

**MINUTES  
BOARD OF COUNTY COMMISSIONERS**

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

9:00 a.m.

Nora Patterson, Chair, District 4  
Shannon Staub, Vice Chair, District 3  
Paul H. Mercier, District 1  
Joseph A. Barbetta, District 2  
Jon Thaxton, District 5

Also present were:

David Bullock, Deputy County Administrator  
Stephen DeMarsh, County Attorney  
Karen E. Rushing, Clerk of the Circuit Court and County Comptroller  
Spring Dickson, Deputy Clerk  
Paula Clintsman, Deputy Clerk

**INVOCATION**

Environmental Services Stormwater Technical Services Surface Water Manager Warren Davis

**PLEDGE OF ALLEGIANCE**

Commissioner Staub

(9:04:30)

**PRESENTATION OF PROCLAMATION:**

Code Enforcement Officer's Appreciation Week - June 4 through June 8, 2007

(9:07:42)

**PRESENTATION:**

Leadership Graduation

(9:18:39)

**CONSENT SECTION:**

9:19:48 Board Action: Approved Items 1-16, with separate discussions on Items 10, 12, 13, and 14. Moved by Thaxton, seconded by Staub, carried without objection.

**1. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER**

Approved the Florida Revenue Sharing Application for State Fiscal Year (FY) 2007-2008.

**2. EMERGENCY SERVICES**

Approved Contract No. 2007-357 with Verizon Florida, Inc., for Emergency Subscriber List Information for a three-year agreement with a one-time fee of \$1,435.62, with a recurring monthly fee of \$273.18.

**3. EMERGENCY SERVICES**

**A.** Approved Contract No. 2007-358, Modification No. 1 to Contract No. 2007-081, the Emergency Management Preparedness and Assistance Grant Agreement, with the Florida Department of Community Affairs (FDCA) for projects associated with the Sarasota Comprehensive Emergency Management Plan to increase Federal funds, in the amount of \$54,261.00;

**B.** Adopted Resolution No. 2007-127, Budget Amendment No. B2007-046, amending the Fiscal Year (FY) 2007 Budget to appropriate the grant funding increase, in the amount of \$2,245.00.

**4. ENVIRONMENTAL SERVICES**

- A. Adopted Resolution No. 2007-128, Budget Amendment No. B2007-052, to appropriate U.S. Environmental Protection Agency Grant funding, in the amount of \$385,700.00;
- B. Adopted Resolution No. 2007-129, authorizing the Environmental Services Program Management General Manager as the County's Representative for the purpose of filing Amendment No. 4 and future Amendments to the United States Environmental Protection Agency (EPA) Grant No. XP-97438001 for the Phillippi Creek Septic System Replacement Program.

**5. ENVIRONMENTAL SERVICES**

Approved Contract No. 2007-359, Amendment No. 4 to Contract No. 2004-100, with Coastal Planning and Engineering, Inc., for professional services for the South Siesta Key Beach Restoration Project, in the amount of \$139,287.80.

**6. ENVIRONMENTAL SERVICES**

- A. Adopted Resolution No. 2007-130, Budget Amendment No. B2007-057, for the receipt and disbursement of increased funds awarded by the Federal Emergency Management Agency (FEMA) through the Flood Mitigation Assistance Program Grant to Zacharia Musallam, property owner in the Lower Myakka River Watershed, in the amount of \$985.00;
- B. Approved Contract No. 2007-360, Modification No. 1 to Contract No. 2006-065, a Subgrant Agreement, with the Florida Department of Community Affairs (FDCA) for the Federal Emergency Management Agency (FEMA) for increased project costs and time extension.

**7. HEALTH AND HUMAN SERVICES**

Approved Contract No. 2007-361, Amendment No. 1 to Contract No. 2007-033, with First Step of Sarasota, Inc., for the enhancement of services to the Voluntary Interim Placement-Enhanced Recovery (VIP-ER) Program with allocations from the Strategic Initiative and Opportunities (SIO) Fund, in the amount of \$241,556.00.

**8. HEALTH AND HUMAN SERVICES**

Approved Contract No. 2007-362, with Transitional Resources, Inc., for six units of sober housing for Fiscal Year (FY) 2007 from the Strategic Initiatives and Opportunities (SIO) Fund, in the amount of \$16,500.00.

