

**MINUTES
AGRICULTURAL & NATURAL RESOURCES ADVISORY COMMITTEE
REGULAR MEETING**

**THURSDAY, JANUARY 8, 2026
9:01 a.m. – 10:00 a.m.**

**E. JAY CARLSON COMMUNITY DEVELOPMENT BUILDING
BCS LARGE CONFERENCE ROOM
18400 MURDOCK CIRCLE, PORT CHARLOTTE, FL 33948**

Members Present: Nigel Morris, Chair

Dan Ryals

James Ryals

Lindsay Harrington

Stephen R. Kalaf

Luis Garcia

Kasey Deuberry

Members Absent: Scott Schroeder, Vice Chair

County Staff: Ben Bailey, Community Development Director

Shaun Cullinan, Planning and Zoning Official

Jennifer Williams, Senior Administrative Assistant

Morgan Cook, Executive Assistant to BOCC

Guests: See attached sign-in sheet

Call to Order / Roll Call:

- The meeting was called to order by Chairman Morris at 9:01 a.m. Roll call was conducted, and a quorum was present.

Announcement:

- Chair Norris announced his resignation from the ANRAC committee effective at the adjournment of this meeting.

Changes to the Agenda / Motion to Approve Changes:

- Lindsay Harrington motioned to add Chair Morris's resignation announcement to the agenda and to nominate and elect a new Chair. The motion was approved unanimously.

Approval of Minutes:

- Lindsay Harrington motioned to approve the minutes from the November 13, 2025, ANRAC meeting as written. The motion was approved unanimously.

Unfinished Business:

- None

New Business:

- Chair Morris nominated Lindsay Harrington for the Chair position. There being no other nominations, the nomination was approved unanimously.
- The committee conducted the annual review of the Sunshine Law and the ANRAC ordinance.

New Membership Applications:

- Two committee vacancies resulted from the forfeiture of Dave Kemeny's seat and Chair Morris's resignation. Applicants Savannah Kreegel Corry (Citrus) and Keri DeHart (Commodities/Dairy) were present. Lindsay Harrington motioned to nominate both to fill the vacancies, seconded by James Ryals, and the motion was approved unanimously.

Member Comments:

- Lindsay Harrington motioned to invite the Property Appraiser to the next ANRAC meeting for further discussion regarding FPL Holdings. The motion carried unanimously. During the Sunshine Law video presentation, Shaun Cullinan contacted Paul Polk, Property Appraiser, who confirmed he will attend the March 12, 2026, ANRAC meeting to discuss assessments of the FPL Solar Fields.

Staff Comments:

Shaun Cullinan provided updates on the following:

- **COPART** - On indefinite hold due to a code case; scheduled to be brought before the Magistrate in March 2026.
- **Pulte Project** – Scheduled to return to the Board of County Commissioners in March 2026.
- **Rural Community Mixed-Use** – Located next to the Bermont Road Partnership Mine; currently under in-house review.
- **Mitigation Banks Developments** - Plat vacation.

Public Comments:

- Mary Ann Tipton commended the ANRAC committee on their efforts and addressed records requests regarding TCP-24-04.
- Joe Lewis stated that the county should proactively share new project information with the Board rather than requiring records requests.
- Courtney Mason inquired about proposed new developments on Bermont Road and expressed concern regarding the county's communication of new projects.

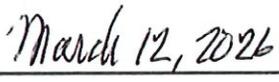
Next Meeting / Items for Next Agenda:

- Next meeting is scheduled for Thursday, March 12, 2026, at 9 a.m.
- More updates on current and/or new projects from Shaun Cullinan.

The meeting was adjourned at 9:59 a.m.

