

January 25, 2006

**MINUTES  
BOARD OF COUNTY COMMISSIONERS**

Book 74

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**SARASOTA COUNTY ADMINISTRATION CENTER  
1660 RINGLING BOULEVARD  
COUNTY COMMISSION CHAMBER  
SARASOTA, FLORIDA**

9:00 a.m.

David R. Mills, Chair, District 2  
Nora Patterson, Vice Chair, District 4  
Paul Mercier, District 1  
Shannon Staub, District 3  
Jon Thaxton, District 5

Also present were:

James Ley, County Administrator  
Stephen DeMarsh, County Attorney  
Paula Clintsman, Deputy Clerk  
Tricia Granger, Deputy Clerk

**INVOCATION**

Reverend Gary Roy, Colonial Oaks Baptist Church

**PLEDGE OF ALLEGIANCE**

Commissioner Mercier

**1. CONTRACTS**

**Note:** The following Item was continued from January 11, 2006. The public hearing portion of the Item was closed.

The Board considered a proposed Contract, a Developer Agreement, with the Sarasota County Public Hospital Board, Kimball Hill Homes Florida, Inc., Coastal Development, LLC, Rosin Way Office Park, LLC, Centex Homes, Civix Sunrise GC, LLC, and KMS II, LLC, for the construction of necessary roadway improvements at the Clark Road/Honore Avenue intersection.

Public Works Transportation Planning Policy and Project Manager Tom Polk submitted a copy of an e-mail regarding Rosin Way Office Park, LLC's, decision to participate in the Agreement that includes a revised Development Concept Plan reflecting deletion of the access point on Honore Avenue. Following an inquiry, County Attorney Stephen DeMarsh noted the Board's authority and advised that Rosin Way Office Park, LLC, will meet concurrency without improvements to the Ashton Road and Honore Avenue Intersection.

Commr. Thaxton moved to approve Contract No. 2006-170, a Developer Agreement, with the Sarasota County Public Hospital Board, Kimball Hill Homes Florida, Inc., Coastal Development, LLC, Rosin Way Office Park, LLC, Centex Homes, Civix Sunrise GC, LLC, and KMS II, LLC, for the construction of necessary roadway improvements at the Clark Road/Honore Avenue intersection, as amended, in an amount not to exceed \$350,000.00. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

(9:06:57)

**2. RESOLUTIONS**

The Board considered a Resolution to authorize the County to enter into a tax-exempt lease financing for the benefit of Goodwill Industries - Manasota, Inc., to provide funds to refinance the cost of acquisition and construction of certain social service center facilities to be operated in Sarasota and Manatee Counties, in an amount not to exceed \$4,500,000.00; approving the form of and authorizing execution of an Interlocal Agreement with Manatee County in connection with the Project, approving the form of and authorizing execution of a Financing and Lease Agreement with AmSouth Leasing Corporation, an Assignment and Assumption Agreement, and a Tax Regulatory Agreement.

Financial Planning Budget Management Analyst Richard Gleitsman summarized the proposed Resolution and advised that the refinancing is for the original debt on existing facilities/properties and noted the number and locations of the facilities/properties.

Commr. Patterson moved to adopt Resolution No. 2006-017 to authorize the County to enter into a tax-exempt lease financing for the benefit of Goodwill Industries - Manasota, Inc., to provide funds to refinance the cost of acquisition and construction of certain social service center facilities to be operated in Sarasota and Manatee Counties, in an amount not to exceed \$4,500,000.00; approving the form of and authorizing execution of an Interlocal Agreement with Manatee County (Contract No. 2006-177) in connection with the Project, approving the form of and authorizing execution of a Financing and Lease Agreement with AmSouth Leasing Corporation, an Assignment and Assumption Agreement, and a Tax Regulatory Agreement. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

(9:10:57)

**3. CONTRACTS**

The Board considered a Contract with SCOPE (Sarasota County Openly Plans for Excellence) Inc., for Fiscal Year (FY) 2006.

Deputy County Administrator Susan Scott introduced SCOPE Executive Director Tim Dutton who commented on their mission, past and current services, and future goals and projects.

Commr. Staub moved to approve Contract No. 2006-171 with SCOPE, Inc., for FY 2006, in the amount of \$160,000.00. The motion was seconded by Commr. Thaxton. Following comments, the motion carried by a 5-0 vote.