**9. FINANCIAL PLANNING**

Authorized the disposal of vehicles and off-road equipment.

(9:19:49)

**10. FINANCIAL PLANNING**

9:26:07 Board Action: Authorized the conveyance of surplus property items to other governmental agencies and charitable organizations, removal from the Fixed and Moveable Detail Inventory Listing, and for auction/or disposal. Moved by Staub, seconded by Barbetta, carried by a 5-0 vote.

**11. PLANNING AND DEVELOPMENT SERVICES**

Authorized advertisement of an amendment to the 2004-2005 Action Plan to transfer Community Development Block Grant (CDBG) funds from economic development to public facilities for the North Sarasota Sidewalk/Road Widening Improvement Project, in the amount of \$212,280.00.

(9:26:08)

**12. PLANNING AND DEVELOPMENT SERVICES**

9:29:36 Board Action: Authorized advertisement of the 2007-2008 Consolidated Plan for public comment. Moved by Staub, seconded by Thaxton, carried by a 4-1 vote; Patterson voted "No."

9:28:42 Board Action: Requested correspondence to be sent to the City of Sarasota explaining the proposed funding reallocations in the 2007-2008 Consolidated Plan. Requested by Patterson, without objection.

(9:29:45)

**13. PUBLIC WORKS**

9:31:30 Board Action: Approved Contract No. 2007-363, Change Order No. 1 to Contract No. 2007-011, with Kuxhausen Construction, Inc., for the Tuttle Avenue and University Parkway Intersection Improvement Project, in the amount of \$172,337.50. Moved by Barbetta, seconded by Thaxton, carried by a 5-0 vote.

(9:31:32)

**14. PUBLIC WORKS**

- A. 9:33:46 Board Action: Approved Contract No. 2007-364, an Interlocal Agreement, with the City of Sarasota and the City of Venice for the distribution of a six-cent per gallon Local Option Fuel Tax revenue, effective September 1, 2007. Moved by Mercier, seconded by Staub, carried by a 5-0 vote.
- B. 9:33:46 Board Action: Approved Contract No. 2007-365, an Interlocal Agreement, with the City of Sarasota and the City of Venice for the distribution of a five-cent per gallon Local Option Fuel Tax revenue, effective September 1, 2007. Moved by Mercier, seconded by Staub, carried by a 5-0 vote.

Item submitted: A copy of a document entitled "Sarasota County 2006 Population Estimates"

**15. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER**

Ratified and approved the warrants dated May 14 through May 25, 2007, in the amount of \$20,607,983.45, as detailed in the voucher packages filed in the Finance Department.

**16. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER**

Approved the Minutes of the meetings dated May 17, May 22, May 23, May 24, and May 25, 2007 (two sets).

**DISCUSSION SECTION:**

(9:34:00)

**17. FINANCIAL PLANNING****Sitting as the Sarasota County Health Facilities Authority (SCHFA):**

- A. The Board considered a proposed Resolution authorizing the issuance of SCHFA Health Care Facilities Revenue Bonds, Sarasota-Manatee Jewish Housing Council, Inc., Project, Series 2007, for purposes of refinancing existing debt and for various new capital improvements, provided that such bonds shall not constitute a debt, liability, or other obligation of the Health Facilities Authority or the State of Florida, in an amount not to exceed \$40,000,000.00, and to authorize the approval and execution, respectively, of the terms, conditions, and documents in connection therewith; and, to recommend the adoption of a proposed resolution approving the issuance of such bonds to the Board of County Commissioners.

**17. FINANCIAL PLANNING - Continued****Sitting as the Board of County Commissioners (BCC):**

- B.** The Board considered a proposed Resolution approving the issuance of SCHFA Health Care Facilities Revenue Bonds, Sarasota-Manatee Jewish Housing Council, Inc., Project, Series 2007, for purposes of refinancing existing debt and various new capital improvements, in an amount not to exceed \$40,000,000.00, as recommended by the SCHFA.

Chair Patterson recessed the BCC and convened as the SCHFA.

