

**MINUTES**  
**SOUTH GULF COVE ADVISORY COMMITTEE (SGCAC)**  
**Wednesday, March 25, 2009**  
Growth Management Conference Rm. B-207 – 9:00 a.m.

**MEMBERS PRESENT**

Sandy Slater, *Chairperson*  
Kendall Leach  
Yvonne Ermirio

**STAFF**

Jie Shao, *Staff Liaison*  
Gayle Moore, Recorder

**MEMBERS EXCUSED**

April Chattinger

**GUESTS**

Karen Ireland  
Susan Faust

I. **CALL TO ORDER/ROLL CALL**

**Chair Slater** called the March 25, 2009 meeting of the SGCAC to order at 9:05 a.m. in the Growth Management Conference Room B-207 and it was noted a quorum was present.

II. **APPROVAL OF MINUTES**

The minutes of the February 25, 2009 meeting were approved as corrected following a motion by **Ms. Ermirio** and second by **Mr. Leach**.

III. **ANNOUNCEMENTS**

*None.*

IV. **OLD BUSINESS**

Zoning and FLUM: Stormwater Report

**Mr. Leach** discussed the special exception for the pavilion and asked staff member Jie Shao to explain the Special Exception ("SE") process to the group. **Ms. Shao** gave a brief history of the process, noting that the structure as built was not the same size or same position as granted in the SE. This matter had been discussed with Ken Quillen of the Zoning Division and it was agreed that a new SE, amending the original one, was in order to cover the structure as built. **Mr. Leach** noted the time frame for this structure which was 10 years vs. the usual 3 years. He also discussed what the "exception" was for, which was to start building something within a specific period of time, rather than an exception to the zoning. **Ms. Shao** enlarged on this subject, noting that the 10 years was granted in view of the need for the homeowners association ("HOA") to obtain funding, but since the structure has been built, the time limit does not apply any longer.

**Chair Slater** asked if another SE wouldn't have been needed anyway, to add bathrooms or make any other changes, and **Ms. Shao** agreed that was correct. Further discussion ensued on parameters of the SE.

**Mr. Leach** spoke next about commercial architectural standards, mentioning the people who had come before the HOA recently, including Tim Krebs, who had given a presentation on possibilities for the commercial district appearance. **Mr. Leach** noted that he had asked for verbiage to give the attorney to work into the new deed restrictions, and that he would appreciate clarification as to Mr. Robinson's plans for meeting with the Advisory Board.

**Chair Slater** responded, mentioning a conversation she had recently had with Ms. Shao about whether this was appropriate for the SGCAC to be concerned with; **Chair Slater** reminded the group that former member Dick Miller was originally charged with addressing this subject for the Community Plan, and she noted that this subject is covered in the Community Plan, so she felt it was appropriate for the group to address.

**Ms. Shao** responded that the commercial design standards were part of the Deed Restrictions, compared with the commercial design standards that the County has. She talked about how Mr. Krebs and Mr. Robinson had come to the County to discuss a parking plan for the area, noting that they brought this plan to the Growth Management Department to get comments about consistency with the County's parking regulations. Department Director Jeff Ruggieri advised the gentlemen that the department does not work with HOA, rather that the liaison is assigned to the Advisory Committee; he suggested that the parking plan issues be brought to the SGCAC and then staff can consider the proposal.

Further, **Ms. Shao** noted that Mr. Robinson had approached staff about writing new commercial design standards, and **Ms. Shao** said she had explained that the assistance of staff was limited to ensuring consistency with County regulations. Further discussion ensued concerning the fact that the same gentlemen had submitted a similar proposal for Grove City. **Ms. Shao** said she had checked and determined that the County had never adopted any regulations concerning commercial design standards for Grove City.

**Mr. Leach** commented that the new deed restrictions would also be defining these standards. **Ms. Shao** reminded the group to distinguish between what County will enforce (if adopted) compared to what the HOA would need to enforce; there was further discussion about how such regulations become something that the County will enforce and emphasis on the proper way to get County support on these subjects.

With regard to Zoning and FLUM, **Mr. Leach** commented that the group is still working with the new attorney to create the document that will go to the property owners to consider for adoption.

On the subject of the LakeWatch program, **Mr. Leach** noted that Mr. Hausermann and volunteers are up to their second water sample collection and are awaiting the State to come down, pick up samples and do the testing. **Chair Slater** had a document from the Waterway Committee, who are also doing water quality testing; staff member **Tara Musselman** commented on their testing process. **Mr. Leach** asked about results at this point; Ms. Musselman stated that until it's in layman's terms, she really can't comment on the results. Further discussion ensued.

Quality Mine was the next subject to be covered. **Mr. Leach** made comments about variable performance at the facility, noting there were some days with noise and some days without. He also said that complaints about noise are down now; however, regarding the stipulations that had been imposed, he noted that some are still unmet.

#### Parks, Park Master Plan, Entranceways, Land Acquisition, Funding Resources

**Ms. Ermirio** reported on the day she and Ms. Chatteringer spent researching possible plant locations at the entranceways, noting which entranceways had special circumstances. She provided some pictures for the group to look at which provided some ideas for plant positioning.