(9:17:33)

**4. RESOLUTIONS**

Public hearing to consider a proposed Resolution, Budget Amendment No. B2006-021, amending the Fiscal Year (FY) 2006 Budget to incorporate various supplemental appropriations, revenue adjustments, grants, and transfers.

Having been duly sworn, Financial Planning Budget Analyst Bob Horn summarized the proposed Budget Amendment and noted Staff's recommendation for approval. Discussions were held with Public Works Transit/Fleet Administrative Manager Michael Perry, duly sworn, on the following topics/issues:

- Item 8(f), Cable Television (TV) Franchise Fees
- Item 11(f), Decrease North County Road Construction Road Impact Fee Fund.

**4. RESOLUTIONS - Continued**

Commr. Mercier moved to close the public hearing. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

Commr. Mercier moved to adopt Resolution No. 2006-018, approving Budget Amendment No. B2006-021, amending the FY 2006 Budget to incorporate various supplemental appropriations, revenue adjustments, grants, and transfers. The motion, seconded by Commr. Patterson, carried by a 5-0 vote.

(9:24:12)

**5. ORDINANCES**

Public hearing to consider proposed Ordinance No. 2006-016, amending Ordinance No. 97-083, the Infrastructure Sales (Surtax) Ordinance, as codified in Section 114-2 of the County Code, to amend the Projects List and update the Surtax Program Revenue Projections.

Having been duly sworn, Financial Planning Fiscal Planning Manager Jeffrey Seward presented an overview of the amendments to the proposed Ordinance summarizing the basis for the project deletions/additions. Discussions were held with Mr. Seward on the following topics/issues:

- reappropriation of funds/projects/cost shifts
- process/procedure for revisions/review of projects
- consideration to rename title/category for Blackburn Point Marina/Seminole Gulf Railroad Corridor/Englewood Waterfront Parcel.

Commr. Mercier moved to close the public hearing. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

Commr. Staub moved to adopt Ordinance No. 2006-016, amending Ordinance No. 97-083, the Infrastructure Sales (Surtax) Ordinance, as codified in Section 114-2 of the County Code, to amend the Projects List and update the Surtax Program Revenue Projections. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

(9:36:17)

**6. ORDINANCES/RESOLUTIONS**

- A.** Public hearing to consider proposed Ordinance No. 2006-008, repealing and replacing Ordinance No. 2005-043, the Towing Ordinance, relating to the non-consensual towing and storage of motor vehicles;
- B.** (Not a public hearing.) To consider a proposed Resolution to establish the maximum rates and fees and the minimum insurance requirements for Tow Truck Operators.

Following comments, Financial Planning Fiscal Planning Manager Jeffrey Seward, duly sworn, submitted copies of documents entitled "Sheriff's Rotation Allocation Comparison of Sarasota Current and Proposed Rates," "Current Rates for Charlotte and Manatee Counties," "Private Property Maximum Tow Rate Comparison," "Gulf Coast No. 2 Diesel Retail Sales by All Sellers (cents per gallon)," and recommended "Amendments to Ordinance No. 2006-008," as follows (additions shown as underlined text):

Page 5, Section 6, Item F: It shall be a violation of this Ordinance for any Tow Truck Owner to charge, demand, request, or collect rates, fees, and charges exceeding those established by Board Resolution for the services enumerated in this Ordinance.

**6. ORDINANCES/RESOLUTIONS - Continued**

Page 22, Section 9, Item B: This Ordinance may be enforced through Code Enforcement Officials of Sarasota County Government or any other remedy provided at law, including equitable relief.

Page 23, Section 12, Effective Date: This Ordinance shall take effect thirty days after adoption by the Sarasota County Board of County Commissioners.

Following discussion with County Attorney Stephen DeMarsh regarding the effective dates for Ordinances, Commr. Staub moved to incorporate the revisions to the proposed Ordinance, as recommended by Staff. The motion, seconded by Commr. Mercier, carried by a 5-0 vote.

Mr. Seward addressed the Resolution rates and fees pertaining to "flat fees" for private property and Manatee County's "flat fee" with "plus fees"/"add-on."