Staff Presenter: Financial Planning Budget Management Analyst Richard Gleitsman

9:37:11 Board Action: Adopted Resolution No. 2007-131, authorizing the issuance of SCHFA Health Care Facilities Revenue Bonds, Sarasota-Manatee Jewish Housing Council, Inc., Project, Series 2007, in an amount not to exceed \$40,000,000.00. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

Chair Patterson recessed the SCHFA and reconvened as the BCC.

9:37:52 Board Action: Adopted Resolution No. 2007-132, approving the issuance of SCHFA Health Care Facilities Revenue Bonds, Sarasota-Manatee Jewish Housing Council, Inc., Project, Series 2007, in an amount not to exceed \$40,000,000.00. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

(9:38:05)

**18. FINANCIAL PLANNING****Sitting as the Sarasota County Health Facilities Authority (SCHFA):**

- A.** The Board considered a proposed Resolution authorizing the issuance of SCHFA Retirement Facility Revenue Refunding Bonds, Village on the Isle Project, Series 2007, for purposes of refinancing existing debt, provided that such bonds shall not constitute a debt, liability, or other obligation of the Health Facilities Authority or the State of Florida, in an amount not to exceed \$36,000,000.00, and to authorize the approval and execution, respectively, of the terms, conditions, and documents in connection therewith; and, to recommend the adoption of a proposed resolution approving the issuance of such bonds to the Board of County Commissioners, pursuant to Section Five of Ordinance No. 77-52.

**Sitting as the Board of County Commissioners (BCC):**

- B.** The Board considered a proposed Resolution approving the issuance of SCHFA Retirement Facility Revenue Refunding Bonds, Village on the Isle Project, Series 2007, for purposes of refinancing existing debt, in an amount not to exceed \$36,000,000.00, as recommended by the SCHFA.

Chair Patterson recessed the BCC and convened as the SCHFA.

Staff Presenter: Financial Planning Budget Management Analyst Richard Gleitsman

Public Presenter: Public Financial Management Senior Managing Consultant Kelly Ryman

9:41:54 Board Action: Adopted Resolution No. 2007-133, authorizing the issuance of SCHFA Retirement Facility Revenue Refunding Bonds, Village on the Isle Project, Series 2007, in an amount not to exceed \$36,000,000.00. Moved by Staub, seconded by Barbetta, carried by a 5-0 vote.

**18. FINANCIAL PLANNING - Continued**

Chair Patterson recessed the SCHFA and reconvened as the BCC.

9:42:46 Board Action: Adopted Resolution No. 2007-134, approving the issuance of SCHFA Retirement Facility Revenue Refunding Bonds, Village on the Isle Project, Series 2007, in an amount not to exceed \$36,000,000.00. Moved by Staub, seconded by Barbetta, carried by a 5-0 vote.

(9:45:00)

**19. ENVIRONMENTAL SERVICES**

The Board considered the Environmentally Sensitive Lands Oversight Committee (ESLOC) Annual Report.

Staff Presenter: Environmental Services Natural Resources Project Scientist Brooke Elias

Public Presenter: ESLOC Chairman Jono Miller

9:49:50 Board Action: Requested an e-mail regarding the ESLOC vote on the basis to not proceed with negotiations for the Twitchell property. Requested by Staub, without objection.

9:56:02 Board Action: Requested to contact Florida Senator Lisa Carlton, Florida Senator Michael Grant, Florida House Speaker Marco Rubio, and Florida Senate President Ken Pruitt as a reminder that the Environmentally Sensitive Lands Protection Program (ESLPP) is funded by a voter-initiated tax referendum. Requested by Staub and Patterson, without objection.

(9:57:28)

**20. COMMUNITY SERVICES**

The Board considered the appointment of four individuals to serve three-year terms on the Library Advisory Board (LAB), effective through May 2010.

Staff Presenter: Community Services Libraries General Manager Sarabeth Kalajian

9:58:39 Board Action: Requested to present Marylou Sasinowski-Hoffmann with a Certification of Appreciation for her service on the LAB. Requested by Staub, without objection.

10:01:19 Board Action: Closed the nominations by Patterson, without objection.