**Ms. Musselman** asked about the required submission to Department of Public Works ("DPW") contemplated by the group; she and Chair Slater settled on the proper channels. **Ms. Ermirio** addressed how the trees would be paid for. **Ms. Musselman** asked for clarification, since prior instructions had been given to use Native Tree money for signs; **Chair Slater** requested that this be discussed separately. **Mr. Leach** had questions about the total number of trees, based on what is shown on the sketch; Ms. Ermirio noted that not all trees shown on the sketch were for that project. Further discussion ensued.

**Ms. Ermirio** then discussed a meeting with Stan Irish and Steve Reager regarding right-of-way ("ROW"). They raised no issues and recommended coming in with a complete plan and getting one ROW permit for the whole community. There was further discussion about the location of plantings within the community, e.g. where it is County ROW instead of private property. **Ms. Musselman** reminded the group that a ROW permit is only good for six months; you must complete the project or apply for a new permit. **Chair Slater** asked if it was possible to get an extension and further discussion ensued on that point. The check for the permit fee is to come from MSBU, as agreed to by Ms. Musselman.

**Chair Slater** offered comments on how the Sunshine law is hobbling planning for these projects. Comments were provided by **Ms. Musselman** as to what is OK to be discussed off the record. **Chair Slater** suggested discussing Ms. Ermirio's plan and making the decision within the committee setting right now.

**Ms. Musselman** asked to first discuss keeping the native tree funds separate from county bid process projects and Cove Connector monies. One ROW permit can cover all the work. Further discussion ensued regarding the particulars of the tree purchase and maintenance of trees. Regarding the guarantees on purchase, **Ms. Musselman** noted that County purchasing specs require a one-year warranty from the vendor. **Mr. Leach** asked Ms. Ermirio if the tree vendor was the same company as previously discussed; she responded that the other guy went out of business and this was a new vendor. According to **Ms. Musselman**, more information will be needed on the contractor because they will be working in the County ROW and must meet some standards. Further discussion ensued.

**Chair Slater** shifted the discussion to budget matters as previously discussed with Ms. Musselman, who responded with comments about specific monies and their uses and the impact on future uses. **Chair Slater** made further comments about what the actuals have been over the past couple of years for mowing, etc., which is well below what has been budgeted, so she doesn't think the money should be reserved for something that it won't be spent on. Further detailed discussion ensued regarding whether the accumulated money will all be spent for the projects currently being contemplated, and other budget considerations.

**Mr. Leach** asked a question about the progress on the median clearing with regard to developing the specs for that project; **Ms. Musselman** responded regarding her efforts and **Mr. Leach** extended an offer to help.

**Chair Slater** asked that Ms. Musselman come back with a specific figure of funds available for the purchase of trees; **Ms. Musselman** responded that it would be necessary to indicate what the group is prepared to give up, so it is clear what to allot for tree purchases, and she also expressed a concern about the ability to request budget transfers for planting trees. She also noted that she expected a two-month timeline for bids to come in on the media clearing project. **Chair Slater** stated that she felt the Kimley-Horn estimate should have come in by now but **Ms. Musselman** stated that it had not yet been received.

**Chair Slater** expressed frustration about monies from last year that didn't get spent and also didn't get carried over; further discussion ensued on this point and **Ms. Musselman** said she is carrying over this Parks & Rec money. Further discussion ensued on budget details; in conclusion, **Chair Slater** asked that they sit down and work on this next week with David Milligan, acknowledging that everyone has noted they have a hard time getting Mr. Milligan to respond. **Ms. Musselman** said that she will work to set up the meeting; but she asked the others to remember that the budgets are to be in next week, and there's not likely to be a meeting scheduled within that time frame. **Chair Slater** said that she would work with Mike Koenig, Business Services Manager for P&R.

**Ms. Ermirio** gave the San Domingo Park report, noting that she has not been successful in getting David Milligan to respond to her requests for a brief meeting on the charrette. There was additional discussion on this situation and on the San Domingo park concept plan in general. Concerns were expressed over the lack of progress.

Next to be discussed was the Learning Garden; **Ms. Ermirio** noted that on March 7<sup>th</sup> there was an annual spaghetti dinner, at which the group took in \$1,000. The committee is set up for aquascaping the shoreline, which is educational for the community.

On the subject of the Lift Station, **Ms. Musselman** noted that CCU is coming up with a standard plan for all lift stations; she said she will be able to present the plan shortly and give a price for getting it done, and then each of the communities will decide whether to do it. She felt the ultimate cost should be in the neighborhood of \$15,000 using the CCU plan and their plant material list and placement standards. **Ms. Ermirio** asked about providing CCU with a copy of what the group had already designed and asking if it could be vetted by the CCU group as to suitability; **Ms. Musselman** noted that none of the Committee's choices were on the CCU list, but said she would submit it for their review and comment, since she has heard they are considering making changes to their initial list of plantings.