(9:50:24)

Mr. Dick Williams, duly sworn, commented on the proposals and requested deletion of the "personal check" requirement. Commr. Thaxton moved to delete the language referencing "personal check" on page 5, Item G, in the proposed Ordinance. The motion, seconded by Commr. Patterson, carried by a 5-0 vote.

Mr. Williams noted the absence of the word "vessel" in Section 7, A.3. in the proposed Ordinance and discussion ensued with Mr. Williams, Mr. Seward, and County Attorney DeMarsh regarding the impact to the Sheriff's Office, tipping fee charges, cost to the tow truck operator, recommendation for reimbursement for towing of vessels, State Statute provisions, removal of vessels from public versus private property, and options to address the matter.

The following individuals, duly sworn, commented on the proposals:

Mr. Michael Maiden

Mr. Randy Upman

Mr. Williams addressed towing from private property and overnight storage fees.

(10:14:23)

Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

Commr. Thaxton moved to adopt Ordinance No. 2006-008, as amended, repealing and replacing Ordinance No. 2005-043, the Towing Ordinance, relating to the non-consensual towing and storage of motor vehicles, as amended. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

Commr. Thaxton moved to adopt Resolution No. 2006-019 to establish the maximum rates and fees and the minimum insurance requirements for Tow Truck Operators. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

**6. ORDINANCES/RESOLUTIONS - Continued**

Commr. Thaxton moved to direct Staff to review the issue of towing derelict vessels on public property. The motion, seconded by Commr. Staub, carried by a 5-0 vote.

Commr. Staub requested that Staff provide an e-mail to verify the Siesta Key Overlay District (SKOD) signage requirements for verification if towing signs apply to the maximum number of signs allowed, without objection.

(10:18:30)

**7. ORDINANCES**

- A.** Public hearing to consider proposed Ordinance No. 2006-002, Comprehensive Plan Amendment No. RU-126, and to defer transmittal to the Florida Department of Community Affairs (FDCA) until action has been taken on all amendments in Comprehensive Plan Amendment Cycle 2006-01;
- B.** Public hearing to consider proposed Ordinance No. 2006-003, Comprehensive Plan Amendment No. RU-127, and to authorize transmittal to FDCA for Comprehensive Plan Amendment Cycle 2006-01.

Having been duly sworn, Planning and Development Services Senior Planner Tate Taylor presented Staff's report on Comprehensive Plan Amendment No. RU-126 to amend the CIE (Capital Improvement Element) to be consistent with the proposed Fiscal Year (FY) 2006-FY 2010 CIP (Capital Improvement Program) and noted Staff's recommendation for approval. Following comments regarding page F-4, Exhibit "A", Project List, Commr. Staub requested to identify (name) the existing libraries and/or add "new" library and rename the Blackburn Point Marina to Blackburn Point Park Addition Project, without objection.

Commr. Mercier moved to close the public hearing on Comprehensive Plan Amendment No. RU-126. The motion, seconded by Commr. Staub, carried without objection.

Commr. Staub moved to adopt Ordinance No. 2006-002, as amended, approving Comprehensive Plan Amendment No. RU-126 and to defer transmittal until action has been taken on all amendments in Comprehensive Plan Amendment Cycle 2006-01. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

(10:25:38)

Having been duly sworn, Environmental Services Coastal Resources Manager Laird Wreford submitted additional correspondence received on the proposal, presented Staff's report on the proposed amendment to the Environment Chapter regarding the necessity/public benefit of County-initiated or sponsored Coastal Restoration Projects and noted no additional comments from FDCA and Staff's recommendation for approval.

Commr. Thaxton moved to close the public hearing on proposed Ordinance No. 2006-003. The motion, seconded by Commr. Mercier, carried without objection.

Commr. Staub moved to adopt Ordinance No. 2006-003, approving Comprehensive Plan Amendment No. RU-127 and to authorize transmittal of Comprehensive Plan Amendment Nos. RU-126 and RU-127. The motion, seconded by Commr. Patterson, carried by a 4-1 vote, with Commr. Thaxton voting "No."

**RECESS:** 10:28 a.m. - 10:46 a.m.

**8. RESOLUTIONS**

Public hearing to consider a proposed Resolution, Budget Amendment No. B2006-027, to amend the Fiscal Year (FY) 2006 Budget to incorporate the revenue and appropriations from the sale of escheated lots in North Port.

