

**MEETING MINUTES**  
**DEEP CREEK STREET AND DRAINAGE ADVISORY COMMITTEE**  
**March 28, 2007**  
**10:30 a.m.**

**Attendees:** Wayne Kowalski, Michael Brown, Philip Palmer  
County – Thomas O’Kane, Tim Free, Mike Dallenbach, Alan Holbach, Dan Quick, Marty Simone, Tara Musselman, and Kim Raymond  
Absent – Donald Eiler, John Biluk

The meeting was called to order at 10:30 am.

**Minutes:** No minutes to be approved

**Business:**

- Mr. O’Kane welcomed the Committee members and thanked them for volunteering their time for their community. He mentioned a letter submitted by the County Attorney’s Office regarding the Sunshine Law class and emphasized the importance of attending it. Mr. O’Kane explained the importance of their positions and how Public Works depends on the information they provide. He stated that County Administration has hired an outside consultant to review the MSBU system. The consultant will be submitting the draft proposal to the Board of County Commissioners (BOCC) on April 10, 2007, at 10:00 a.m. The proposal, which recommends three MSBU’s (Mid-County, West County, and South County), is available online and through the County Budget Office. If the proposal is adopted, certain areas will have to bring their roads and drainage up to standard before they become part of the merged group. During this process, County Administration has determined there will be no assessment increases for MSBU’s, unless the committee submits a request for an increase. Mr. O’Kane discussed the standard format of a formal committee, which is five members and one alternate. Ms. Musselman stated that there is currently an open position for an alternate. Mr. Palmer stated that too many members on a committee make it too congested. He requests, and Mr. Brown agrees, that this committee have no alternate.
- The Activity Report was reviewed through February 2007. Ms. Musselman stated she will supply the six month actuals to the members in May.

**Other Business:**

- Ms. Musselman stated that the Committee had a different direction last year. Bid specifications for the Phase I pipes, with the exclusion of the two large pipes, have been sent to Purchasing. The contractor will be Southeast Pipe Survey. Mr. Palmer stated that the three subcontractors are not licensed and are not listed in Florida or Georgia. He advised that it is against the law to hire an unlicensed contractor. Mr. O’Kane stated that the Purchasing Department handles the certification of the contractors, but he will check into this and have the answer submitted in writing.

- Mr. Palmer requested the track record of pipe lining. He stated this is raw fiberglass and has no barrier coating. He explained that it will end up with blisters and, when opened up, will bleed out red. Although he understands the approach with the pipe lining, he needs more information. Mr. Free stated that the pipe lining would prevent closing or tearing up roads to remove the pipes.
- Mr. Palmer stated that the job by the two lakes on Rampart Boulevard was done very sloppily. Mr. Free said those pipes were not lined, because they are part of the greenbelt and not part of the MSBU.
- Mr. Palmer requested paperwork documenting when the land was handed over from Punta Gorda Isles. Mr. Quick stated that Community Development could possibly have the information, which would go back 20 years. Mr. O'Kane will submit whatever Public Works has. Mr. Palmer stated they could also check with residents who might have been around back then.
- Mr. Holbach stated that Public Works has the specifications for the pipe lining, which is made out of polyester. Per Mr. Quick, the Department of Transportation has used the lining in Naples. The Committee was informed that they will receive a copy of the specifications of the pipe lining.
- Mr. Kowalski discussed the report, which included \$10,000 in charges for the Engineering Project Manager's time. Ms. Musselman stated this was never a drainage study. Mr. Palmer stated that some of the roads listed on the paperwork do not have pipes. Mr. O'Kane agreed that the report was not satisfactory and, if requested by the Committee, a more detailed report can be prepared. Mr. Brown stated that documentation should be provided to explain charges.
- Mr. Palmer stated that, based on last year's awful experience, the Committee needs to do fact-finding research and not make blind decisions. Mr. O'Kane explained that all MSBU Committees are different and have different requests. Mr. Palmer stated that recordkeeping has become very expensive, and the MSBU areas have gotten out of hand. Mr. O'Kane explained that Public Works is currently in the process of implementing a new computer system, which will provide more user-friendly reports. He asked each member to review all reports to verify the information presented. Mr. Brown inquired about the cost of Public Works Administration charged to the MSBU. Mr. Simone stated that 20% administration time is added to the labor. Ms. Musselman clarified that it is not 20% of the budget and that central and indirect staff costs are for services provided in Murdock. It was stated that the residents do not feel they need to pay for Public Work services, and this cost should be paid by County taxes and not by MSBU's. Mr. Holbach stated that Public Works is exclusively funded by MSBU's and gas tax revenues, which pay for the collector roads. If Public Works provides services for other departments within the County, we charge them for time and labor. Mr. Palmer requested the breakdown of the 20% Administration costs.