10:01:38 Board Action: Appointed Edward Farrell, Thomas Swepston, Millicent Puleo, and Todd Skinner to serve three-year terms on the LAB, effective through May 2010. Moved by Barbetta, seconded by Thaxton, carried by a 5-0 vote.

(10:02:22)

**21. HEALTH AND HUMAN SERVICES**

The Board considered the appointment of three individuals to serve three-year terms on the Senior Advisory Council, effective through May 2010, as follows:

- A. 55 Years of Age or Older, At-Large Representative;
- B. 60 Years of Age or Older, At-Large Representative;
- C. 70 Years of Age or Older, At-Large Representative.

Staff Presenter: Health and Human Services Program Analyst Rik Jimison

10:07:45 Board Action: Closed the nominations by Patterson, without objection.

**21. HEALTH AND HUMAN SERVICES - Continued**

10:08:05 Board Action: Appointed Robert Shea to serve as the 70 Years of Age or Older, At-Large Representative, without objection.

10:08:16 Board Action: Closed the nominations by Patterson, without objection.

10:08:23 Board Action: Appointed Doug Heinlen to serve as the 60 Years of Age or Older, At-Large Representative, without objection.

10:08:46 Board Action: Closed the nominations by Patterson, without objection.

10:08:56 Board Action: Appointed Judy Cuppy to serve as the 55 Years of Age or Older, At-Large Representative, without objection.

(10:10:09)

**22. ENVIRONMENTAL SERVICES**

The Board considered authorization to advertise a public hearing to consider a proposed Ordinance, amending Ordinance No. 2007-053, as amended and codified in Chapter 54, Article XXXII, Sections 54-1020 through 54-1030 of the County Code, relating to Fertilizer and Landscape Management.

Staff Presenter: Environmental Services Water Resources Planning and Regulatory Manager Jack Merriam

Item submitted: A copy of the PowerPoint presentation

10:58:04 Board Action: Added a reference to recommend utilization of slow release blend fertilizers to the proposed Ordinance. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

11:02:24 Board Action: Added language restricting fertilizers to a maximum of a two percent phosphorus content and nitrogen fertilizer to a maximum of five pounds per 1,000 square feet per year. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

11:03:15 Board Action: Added an exemption to allow new, diseased, or damaged plants to be fertilized during the restricted season to the proposed Ordinance. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

11:08:49 Board Action: Requested to develop a short PowerPoint presentation/ educational video pertaining to the fertilizer regulations in the proposed Ordinance. Requested by Staub, without objection.

11:10:19 Board Action: : Added an exemption to allow new, diseased, or damaged plants to be fertilized for the first 60 days in the ten-foot no fertilizer zone. Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

11:11:03 Board Action: Revised the word "brush" to the words "swept or blown." Noted consensus by Patterson.

11:12:03 Board Action: Requested to bring back the County's anticipated cost for the proposed Ordinance. Requested by Patterson, without objection.

11:19:18 Board Action: Authorized advertisement of a public hearing to consider a proposed Ordinance relating to Fertilizer and Landscape Management. Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

**REPORTS SECTION:**

(11:19:34)

**23. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER'S REPORT**

Clerk of the Circuit Court and County Comptroller Karen Rushing noted the Filed for Record List.

**RECESS:** 11:19 a.m. - 11:27 a.m.

(11:28:04)

**24. COUNTY ADMINISTRATOR'S REPORT**

Deputy County Administrator David Bullock presented and discussed the status of the City of Sarasota Community Redevelopment Agency presentation.

11:36:52 Board Action: Requested to schedule discussion items regarding a Board policy concerning the time frame for disbursement of the escheated lots funds and the recommendations on the affordable housing proposals. Requested by Patterson, without objection.

11:39:10 Board Action: Requested a report regarding the application acceptance process/deadline for the escheated lots funds. Requested by Thaxton, without objection.

11:40:10 Board Action: Requested correspondence, signed by the Chair, to be submitted to the Sarasota City Mayor requesting an update on the expansion of the TIF (Tax Increment Financing) district and the City's position on supporting the Housing Authority. Requested by Patterson, without objection.