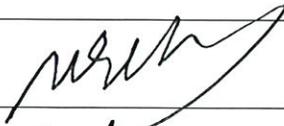
Submitted by Jennifer Williams, Recording Secretary
Community Development Department


Chair Signature


Date

SIGN IN SHEET – ANRAC 1/8/2026

PLEASE SIGN NEXT TO YOUR NAME BELOW

Nigel Morris,-Chairman Wildlife Management	
Dan Ryals Commodity Production/Cattle, Row Crop	
Lindsay Harrington AG Land Use	
Scott Schroeder,-Vice Chairman Commodity Productions	
Luis Garcia Commodity Production/Cattle	
Stephen R. Kalaf Agricultural Expert	
James Ryals Commodity Production/Cattle	
Kasey Deuberry Environmental Expertise	
Vacant	
Ken Doherty, Commissioner Commission Liaison:	
Joe Tiseo, Commissioner Alternate Commission Liaison	
Vacant, Principal Planner Staff Liaison (Comm. Dev.)	
Ralph Mitchell Staff Liaison	
Ben Bailey, Director, Community Development Department	
Shaun Cullinan, Zoning Official, Community Development Department	
Jennifer Williams, Sr. Admin Asst Recording Secretary Community Development Department	

ANRAC - Guest

Name	Affiliation
Savannah Kreegel Comy	
Joe Lewis	
Mary Ann Tipton	
Keri DeHart	
JAMES ROELL	
Emery Ryals	
Patty CASTRO	
Vanessa Barzo	FDACS OAWP
Courtney Mason	
Morgan Cook	Exec. Asst. to BOCC

CHG
BCC



FILED WITH THE DEPARTMENT OF STATE : April 26, 2017

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4191 PAGE 1705 PAGE 1 OF 4
IHSTR # 2518602 Doc Type: GOV
Recorded: 4/26/2017 at 3:05 PM
Rec Fee: RECORDING \$35.50
Cashier By: CRYSTALH

ORDINANCE
NUMBER 2017 - 020

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING THE PROVISIONS OF ARTICLE IV, DIVISION 2, OF CHAPTER 1-2 OF THE CODE OF LAWS AND ORDINANCES, CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR CHANGES TO THE AGRICULTURE AND NATURAL RESOURCES ADVISORY COMMITTEE'S NOMINATION PROCESS AND ADDING A MEMBER ATTENDANCE PROVISION; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, Division 2 of Article IV of Chapter 1-2 of the Code of Laws and Ordinances of Charlotte County, Florida ("Code") provides for the establishment, membership, purpose and procedures of the Agriculture and Natural Resources Advisory Committee ("Committee"); and

WHEREAS, the Board of County Commissioners of Charlotte County, Florida ("Board") has determined that certain changes to the membership nomination process will make it easier to find replacement members; and

WHEREAS, in order to ensure that the Committee consists of active members, the Board has determined that an attendance requirement is necessary; and

WHEREAS, the Board has determined that it is in the best interest of Charlotte County and its citizens to adopt the changes to Division 2 of Article IV of Chapter 1-2 of the Code.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Charlotte County, Florida:

4 mm

31 Section 1. Division 2 of Article IV of Chapter 1-2 of the Code of Laws and
32 Ordinances of Charlotte County, Florida, is hereby amended by adding the underlined
33 language and by ~~deleting the stricken language~~ to provide as follows:

34 **Sec. 1-2-112. – Membership.**

35 (a)

36 The committee shall consist of nine (9) members appointed to serve at the pleasure
37 of the board of county commissioners.

38 (b)

39 The standard term for members of the committee shall be four (4) years, except for
40 resignations or removal by the board of county commissioners. Members may be
41 reappointed to additional four-year terms. Their appointments are subject to the
42 approval of the board. All terms shall be deemed to have commenced on January 1
43 and to end on December 31. A member shall continue in office until his successor is
44 appointed.

45 (c)

46 Membership shall be voluntary and composed of individuals broadly representative
47 of the interests of agricultural land ownership and use, agricultural commodity
48 finance and production, agricultural processing, agricultural economics and
49 marketing, agricultural engineering and water management, soils use and fertility,
50 wildlife management, geology and mine engineering, and environmental
51 conservation.