Having been duly sworn, Financial Planning Fiscal Planning Manager Jeff Seward submitted a copy of documents entitled "Escheated Lot Fund Ending Fiscal Year 2005 Overview" and "Escheated Lot Fund Beginning FY 2006 Fund Summary." Mr. Seward summarized the proposed Budget Amendment and noted Staff's recommendation for approval. Discussions were held with Mr. Seward, Public Works Business Operations General Manager Larry Arnold, duly sworn, and County Administrator James Ley on the following topics/issues:

- gross amount
- definition of "incentive"
- School Board proceeds/payments from the net proceeds/total revenue/tax loss amount/calculations
- sales below appraised value/group lots/sales/auction of "leftover" lots
- obligation with auctioneer
- phase process/live auction.

Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Patterson, carried by a 5-0 vote.

Commr. Staub moved to adopt Resolution No. 2006-020, approving Budget Amendment No. B2006-027, to amend the FY 2006 Budget to incorporate the revenue and appropriations from the sale of escheated lots in North Port. The motion, seconded by Commr. Mercier, carried by a 5-0 vote.

Public Works Policies and Project Manager Terry Gilbert provided an overview of the Auction Event Run List (current catalog for auction) and the process to date, and responded to an inquiry regarding water/sewer availability. Mr. Gilbert summarized/explained the web site and the current status of the bidding process. Discussions were held regarding the following topics/issues:

- reflection of "starting bid" versus "current bid"
- number of current bids/group number/availability to bid/end date/staggered close out
- status/process/time frame for contract execution/deeds/live auction/location/available and sold lots.

(11:12:31)

**9. RESOLUTIONS**

The Board considered a proposed Resolution to waive the County's rights, pursuant to Florida Statutes, Section 270.11(1), to reserve an interest in and title to an undivided three-fourths interest in all phosphate, minerals, and metals and a one-half interest in all petroleum that are or may be in, on, or under the approximately 2,100 escheated lots in North Port being sold by the County.

Public Works Business Operations General Manager Larry Arnold summarized the proposed Resolution to waive the County's rights in all phosphate, minerals, and metals and interest in all petroleum for approximately 2,100 escheated lots in North Port and responded to an inquiry regarding retention of rights.

**9. RESOLUTIONS - Continued**

Commr. Staub moved to adopt Resolution No. 2006-021 to waive the County's rights, pursuant to Florida Statutes, Section 270.11(1), to reserve an interest in and title to an undivided three-fourths interest in all phosphate, minerals, and metals and a one-half interest in all petroleum that are or may be in, on, or under the approximately 2,100 escheated lots in North Port being sold by the County. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

(11:15:26)

**13. OTHER BUSINESS****A. LEGISLATION**

Commr. Patterson noted proposed Legislation filed by Senator Michael Bennett regarding Counties/Municipalities developing privately-owned mobile home parks and County/municipality responsibility to assist with compensation for displacement of residents. Following discussion with County Administrator James Ley, Commr. Patterson requested to address the matter early in the process, without objection.

**RECESS:** 11:18 a.m. - 1:30 p.m.

**10. OPEN TO THE PUBLIC****A. ORGANIZATIONS/MUNICIPALITIES**

Attorney Dan Lobeck, representing Sorrento Ranches Homeowners Association, Inc., commented on a previous City of Venice annexation and commended the Board for their attention to the matter, discussed two additional annexations approved by the City of Venice on October 24, 2005, and requested Board consideration to review the legality of the annexations.

Commr. Thaxton moved to direct Staff to review legality issues relating to the City of Venice's approval of annexations along Laurel Road. The motion was seconded by Commr. Staub. County Attorney Stephen DeMarsh confirmed that the review/report would be timely in order to exercise legal rights pertaining to the annexations. Following individual comments and discussion with County Administrator James Ley on the lack of Joint Participation Agreements with municipalities relating to annexations, the motion carried by a 5-0 vote.

