

BOARD OF COUNTY COMMISSIONERS

MAY 19, 2026

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

The following members were present: Chair Tiseo, Commissioner Constance, Commissioner Deutsch, and Commissioner Doherty. Also, in attendance were: County Administrator Flores, County Attorney David, and Minutes Clerk Welsh. The following members were absent: Commissioner Truex.

The Meeting was called to order at 9:00 am, followed by the Pledge of Allegiance.

Changes to the Agenda

Change #1: Item 1, Added attachment - Revised presentation.

COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0.

County Administrator Flores highlighted Board Workshop.

1. Ackerman MSBU

(Change #1) Added attachment - Revised presentation.

Assistant County Administrator Claire Jubb highlighted Ackerman Municipal Services Benefit Unit (MSBU), gave a brief overview of Re-cap of Key Decisions and Discussions, MSBU Structure, Discussion Items, Ackerman Timeline, and replied to Construction Progress.

Brandon Moody, Water Quality and Resiliency Manager gave a brief overview of Regulatory Requirement: Manchester Lock, responded to construction water quality impact concerns, and septic to sewer conversion.

Kenneth Stecher, Utilities Operations Manager gave a brief overview of Construction Progress and replied to plumbing contracts.

Richard Arthur, Fiscal Services Manager gave a brief overview of MSBU Sewer Infrastructure, responded to full cost plus current connection fee cost responsibility, Resolution restrictions, State Revolving Fund (SRF) and monetary time-value interest, prepayment customers and subsidies, project cost increase factors and phased increase options, MSBU established max rates and adjustments, Discussion Items, and cost recovery.

Heather Encinsosa, Nabors Giblin & Nickerson gave a brief overview of MSBU Structure, replied to project phasing payment schedules, and annual assessment rates.

Chair Tiseo discussed Regulatory Requirement: Manchester Lock, lock mechanical failures and removal, net environmental benefits (NEB), water quality and cash flow impacts, sewer system density requirement, General Development dredging, US Army Corps of Engineers, Sewer Master Plan, Total Utility Bill Affordability Index, updated wage range and cost data, pilot program modifications, vacant lot assessment deferral and infrastructure cost responsibility, connection fees, interest costs, MSBU Sewer Infrastructure, Prepayment Subsidy, property closing assessment balance payment policy, and Ackerman Timeline. **Commissioner Constance** mentioned Regulatory Requirement: Manchester Lock, stormwater retention mitigation, septic to sewer conversion project, water quality improvement efforts, MSBU Structure, hybrid and deferred cost options, affordability, cost indexing and responsibility, Discussion Items, Ackerman Timeline, Workshop, and MSBU assessment indexing. **Commissioner Deutsch** commented on Regulatory Requirement: Manchester Lock, community efforts, environmental issues, waterway dredging and flushing, Como Waterway, City of North Port, septic to sewer conversion project, water quality testing source points, and Prepayment Subsidy. **Commissioner Doherty** noted January 7, 2025 Utilities Department Quarterly Update Meeting Sewer Master Plan Presentation, Jones Edmunds, Stratus Consulting, Total Utility Bill Affordability Index, natural disaster financial impacts and affordability adjustment, 2023 United States Census, MSBU Structure, vacant lot assessment methodology and infrastructure cost responsibility, deferred cost and program elimination, MSBU creations and assessments, Discussion Items, equivalent residential structure (ERC) cost calculation, Construction Progress, real estate benefits, Giffels-Webster Engineers Jonathan Cole, and community input meetings.

Sandra Weaver, Business Services Supervisor responded to deferred full rate cost responsibility and Resolution rate schedule.

2. Contractor Hits

Mr. Stecher gave a brief overview of Contractor activity is increasing, What is horizontal directional drilling (HDD), County infrastructure underground, How do contractor hits happen, Contractor hits - Impact to County: Utilities - Water, Process for utility locate tickets, How Charlotte County Utilities (CCU) performs locates, By the numbers: Utility locate tickets this calendar year, Hits to water infrastructure this calendar year, Hits to wastewater infrastructure this calendar year, Long Term Impacts, and replied to repair responsibility.