52 (d)

53 At least five (5) members of the committee shall be owners or managerial
54 employees of agricultural land or agricultural operations actively engaged in

55 commodity production in Charlotte County, including at a minimum at least one (1)
56 each from citrus, cattle, and row crop production. Other members shall be a resident
57 of or own real property in Charlotte County or be employed in Charlotte County in
58 one (1) of the fields listed in subsection (c).

59 (e)

60 Nominations submitted to the board of county commissioners subsequent to
61 appointment of the initial slate of members shall be made by recommendation of six
62 ~~(6)~~ four (4) affirmative votes of the full committee.

63 **Sec. 1-2-115. – Member Attendance.**

64 In order for the Committee to carry out its duties and responsibilities to the best of its
65 ability, it is necessary for all members to attend all meetings. Therefore, any member who
66 has been absent from three or more meetings in a calendar year shall automatically be
67 deemed to have tendered his or her resignation from the Committee.

68 Section 2. Conflict with Other Ordinances. The provisions of this article
69 shall supersede any provisions of existing ordinances in conflict herewith to the extent of
70 said conflict.

71 Section 3. Severability. In the event that any portion of this article is for any
72 reason held invalid or unconstitutional by any court of competent jurisdiction, such portion
73 shall be deemed a separate, distinct and independent provision, and such holding shall not
74 affect the validity of the remaining portions of this article.

75 Section 4. Effective Date. This ordinance shall take effect immediately upon
76 the date of its adoption by the Board of County Commissioners of Charlotte County,
77 Florida.

78 [SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 25th day of April, 2017.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA



By: William H. Truex
William Truex, Chairman

ATTEST:
Roger D. Eaton, Clerk of the Circuit
Court and Ex-officio Clerk to the
Board of County Commissioners

By: Michelle DeBernardino
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2017-0224 / CA

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A. WHAT IS THE SCOPE OF THE SUNSHINE LAW (FLORIDA STATUTES, SECTION 286.011)?

Any gathering of two or more members of the same board to discuss some matter which will foreseeably come before that board for action. There are three basic requirements of the Sunshine Law:

- (1) meetings of public boards or commissions must be open to the public;
- (2) reasonable notice of such meetings must be given; and
- (3) minutes of the meetings must be taken

B. WHAT IS A MEETING SUBJECT TO THE SUNSHINE LAW?

NUMBER OF BOARD MEMBERS REQUIRED TO BE PRESENT

The Sunshine Law extends to the discussions and deliberations as well as the formal action by a public board. There is no requirement that a quorum be present for a meeting of members of a board to be subject to the Sunshine Law. Instead, the law is applicable to *any* gathering, whether formal or casual, of two or more members of the same board to discuss some matter on which *foreseeable action* will be taken by the board. It is the how and the why officials decide to act which must be open to the public, not merely the final decision (the entire *decision-making process*).

FACT-FINDING VS. DECISION-MAKING COMMITTEES

When a committee possesses or exercises not only the authority to conduct fact-finding but also to make recommendations, the committee is participating in the decision-making process and is subject to the Sunshine Law.

DOES THE SUNSHINE LAW APPLY TO STAFF?

Meetings of staff of boards covered by the Sunshine Law are not ordinarily subject to the Sunshine Law unless they: 1) have been delegated decision-making functions outside of the ambit of normal staff functions, 2) are acting as liaisons between board members, or 3) are acting in place of the board members at their direction. For example, when a staff member ceases to function in a staff capacity and is appointed to a committee which is delegated authority to make recommendations to a board or official, the staff member loses his or her identity as staff while working on the committee and the Sunshine Law applies to the committee. On the other hand, a committee composed of staff which is merely responsible for informing the decision-maker through fact-finding consultations would not be subject to the Sunshine Law.

DOES THE SUNSHINE LAW APPLY TO MEMBERS OF PUBLIC BOARDS WHO ALSO SERVE AS ADMINISTRATIVE OFFICERS OR EMPLOYEES?