- Mr. Brown stated that the majority of the streets are failing from seepage around the manholes (Capricorn). Mr. Holbach informed him that Charlotte County Utilities is responsible for this issue. Ms. Musselman has spoken to CCU about future plans in Deep Creek but was told there are none. Mr. Palmer said this was caused by bad compaction when the manholes were installed. It was stated that, no matter who is responsible for fixing the problem, the Deep Creek MSBU will end up paying for it. Mr. Holbach stated that, when a road is resurfaced, the area around manholes gets filled in with extra asphalt and compacted.
- Mr. Brown discussed the added cost a contractor will charge to piecemeal each road. Mr. O’Kane stated that the cost will include moving equipment to multiple roads.
- Mr. Brown suggested that money needs to be going into an investment account to have money for paving roads each year. Mr. O’Kane advised that the plan is to do Deep Creek in multiple phases.
- Mr. Palmer discussed the reaction from the residents last year and stated that, until things calm down, the mood will remain the same. He does not feel the necessity of paving all the roads until they need to be paved. Mr. O’Kane stated that their roads are past the point of re-paving; they will have to be re-constructed.
- Mr. Brown inquired about the purpose of this committee. He stated they are representatives for the community, and they need to have more information to make decisions. Mr. O’Kane said that the residents in Deep Creek have mixed feelings and, as years go by, costs are going to increase. Per Ms. Musselman, this committee makes recommendations for their area. Mr. O’Kane explained that Public Works responded to the BOCC’s request for increases last year and took a beating for it. He stated that nothing comes cheap, and costs are rising.
- Mr. Palmer stated that the County Attorney has a conservative approach to the Sunshine Law. He impressed that it is imperative to follow the Sunshine Law, because anyone can be sued at anytime.
- Mr. Palmer requested access to the drainage plans for Deep Creek. He was informed that the Section 20 Property Owners Association has a copy of the drainage plan.
- The Committee discussed including additional roads as collector roads. Mr. Palmer made a motion to only do necessary repairs on Rio de Janeiro Boulevard, Deep Creek Boulevard, Rampart Boulevard, and Capricorn Boulevard, until Mr. O’Kane recommends these roads become collector roads with gas tax funding. Mr. Brown seconded the motion, which carried unanimously.
- Work Program:
  - No other work will be done unless necessary for repairs.
  - Request to meet on a regular basis, every other Tuesday.

- Mr. Palmer stated we will have agreements and disagreements, but we will come to a decision.
- Mr. Holbach stated that, if a situation is a safety concern, Public Works will do whatever repairs are necessary.

**Open Floor:**

- Walter Flarety stated that this Committee needs an alternate. He also said that the \$10,000 engineering charges are not worth investigating and that the residents are being snookered by Public Works.
- Kim Jakubaitis (Section 20) inquired about the status of the survey for the Desoto Canal. Ms. Musselman said the survey is in the County's Legal Office. Ms. Jakubaitis submitted the request to Commissioner D'Aprile at the end of January.
- Ron Woods (President of Section 23) said he was present to support the Advisory Committee and what they are trying to do. Mr. Woods stated this Committee is now going in the right direction to retrieve information. He said the previous Committee's attitude caused problems. He does not feel the County is doing its part. He discussed the Mid-County Drainage tax on the Desoto Canal. Mr. Woods stated the residents have paid their taxes, and they want answers. The residents need advance notice of what work is going to be done. He hopes the County will consider the roads discussed for collector roads. He stated that Melbourne was re-paved and it did not need it, but Harborview is a mess. Mr. Woods stated that Public Works Administrative costs should not be dumped into the MSBU's. Public Works serves the community interest as a whole.

The next scheduled meeting is April 17, 2007, at 10:00 a.m. in Public Works Conference Room.

The meeting was adjourned at 12:05 p.m.

Respectfully submitted,

Tara L. Musselman  
Municipal Service District Representative

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