(11:39:08)

**25. COUNTY ATTORNEY'S REPORT**

Items submitted: Interoffice Memorandum Nos. 858 and 860

11:41:44 Board Action: Approved the settlement in the Case of Janis Speight v. Sarasota County (Interoffice Memorandum No. 858) in the amount of \$249,750.00. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

11:48:13 Board Action: Deferred consideration of the settlement in the Case of George Guion v. Sarasota County (Interoffice Memorandum No. 860) in the amount of \$17,500.00, to June 6, 2007. Requested by Staub, without objection.

(11:48:45)

**26. COMMISSION AND COMMITTEE REPORTS**

**A. COMMISSIONER MERCIER**

Commr. Mercier commented on and discussions were held on his decision to vote against the Honore Avenue expansion.

**B. COMMISSIONER BARBETTA**

11:54:42 Board Action: Directed the County Administrator to contact the City of Venice to discuss the location and language in the Comprehensive Plan regarding airport related issues. Moved by Barbetta and seconded by Thaxton.

11:59:19 Board Action: Approved a substitute motion to direct the County Administrator to schedule a joint meeting with the City of Venice and directed the County Attorney to provide a report regarding the County's Comprehensive Plan regulations/authority relative to airport issues within the municipalities. Moved by Staub, seconded by Mercier, carried by a 5-0 vote.

12:00:18 Board Action: Noted that the main motion is identical to the substitute motion. Noted by Patterson, carried by a 5-0 vote.

(3:46:49)

**C. COMMISSIONER STAUB**

3:52:28 Board Action: Directed the County Administrator to prepare correspondence for the Chair's signature to request that advisory boards schedule meetings that correspond with the members' location, taking into consideration the cost. Moved by Staub, seconded by Mercier, carried by a 5-0 vote.

**26. COMMISSION AND COMMITTEE REPORTS - Continued****C. COMMISSIONER STAUB - Continued**

3:54:26 Board Action: Requested the County Administrator to report on the potential uses for the Venice Train Depot area that include lease options. Requested by Staub, without objection.

3:57:31 Board Action: Moved to direct the County Administrator to report on designated trails or walk areas to allow dogs on leashes in County Parks or lands. Moved by Staub and seconded by Patterson.

4:02:42 Board Action: Substituted the motion to direct the County Administrator to locate areas for more dog accessibility within County Parks. Moved by Staub, seconded by Patterson, carried by a 4-1 vote; Mercier voted "No."

(4:03:04 )

**D. COMMISSIONER THAXTON**

Commr. Thaxton commented on and discussions were held with Deputy County Administrator David Bullock and County Attorney Stephen DeMarsh on the following topics/issues: extended an invitation to Board members to tour the new Boys and Girls Club facility, circulated an advertisement to the Board members regarding a new golf course in Manatee County and the loss of natural resources, and the statistics on the schedule for resurfacing projects.

4:05:11 Board Action: Noted to send congratulatory correspondence to John Cox for the naming of John Cox Way on the street leading to the Boys and Girls Club facility and for his contributions for development of children uses and obtaining permission for use of the land. Noted by Patterson, without objection.

4: Board Action: Requested

4:22:18 Board Action: Directed the County Administrator to meet with the Sheriff to request his end result regarding the Animal Welfare Advisory Committee and to advise the Sheriff of the Board's request for the authority on appointments, membership, and term limits. Moved by Staub, seconded by Barbetta, carried by a 5-0 vote.

(4:23:00)

**E. CHAIR PATTERSON**

Chair Patterson commented on and discussions were held on the correspondence received requesting a meeting with the Board regarding the Bella Citta development.

4:27:27 Board Action: Approved to send correspondence to the Jefferson Center regarding their funding request for the renovation of the Center indicating concerns regarding precedent setting and the lack of available funds. Moved by Mercier, seconded by Staub, carried by a 5-0 vote.

4:39:51 Board Action: Authorized the Chair's signature on the correspondence to the Lemon Bay League responding to their request for funds, indicating the Budget constraints/uncertainties of the Budget situation in the State of Florida and to contact the Board after the election in January, including a request for specifics on their performance measures, next steps, and costs. Moved by Staub, seconded by Barbetta, carried by a 4-1 vote; Mercier voted "No."