A board member who also serves as an employee of an agency may meet with another board member on issues relating to his or her duties as an employee *provided* such discussions do not relate to matters that will come before the board for consideration or action. When two or more members of a public board are participating in other meetings or functions unconnected with the board, they must refrain from discussing matters on which foreseeable action may be taken by the board but are not otherwise restricted in their actions.

DELEGATION OF AUTHORITY TO SINGLE INDIVIDUAL

When public officials delegate de facto authority to act on their behalf in the formulation, preparation, and promulgation of plans on which foreseeable action will be taken by those public officials, those delegated that authority stand in the shoes of such public officials insofar as the Sunshine Law is concerned. For example, a single member of a board who has been delegated the authority to act on behalf of the board in negotiating is subject to the Sunshine Law and, therefore, cannot negotiate in secret. If a board member or designee has been authorized only to gather information or function as a fact-finder, the Sunshine Law does not apply. If however, the board member has been delegated the authority to reject certain options from further consideration by the entire board, the board member is performing a decision-making

function that must be conducted in the sunshine. If the individual, rather than the board, is vested by law, charter or ordinance with the authority to take action, such discussions are not subject to the Sunshine Law.

C. WHAT METHODS OF DISCUSSION ARE COVERED BY THE SUNSHINE LAW?

USE OF NON-MEMBERS AS LIAISONS BETWEEN BOARD MEMBERS

A non-board member may not act as a liaison for board members by circulating information and thoughts of individual board members. However, the fact that a board member has expressed his or her views or voting intent on an upcoming matter to a news reporter prior to the scheduled public meeting does not violate the Sunshine Law so long as the reporter is not being used by the member as an intermediary in order to circumvent the requirements of the Sunshine Law. Administrative officers or staff who serve public boards should not poll board members on issues which will foreseeably come before the board in order to avoid being used as a liaison between board members, although an administrative officer is not precluded from contacting individual board members for their views on a matter when the officer, and not the board, has been vested with the authority to take action.

WRITTEN CORRESPONDENCE BETWEEN BOARD MEMBERS

The use of a written report by one board member to inform board members of a subject which will be discussed at a public meeting is not a violation of the Sunshine Law if prior to the meeting, there is no interaction related to the report among the board members. The report would be subject to disclosure under the Public Records Act. If, however, the report is circulated among board members for comments with such comments being provided to other members, there is interaction among the board members which is subject to the Sunshine Law. While a board member may prepare and circulate an informational memorandum or position paper, the use of a memorandum to solicit comments, or the circulation of responsive memoranda by other board members, would violate the Sunshine Law.

TELEPHONE CONVERSATIONS AND MEETINGS

The use of a telephone to conduct discussions does not remove the conversation from the requirements of the Sunshine Law.

USE OF COMPUTERS

Use of computers by members of a public board to communicate among themselves on issues pending before the board is subject to the Sunshine Law.

D. DOES THE SUNSHINE LAW APPLY TO...:

MEMBERS OF DIFFERENT BOARDS?

The Sunshine Law does not apply to a meeting between individuals who are members of *different* boards *unless* one or more of the individuals has been delegated the authority to act on behalf of his or her board. An individual board member may, therefore, meet privately with an individual member of another board to discuss a recommendation made by that board since two or more members of either board are not present, provided that no delegation of decision-making authority has been made and neither member is acting as a liaison. A member of one public board may also attend a meeting of another public board upon which one of its members serves and may participate in the discussion of matters which may foreseeably come before the attending member's board without being in violation of the Sunshine Law. If it known ahead of time that two or more members of the board are planning to be in attendance and participate, the Florida Attorney General's Office has recommended that their attendance be noted in the notice of the meeting.

COMMUNITY FORUMS SPONSORED BY PRIVATE ORGANIZATIONS?