Joanne Vernon, County Engineer gave a brief overview of Contractor activity is increasing, Utility Right-of-Way (ROW) fiber permit average size, What is horizontal directional drilling (HDD), Public Works - Stormwater, Utility Right of way permit process, Utility Right of way Inspection process, Contractor oversight: The nine county engineering inspections are responsible to ensure that the entire process is done correctly, County staff monitors the hits that are occurring, Staff continues to suspend crews from drilling 1 day to 1 month based on the severity of the violation, In addition to what was mentioned previously, What happens when a hit occurs, and Contractor activity is increasing.

Mr. Arthur gave a brief overview of Agenda, Background & Existing Process, Operational Challenges, Claims History, New Claims Recovery Model, and Benefits of New Model.

Chair Tiseo discussed punitive damage assessments, full cost recovery calculations, contractor damage cost responsibility and ban process, Florida Statutes, right-of-way installation, insurance claim, and enforcement mechanisms. **Commissioner Constance** spoke to Contractor activity is increasing, construction activity fee and documentation, Public Works - Stormwater, damage assessments, contractor hit site inspector requirement and cost responsibility, Florida Statute 556, drone surveillance, citizen concerns, and staff efforts. **Commissioner Deutsch** mentioned subcontractor regulations and requirements, Contractor hits - Impact to County: Utilities - Water, accountability, tax payer and community financial

protections and compensation, natural disasters, Utility Right of way permit process, What happens when a hit occurs, contractor notification process, Long Term Impacts, personnel cost reimbursement and responsibility, and information distribution. **Commissioner Doherty** commented on bonding requirement and Contractor oversight: The nine county engineering inspectors are responsible to ensure that the entire process is done correctly.

Assistant County Attorney David Moscoso interjected on statutory additional fee restrictions, Florida Statute 556 damage assessment framework and punitive damage prohibition, County Code contractor strikes bonding structure allowance, enforcement mechanisms, New Claims Recovery Model, and Chartered Institute of Building (CIOB).

County Attorney David remarked on legal options research, Assistant County Attorneys David Moscoso and Alexander Villoria, damage claims, contractor strike record requests, and third party liability responsibility.

John Elias, Public Works Director responded to contractor responsibility and ban process, strike reduction and homeowner assistance efforts, fiscal accountability, operational challenges, American Public Works Association, high-speed internet installation federal legislation and operational impacts, surrounding areas, and contractor oversight cost responsibility.

AA. County Administrator Comments - None

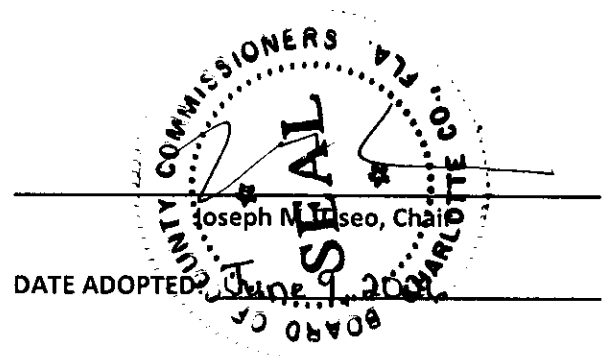
BB. County Attorney Comments

County Attorney David noted regulation enforcement.

CC. Commissioner Comments

Chair Tiseo spoke to Manchester Lock historical data. **Commissioner Doherty** discussed May 18, 2026 MPO Meeting, BUILD America 250 Act (BA250), Legislative Manager Eve Sweeting, and support letter request.

ADJOURNED: 11:03 am



ATTEST:

ROGER D. EATON, CLERK
OF THE CIRCUIT COURT AND
EX-OFFICIO TO THE BOARD
OF COUNTY COMMISSIONERS

By: Kimberly Walsh
Deputy Clerk