4:40:51 Board Action: Requested that Commr. Mercier add a discussion item to the next Board Workshop Agenda for a Board policy on partnerships. Requested by Patterson, without objection.

(4:41:04)

**27. ADMINISTRATION**

The Board reviewed the County Commission Outstanding Board Assignments Report dated May 30, 2007.

(4:42:30)

**28. ADMINISTRATION**

The Board reviewed the Board of County Commissioners Meeting and Budget Workshop Schedules.

**RECESS:** 11:52 p.m. - 1:30 p.m.

(1:33:10)

**29. OPEN TO THE PUBLIC**

Erica Santella, Matthew Dempsey, Laurie Trenholm, and George Pickhardt commented on the proposed Ordinance relating to Fertilizer and Landscape Management.

**DISCUSSION SECTION:** (Continued)

(1:50:31)

**30. PUBLIC WORKS**

The Board considered the County's Traffic Calming Program Comparison Report.

Staff Presenters: Public Works Traffic Engineering and Operations Manager Donald Galloway and Public Works Trails Coordinator Irene Maiolo

2:15:43 Board Action: Requested an e-mail on the cost of the solar-powered speed limit signs that measure the speed of oncoming vehicles. Requested by Patterson, without objection.

2:17:30 Board Action: Requested a review of alternative mechanisms for Traffic Calming. Requested by Staub, without objection.

2:18:21 Board Action: Requested an e-mail on the funding source for Traffic Calming measures. Requested by Patterson, without objection.

2:20:20 Board Action: Directed the County Administrator to contact the citizens involved with the petition for the Gondola Drive Project to consider multi-way stop signs versus speed tables. Moved by Staub, seconded by Thaxton, carried by a 4-1 vote; Mercier voted "No."

2:22:51 Board Action: Requested that no new applications for the Traffic Calming Program/Projects be accepted until funding sources have been determined. Moved by Staub, seconded by Mercier, carried by a 5-0 vote.

**PUBLIC HEARINGS:**

(2:23:20)

**31. PLANNING AND DEVELOPMENT SERVICES**

Sitting as the Public Housing Agency (PHA) Board:

- A. Public hearing to receive public comment on the PHA Plan and the Administrative Plan;
- B. The Board considered the Annual PHA Plan;
- C. The Board considered the proposed changes in the Administrative Plan and to authorize Staff to make technical changes to the Administrative Plan as needed or mandated by the U. S. Department of Housing and Urban Development (HUD);
- D. The Board considered authorization to execute the PHA Certifications of Compliance with the PHA Plans and other documents as required by the HUD for the continued operation of the Section 8 Program.

Staff Presenter: Planning and Development Services Housing and Community Development Services General Manager Donald Hadsell

**31. PLANNING AND DEVELOPMENT SERVICES - Continued**

Chair Patterson recessed the Board of County Commissioners (BCC) and convened as the PHA Board.

2:26:58 Board Action: Closed the public hearing by Patterson, without objection.

2:27:36 Board Action: Approved the Annual PHA Plan. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

2:28:34 Board Action: Approved the proposed changes in the Administrative Plan and authorized Staff to make technical changes to the Administrative Plan as needed or mandated by the HUD. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

2:28:34 Board Action: Authorized execution of the PHA Certifications of Compliance with the PHA Plans and other documents as required by the HUD. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

Chair Patterson adjourned the PHA Board and reconvened as the BCC.

**Note: Oath/Signature Cards Filed for Record.**

(2:29:10)

**32. PUBLIC WORKS**

First public hearing to consider a proposed Contract, a Supplemental Agreement, Amendment No. 4 to Contract No. 2006-170, with Diamond Homes of Southwest Florida, Inc., for the construction of necessary roadway improvements for the Clark Road/Honore Avenue Intersection Improvement Project. (Second public hearing scheduled for June 26, 2007.)

Staff Presenter: Public Works Transportation Planning Policy and Project Manager Tom Polk

Item submitted: A copy of a revised Concept Plan

2:30:33 Board Action: Closed the public hearing by Patterson, without objection.