The Sunshine Law does not apply to a political forum sponsored by a private organization during which board members express their position on matters that may foreseeably come before the board, so long as the board members avoid discussions among themselves on these issues.

SOCIAL EVENTS?

Members of a public board are not prohibited under the Sunshine Law from meeting together socially, provided that matters which may come before the board are not discussed at such gatherings. Thus, there is no *per se* violation of the Sunshine Law for a husband and wife to serve on the same public board so long as they do not discuss board business without complying with the requirements of the Sunshine Law.

E. WHAT ARE THE NOTICE AND PROCEDURAL REQUIREMENTS OF THE SUNSHINE LAW?

REASONABLE NOTICE REQUIRED

Reasonable public notice is required for all meetings subject to the Sunshine Law. Thus, notice is required for meetings between members of a public board even though a quorum is not present. The type of notice that must be given is variable, however, depending on the circumstances and the board involved. In some instances, posting of the notice in an area set aside for that purpose may be sufficient; in others, publication in a local newspaper may be necessary.

SUGGESTED GUIDELINES

The Florida Attorney General's Office has suggested the following notice guidelines:

1. The notice should contain the time and place of the meeting and, if available, an agenda (or if no agenda is available, subject matter summations might be used);
2. The notice should be prominently displayed in the area in the agency's offices set aside for that purpose (e.g. for cities, in city hall);
3. Emergency sessions should be afforded the most appropriate and effective notice under the circumstances and special meetings should have at least 24 hours reasonable notice to the public; and
4. The use of press releases and/or phone calls to the wire services and other media is highly effective. On matters of critical public concern such as rezoning, budgeting, taxation, appointment of public officers, etc., advertising in the local newspaper of general circulation would be appropriate.

NOTICE REQUIREMENTS WHEN MEETING ADJOURNED TO A LATER DATE

If a meeting is to be adjourned and reconvened later to complete the business from the agenda of the adjourned meeting, the second meeting should also be noticed.

EFFECT OF NOTICE REQUIREMENTS IMPOSED BY OTHER STATUTES, CODES OR ORDINANCES

The type of notice required is variable and will depend upon the circumstances. A public board, however, may be subject to additional notice requirements imposed by other statutes, charters or codes.

DOES THE SUNSHINE LAW REQUIRE THAT AN AGENDA BE MADE AVAILABLE PRIOR TO BOARD MEETINGS OR RESTRICT THE BOARD FROM TAKING ACTION ON MATTERS NOT ON THE AGENDA?

The Sunshine Law has been interpreted to require notice of *meetings*, not of the individual *items* which may be considered at that meeting. Accordingly, the Sunshine Law does not require boards to consider only those matters on a published agenda, and there is no requirement that a board provide advance notice of potential deviation from its previously announced agenda.

DOES THE SUNSHINE LAW LIMIT WHERE AND HOW MEETINGS OF A PUBLIC BOARD MAY BE HELD? *Inspection trips*

Members of a public board are not prohibited under the Sunshine Law from conducting inspection trips. However, if discussions relating to the business of the board will occur between board members during an inspection trip, then the requirements of the Sunshine Law must be met – advance notice must be given, the public must be afforded a reasonable opportunity to attend, and minutes must be promptly recorded and made available for inspection.

Luncheon Meetings

Public boards are advised to avoid holding meetings at places where the public and the press are effectively excluded

Meetings at facilities that discriminate or unreasonably restrict access prohibited

The Sunshine Law prohibits boards subject to the Sunshine Law from holding their meetings at any facility which discriminates on the basis of sex, age, race, creed, color, origin, or economic status, or which operates in such a manner as to unreasonably restrict public access to such a facility.

OUT-OF-TOWN MEETINGS

For a meeting to be "public," the public must be given advance notice and provided with a reasonable opportunity to attend.

