harbor Boulevard, residential district, lights for Ambrose Street, beautification committee, residential zones, commercial zones, and pointed out maintenance for trees.

David Morris commented on the Airport Authority, Gasparilla Utility issues, and thanked the Board for their support.

Salvatore Castronovo mentioned newspaper article pertaining to the Airport Authority, noted the passenger loading, restaurants, water blending, Punta Gorda RO Plant, and suggested the County take over the Airport.

T. 2:00 P.M. Land Use Public Hearing - No Items

PRESENTATION AGENDA

U. 10:00 A.M. - No Items

V. 2:00 P.M. - No Items

PUBLIC WORKSHOP AGENDA – No Items

W. 10:00 A.M. - No Items

X. 2:00 P.M. - No Items

BOARD WORKSHOP AGENDA - No Items

Y. 10:00 A.M. - No Items

Z. 2:00 P.M. - No Items

AA. County Administrator:

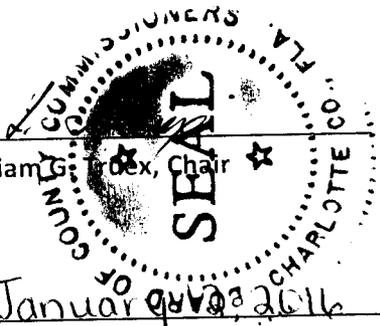
BB. County Attorney:

CC. Commissioner Comments:

Chair Truex commented on beach erosion, citizen concerns, hard bottom area, beach property lines, and lobbyist contracts. Commissioner Doherty requested a funding request from the History Center be added to next meeting, spoke to the Parks and Recreation funding components, and lobbyist contracts. Commissioner Constance requested clarifications for Parks and Recreation master plans, spoke to erosion status for beaches, road density, commercial property on US 41, tourism, property for the Justice Center, Waterfest, Punta Gorda events, kiosks at the airport, Beaches and Shores updates, and thanked the Sheriff for keeping the budgets under control. Commissioner Deutsch spoke to Beaches and Shores presentation, funding, Sarasota County joint efforts, taxing units, beach access, groin system, dredging, and heavy traffic concerns.

Deputy County Administrator Shoemaker commented on Sales Tax, demographics, and Parks and Recreation funding. Emily Lewis, Legislative Manager spoke to a past conference with U.S. Department of Housing and Urban Development (HUD), rate for sale of property, and appraisals.

ADJOURNED: 3:51 pm


William G. Truex, Chair

DATE ADOPTED: January 9, 2016

ATTEST:

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

By: Michelle DiBerardino
Deputy Clerk