2:31:02 Board Action: Authorized advertising of the second public hearing scheduled for June 26, 2007, at 9:00 a.m., or as soon thereafter as possible at North Port City Hall. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

**Note: Oath/Signature Cards Filed for Record.**

(2:31:18)

**33. PUBLIC WORKS**

First public hearing to consider a proposed Contract, a Supplemental Agreement, Amendment No. 5 to Contract No. 2006-170, with Antiques and European Pine, Inc., for the construction of necessary roadway improvements for the Clark Road/Honore Avenue Intersection Improvement Project. (Second public hearing scheduled for June 26, 2007.)

Staff Presenter: Public Works Mobility Strategic Planner Beth Wasson

2:33:05 Board Action: Closed the public hearing by Patterson, without objection.

2:33:26 Board Action: Authorized advertising of the second public hearing scheduled for June 26, 2007 at 9:00 a.m., or as soon thereafter as possible at North Port City Hall. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

**Note: Oath/Signature Cards Filed for Record.**

**RECESS:** 2:33 p.m. - 2:47 p.m.

(2:47:33)

**34. ENVIRONMENTAL SERVICES**

- A.** Public hearing continued from March 13, 2007, to consider proposed Ordinance No. 2007-024, amending Earthmoving Ordinance No. 2004-040, as amended and codified in Chapter 54, Article XII, Sections 54-341 through 54-356 of the County Code, to create consistency with the Comprehensive Plan Amendments adopted during the Evaluation and Appraisal Report (EAR) process;
- B.** (Not a public hearing.) Land Development Regulation Commission to find proposed Ordinance No. 2007-024 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to final adoption of Ordinance No. 2007-024.)

Staff Presenters: Environmental Services Resource Protection Manager Matthew Osterhoudt and County Attorney Stephen DeMarsh

Public Presenter: Jim Paulmann

2:53:23 Board Action: Requested to add language in Section 54-343(2) on page 10 of 55, second sentence, as follows: ". . . designated as preservation conservation areas . . ." Requested by Thaxton, without objection.

2:55:51 Board Action: Requested to work on the language in Section 54-343(2) on page 10 of 55. Requested by Patterson, without objection.

3:09:37 Board Action: Amended Section 54-349(1), on page 39 of 55, to read as follows: ". . . shall avoid off-site drainage impacts and shall seek to avoid impacts to . . ." Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

3:22:48 Board Action: Requested to delete the word "generally" in Section 54-345(4)(a)(1) on page 19 of 55. Requested by Patterson, without objection.

3:29:13 Board Action: Requested to relocate the words "associated with dewatering or elevated groundwater levels" to the beginning of Section 54-345(5)(c)(5) on page 25 of 55. Requested by Thaxton, without objection.

3:33:18 Board Action: Requested to add the words "excessive noise" in Section 54-345(5)(c)(6) on page 25 of 55. Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

3:35:31 Board Action: Amended the language in Section 54-346(1)(a) on page 32 of 55 as follows (additions shown as underlined text): ". . . Wetlands and their abutting upland buffers shall be preserved and shall not be altered except as otherwise authorized herein." Moved by Barbetta, seconded by Thaxton, carried by a 5-0 vote.

3:37:45 Board Action: Amended the language in Section 54-346(1)(c) on page 32 of 55, first sentence, as follows (additions shown as underlined text): "Impacts to wetlands shall be avoided and unavoidable impacts minimized to the maximum extent practical." Moved by Thaxton, seconded by Barbetta, carried by a 5-0 vote.

3:41:36 Board Action: Added the words "noise or" before the word "dust" in Section 54-350(2)(c) on page 46 of 55. Moved by Thaxton, seconded by Staub, carried by a 5-0 vote.

3:46:22 Board Action: Continued the public hearing to September 25, 2007, at 1:30 p.m., or as soon thereafter as possible. Moved by Staub, seconded by Thaxton, carried by a 5-0 vote.

(4:53:46)

**35. OTHER BUSINESS** - No items were presented.

June 5, 2007

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(4:53:38)

**36. OPEN TO THE PUBLIC** - Opened and closed without comment.

**MEETING ADJOURNED:** 4:53 p.m.

**MINUTES APPROVED:** \_\_\_\_\_

\_\_\_\_\_

Chair