SIZE OF MEETING FACILITIES

For meetings where a large turnout of the public is expected, public boards should take reasonable steps to ensure that the facilities where the meeting will be held will accommodate the anticipated turnout. If a huge public turnout is anticipated for a particular issue and the largest available public meeting room cannot accommodate all of those who are expected to attend, the use of video technology (e.g., a television screen outside the meeting room) may be appropriate. In such cases, as with other open meetings, reasonable steps to provide an opportunity for public participation in the proceedings should also be considered.

INAUDIBLE DISCUSSIONS

A violation of the Sunshine Law may occur if, during a recess of a public meeting, board members discuss issues before the board in a manner not generally audible to the public attending the meeting.

CAMERAS AND TAPE RECORDERS

A rule or policy which prohibits the use of non-disruptive or silent tape recording devices, however, is unreasonable and arbitrary and is, therefore, invalid.

REASONABLE OPPORTUNITY TO BE HEARD

The public must be given reasonable opportunity to be heard on a proposition before final action by a board. The opportunity does not need to occur at the same meeting the board acts provided it is during the decision making process and is within reasonable proximity in time before the meeting at which the board takes the official action.

AUTHORITY TO ADOPT REASONABLE RULES

Reasonable rules and policies, which ensure the orderly conduct of a public meeting and which require orderly behavior on the part of those persons attending, may be adopted by a public board. For example, a rule which limits the amount of time an individual may address the board could be adopted provided that the time limit does not unreasonably restrict the public's right of access.

MAY THE MEMBERS OF A PUBLIC BOARD USE CODES OR PREASSIGNED NUMBERS IN ORDER TO AVOID IDENTIFYING INDIVIDUALS?

Under the Sunshine Law, a meeting is either fully open or fully closed; there are no intermediate categories. Accordingly, the use of pre-assigned numbers or codes at public meetings to avoid identifying the names of applicants violates the Sunshine Law.

MAY MEMBERS OF A PUBLIC BOARD VOTE BY WRITTEN OR SECRET BALLOT?

Board members are not prohibited from using written ballots to cast a vote as long as the votes are made openly at a public meeting, and the ballots are maintained and made available for public inspection in accordance with the Public Records Act. Since the ballot is a public record as soon as it is made, the final decision cannot be withheld for any period of time. By contrast, a secret ballot violates the Sunshine Law.

MUST WRITTEN MINUTES BE KEPT OF ALL SUNSHINE MEETINGS?

The Sunshine Law specifically requires that minutes of a meeting of a public board be promptly recorded and open to public inspection. While sound recordings may also be used to

record the proceedings before a public board, written minutes of the meeting must be taken and promptly recorded. The minutes required to be kept for "workshop" meetings are not different than those required for any other meeting of a public board. The minutes of Sunshine Law meetings need not be verbatim transcripts of the meetings; rather, "minutes" means a brief summary or series of brief notes or memoranda reflecting the events of the meeting. There is no requirement that tape recordings be made by the public board at each public meeting. However, once made, such recordings are public records.

F. WHAT ARE THE CONSEQUENCES IF A PUBLIC BOARD FAILS TO COMPLY WITH THE SUNSHINE LAW?

CIVIL PENALTIES

Any board member who violates the Sunshine Law is guilty of a noncriminal infraction punishable by a fine not exceeding \$500.

CRIMINAL PENALTIES

Any board member who *knowingly* violates the Sunshine Law is guilty of a second degree misdemeanor punishable by a term of imprisonment not to exceed 60 days and/or a fine up to \$500. Conduct occurring outside the state which constitutes a knowing violation of the Sunshine Law is also a second degree misdemeanor, with such violations being prosecuted in the county in which the board normally conducts its official business. The governor may suspend a public official who has been charged with a misdemeanor arising out of his or her official duties, and may remove a public official who has been convicted of a misdemeanor arising out of his or her official duties.