**Chair Slater** called for a vote from the committee whether to proceed with the plan for tree planting, including those to be paid for out of CCT, and all to be subject to the one-year warranty requirement. **Mr. Leach** made the motion to adopt the plan for the planting of trees as part of the ROW permit, including the location and type of trees at designated areas within South Gulf Cove, with reference to a map graphic included as an attachment to these minutes (TreePlantingProposal\_03-09\_Minutes.pdf), second by **Ms. Ermirio**, with a unanimous vote of the three committee members present. **Chair Slater** agreed she would finalize the permit application and will get a check for the fee from Ms. Musselman.

**Chair Slater** discussed the park report which was circulated to members previously; everything on that report had already been covered in Ms. Ermirio's presentation.

Land acquisition was discussed next. Not much is currently being done and **Chair Slater** stated she was somewhat uncertain how much money is available going forward. She also mentioned information received from Mike Koenig regarding administrative costs for property transfers in the McAllister Park area, most of which have been completed.

**Chair Slater** had further budget comments regarding matters discussed at last Monday's MSBU Committee meeting. She also referenced her recent email about a source of funds for beautification while still having the money to accomplish the necessary pipe replacement in that MSBU (pipe replacement will be needed before 2014; estimated at \$1.2 million.)

**Ms. Musselman** recollected discussing that if \$200,000 is spent, then the rate would need to be raised next year; she understood that the committee had agreed to that concept. **Ms. Musselman** said she has sent that recommendation to the Budget office; however, the Budget office rejected the idea of monies going toward beautification while there are pending infrastructure needs. So, at this point, beautification projects still have to wait for infrastructure projects to be completed, but there is the option that the group can agree to raise rates and have the additional monies collected dedicated specifically for beautification. The suggestion was to raise the rate by \$15 which would produce the needed \$200,000 or to request a \$20 increase to have more adequate funds. In any case, the money would be specifically labeled for Community Planning, and would result in a guaranteed amount each year for beautification without waiting for infrastructure projects to be completed. Further discussion ensued on this topic and the funding of the required pipe replacement.

**Ms. Musselman** recommended that the Advisory Committee send a request to Administration and/or the Chairman of MSBU Committee, stating that despite infrastructure needs, the Board has approved our Community Plan and we need to raise the rate to accommodate implementing the Plan which the Board adopted and still have our infrastructure money. Another option would be to request creation of a new MSBU, but she doesn't recommend that because there are expenses involved with administration of a new MSBU – it makes more sense just to raise the rates on the existing MSBU.

**Chair Slater** offered further comments about the way the MSBU funds are handled, not that projects are completed over time but money continues to be collected and not used; she asked if the rates on these projects could be lowered in view of the circumstances. **Ms. Musselman** noted that the MSBU Committee did not advocate lowering the rate. **Ms. Ermirio** noted that the community has 15,000 lots and has the potential to be the largest community in Charlotte County, and it can't be ugly or people won't want to live there; she emphasized that it needs to be made beautiful to attract residents and build a tax base. She asserted that right now, everybody wants to move out because it looks depressing and blighted.

**Chair Slater** asked to call a vote and solicited input from the members. **Mr. Leach** thought a small increase would go along without problem; \$15 is probably the right number -- it's a 30% increase. That rate would produce \$200,000 annually based on 14,700 ERUs in the S&D MSBU. **Chair Slater** returned to the subject of what happens to collected funds once the infrastructure project is finished, **Ms. Musselman** noted that once that's done the money will go to paving (in about 10 years) and she reminded the group that future paving will not be done by phases any longer, but will be paid by all equally. Further detailed discussion ensued.

**Ms. Musselman** advised sending out proposals immediately if it is the will of the committee to raise the MSBU rate. Further discussion ensued about the target increase and about how best to present this to the public. **Chair Slater** suggested a community meeting and **Ms. Musselman** suggested emphasizing that the increase is not just for tree planting but for all Community Plan projects that need funding.

**Guest Karen Ireland** asked about transferring money from one MSBU (e.g., the waterway budget) to another; **Ms. Musselman** explained why that was not done and how it would have to be handled (by amending purpose of the ordinance forming the MSBU to include funding the Community Plan.)

**Chair Slater** called the motion which was made by **Ms. Ermirio**: The Chair shall send a letter to the Commissioners and the County Administrator and the MSBU Committee, recommending an increase of the annual assessment by \$20 for the sole purpose of funding the Community Plan, second by **Mr. Leach**, passed by unanimous vote.

V. **NEW BUSINESS**

*None.*

VI. **PUBLIC COMMENTS**

**Guest Karen Ireland** stated she hoped this proposed increase in the rate would pass muster with the MSBU committee. **Ms. Musselman** stated she thought that the matter may not get through the MSBU committee, but that Administration and/or the Commissioners can override that vote. Further discussion ensued on this matter.

VII. **STAFF COMMENTS**

**Ms. Musselman** recapped her action items from the meeting.

VIII. **MEMBER COMMENTS**

*None.*

IX. **NEXT MEETING**

The next regular meeting of the **South Gulf Cove Advisory Committee** is **Wednesday, April 22, 2008** from 9:00 a.m. until 12 noon in the **Growth Management Conference Room (B-207)**.

At 10:52 a.m., **Vice-Chair Leach** stated: There being no further business to come before this committee, I declare the meeting adjourned.