(1:40:48)

**13. OTHER BUSINESS - Continued****B. CONTRACTS**

Following comments by County Administrator James Ley relating to an Economic Development Transportation Fund Agreement with the Florida Office of Tourism, Trade, and Economic Development (OTTED), Commr. Staub moved to approve Contract No. 2006-172, an Economic Development Transportation Fund Agreement, with the Florida OTTED for the Laurel Road/Knights Trail Project, in the amount of \$625,000.00. Following individual comments on the efforts expended to obtain the grant, the motion, seconded by Commr. Patterson, carried by a 5-0 vote.

(1:42:23)

**13. OTHER BUSINESS - Continued****C. CONTRACTS**

Following comments by County Administrator James Ley, Community Services Parks and Recreation General Manager John McCarthy reviewed a proposed Contract, a Purchase and Sale Agreement, with the Kathleen Iott Revocable Trust, for a 1.82 acre  $\pm$  tract of land to provide public beach access, in the amount of \$6,225,000.00. Mr. McCarthy reviewed the location and current usage of the property and the Beach Renourishment Project and noted opportunities for additional State funding with the property under public ownership.

Commr. Patterson moved to approve Contract No. 2006-173, a Purchase and Sale Agreement, with the Kathleen Iott Revocable Trust, for a 1.82 acre  $\pm$  tract of land to provide public beach access, in the amount of \$6,225,000.00. Following individual comments, the motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

County Administrator Ley commended Staff's efforts and, upon inquiry, Mr. McCarthy commented on other publicly-owned lands in the area.

(1:48:01)

**D. CONTRACTS**

Following comments by County Administrator James Ley, Public Works Real Property Manager Lin Kurant commented on the opportunity to acquire a 28.09 acre  $\pm$  parcel of land located at the southeast corner of River Road and Venice Avenue to accommodate a fire station, trails for Parks and Recreation facilities, and stormwater retention facilities for future Capital Improvement Projects. Upon inquiry, Ms. Kurant identified the location of a transmission tower reflected on the site map included in Staff's report.

Commr. Staub moved to approve Contract No. 2006-174, a Presuit Contract for Sale and Purchase in Lieu of Condemnation, with Alice Blackburn for the purchase of a 28.09 acre  $\pm$  parcel of land located at the southeast corner of River Road and Venice Avenue, in the amount of \$2,800,000.00. The motion was seconded by Commr. Thaxton. Following comments by County Administrator Ley on the funding for the parcel, the motion carried by a 5-0 vote.

Upon inquiry, County Administrator Ley commented on the fire station in the City of North Port.

(1:51:57)

**11. CONTRACTS/RESOLUTIONS**

- A.** (Not a public hearing.) To consider a Contract, a Master Agreement, with FPL Services, LLC, for Demand Side Management and Energy Efficient Services;
- B.** (Not a public hearing.) To consider a Contract, Supplemental Agreement No. 1, with FPL Services, LLC;
- C.** Public hearing to consider a proposed Resolution, Budget Amendment No. B2006-028, to increase the Capital Projects Fund Budget for Fiscal Year (FY) 2006 to fund several Energy Conservation Capital Projects, in the amount of \$650,000.00;
- D.** (Not a public hearing.) To consider a proposed Resolution to amend Resolution No. 98-260, to authorize the borrowing from the Pooled Commercial Paper Loan Program to add the Administration Center Major Repairs Capital Project to the list of Projects authorized to use commercial paper proceeds.

**11. CONTRACTS/RESOLUTIONS - Continued**

Having been duly sworn, Public Works Facilities Maintenance Manager William White summarized the proposals, noted the benefits to be achieved, and supported approval.

Mr. Russell Chamberlin, of FPL Services, LLC, duly sworn, commented on the estimated cost savings and equipment to be installed, and Mr. Keith Ponitz, of FPL Services, LLC, duly sworn, commented on the inclusion of Projects at the Robert L. Anderson Administration Center in Venice.

Following comments on temperature controls in County facilities, Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Thaxton, carried without objection.