ATTORNEY'S FEES

If a court finds that a Sunshine Law violation has occurred, the court must assess reasonable attorney's fees against the public board. Reasonable attorney's fees must also be assessed for the appeal if a public board files for and loses an appeal. Reasonable attorney's fees may be assessed against the individual members of the board unless the board sought, and followed, the legal advice of its attorney. Whenever a board member is charged with a violation and is subsequently acquitted, the board is authorized to reimburse the member for any portion of his or her reasonable attorney's fees. If the court finds that an action to enforce the Sunshine Law was filed in bad faith or was frivolous, reasonable attorney's fees may be assessed against the individual filing the action.

VALIDITY OF ACTION TAKEN IN VIOLATION OF THE SUNSHINE LAW AND SUBSEQUENT CORRECTIVE ACTION

Official action of a public board made in violation of the Sunshine Law is voidable. To void official action, a judgment finding a violation of the Sunshine Law must be entered by a court. An initial violation may be cured by corrective open, public vote which follows violation; however, mere perfunctory ratification after the violation may be insufficient to cure the violation.

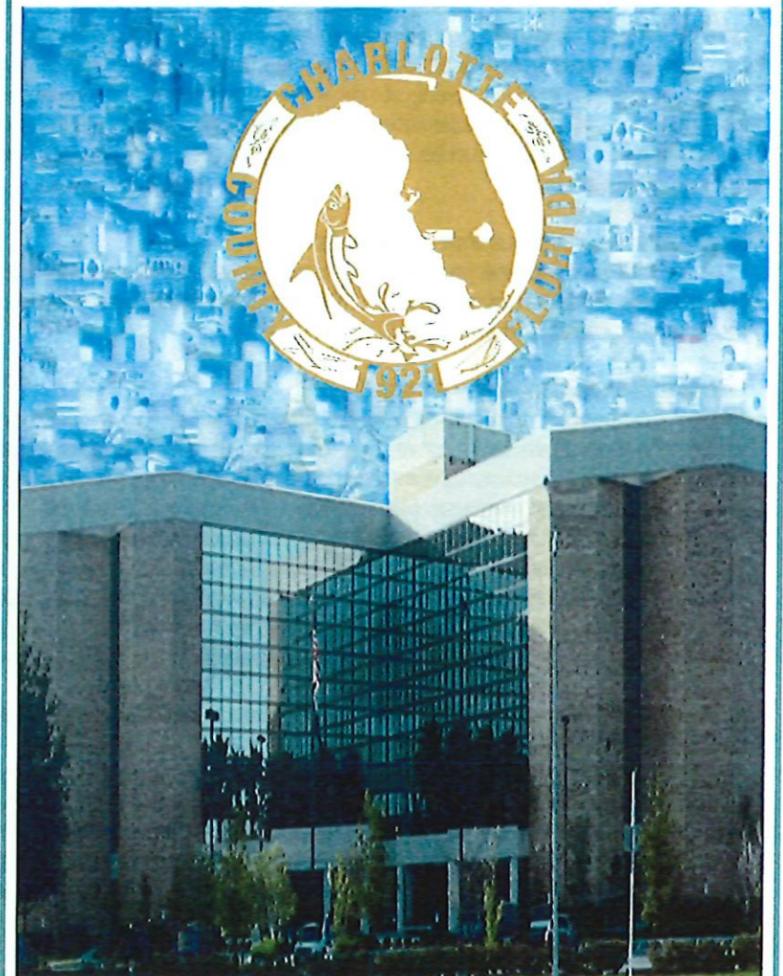
This pamphlet is for informational purposes only and is not all-encompassing of the Government- In-The-Sunshine Law in its entirety. To view the complete manual, go online at:
[www.http://myfloridalegal.com/sun.nsf/manual](http://myfloridalegal.com/sun.nsf/manual)
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CHARLOTTE COUNTY ATTORNEY'S OFFICE
JANETTE S. KNOWLTON, COUNTY ATTORNEY

MISSION

To provide efficient, effective legal representation to the Board of County Commissioners, its agencies, advisory boards and staff based on the preventative law model.



Government in the Sunshine

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