Commr. Staub moved to approve Contract No. 2006-175, a Master Agreement, with FPL Services, LLC, for Demand Side Management and Energy Efficient Services. Following individual comments, the motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

Commr. Staub moved to approve Contract No. 2006-176, Supplemental Agreement No. 1, with FPL Services, Inc. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

Commr. Staub moved to adopt Resolution No. 2006-022, approving Budget Amendment No. B2006-028, to increase the Capital Projects Fund Budget for FY 2006 to fund several Energy Conservation Capital Projects, in the amount of \$650,000.00. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

Commr. Staub moved to adopt Resolution No. 2006-023, amending Resolution No. 98-260, to authorize the borrowing from the Pooled Commercial Paper Loan Program to add the Administration Center Major Repairs Capital Project to the list of Projects authorized to use commercial paper proceeds. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

(1:58:12)

**12. ORDINANCES**

Public hearing continued from October 25, 2005, to consider proposed Ordinance No. 2005-058, amending Road Impact Fee Ordinance No. 89-097, as amended and codified in Chapter 70, Article III of the County Code.

Having been duly sworn, Public Works Transportation Planning Manager Clarke Davis noted Staff's recommended fee schedule and summarized the proposed Ordinance. Discussions were held with Mr. Davis and County Administrator James Ley on the following topics/issues:

- credits outlined on Table A-1, Road Impact Fee Comparison Schedule
- increase reflected for real property values (10.9 percent/Table A)
- determination of right-of-way acquisition costs
- inclusion of fees in acquisition costs for legal proceedings for eminent domain parcels
- consideration of current road construction costs in the development of impact fees
- review of existing fees by an outside consulting firm
- State policies related to road improvements
- methodology utilized versus a "needs-based" methodology option to determine impact fee costs
- capacity added revenue sources/Table A-1 versus Table A-2 (credits for all local capacity versus new growth-related local capacity)

**12. ORDINANCES** - Continued

- Table D, Calculation of the Growth-Related, Local Capacity-Adding Revenue Credits/Projects identified relating to growth versus share method (existing traffic)
- calculations reflected for Cattlemen Road - Phase II, Fruitville Road, and Lockwood Ridge Road Projects.

Mr. Davis noted Staff's recommendation for adoption of the Ordinance with Table A-2 and noted an effective date of February 27, 2006.

(2:31:00)

Upon inquiry, County Attorney Stephen DeMarsh opined legal sufficiency relating to Staff's recommendation.

The following individuals, duly sworn, commented on the proposed Ordinance. Discussions were held throughout speaker comments.

Attorney Dan Lobeck

Mr. Rod Krebs

Attorney Mark Barnebey, representing the Gulf Coast Builders Exchange and the Sarasota Home Builders Association

Mr. Jay Brady, Executive Director of the Gulf Coast Builders Exchange

(3:11:50)

Following comments by County Attorney DeMarsh on the re-allocation of existing revenue sources, Commr. Thaxton moved to direct Staff to provide a report on a list of projects "that would redirect the telecommunications, infrastructure, and ad valorem fees that are presently being used for capacity adding projects to fund new growth." The motion was seconded by Commr. Staub. Subsequent to comments, discussion ensued with Mr. Davis and County Administrator Ley on the following topics/issues:

- impact on the completion of scheduled Capital Improvement Projects (CIP)
- allocation of impact fees for new capacity/use of existing funds for deficiencies and added capacity
- review/analysis of impact fee funding
- impact on bonding and the CIP Program.

Commr. Thaxton clarified the motion to direct Staff to prepare an impact analysis of removing revenue streams for added capacity, including the impact to the CIP Program. Commr. Patterson moved a substitute motion to assign the task of investigating the redirection of existing revenue funds during the impact fee analysis to be commissioned with a Consultant. The motion, seconded by Commr. Thaxton, carried by a 5-0 vote.

The substitute motion carried by a 5-0 vote.

(3:26:44)

Commr. Staub moved to close the public hearing. The motion, seconded by Commr. Mercier, carried without objection.

**12. ORDINANCES - Continued**

Commr. Patterson moved to adopt Ordinance No. 2005-058, with the inclusion of the Road Impact Fee Schedule identified as Table A-2 in Staff's report, amending Road Impact Fee Ordinance No. 89-097, as amended and codified in Chapter 70, Article III of the County Code. The motion was seconded by Commr. Staub. Following individual comments, the motion carried by a 4-1 vote, with Chair Mills voting "No."

**10. OPEN TO THE PUBLIC (Continued) - No one appeared at this time.**

**MEETING ADJOURNED: 3:32 p.m.**