



**BUILDING INDUSTRY OVERSIGHT COMMITTEE**  
**Community Development / Public Works Building**  
**1500 Monroe Street**  
**First Floor Conf. Room 1B**

**THURSDAY, FEBRUARY 13, 2020**  
**8:30 A.M.**

**AGENDA**

1. Call to Order/Review of Affidavit of Posting
2. Approval of Minutes – October 10, 2019
3. Revenue/Expense Reports
4. On-going DCD Operations Reviews
5. Fee Study
6. Fund Balance Report
7. Adjournment – Next Meeting Date: April 9, 2020

To view a copy of the agenda, go to [www.leegov.com/dcd/calendar](http://www.leegov.com/dcd/calendar).

For more information, contact Debbie Carpenter, (239) 533-8345 or [DCarpenter@leegov.com](mailto:DCarpenter@leegov.com).

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**MINUTES REPORT**  
**BUILDING INDUSTRY OVERSIGHT COMMITTEE (BIOC)**  
**THURSDAY, October 10, 2019**

**Committee Members Present**

Bob Knight  
Steve Wojcechowskyj  
Steve Gabor  
Bobby Lyons

**Committee Members Absent**

Matthew Johnson

**Lee County Government Representatives**

David Loveland, Director, DCD  
Shawn McNulty, Building Official  
Antia Richards, Planning Section  
Jessica Leatherman, Regulatory Review Chief  
Debbie Carpenter, DCD Administrative Services, Recorder  
Jennifer Harden, Permitting Chief  
Glen Salyer, Assistant County Manager

**Members of the Public**

Dan Beiter, Lee BIA  
Phillip Ford, Exec. Vice President, BIA

**Call to Order/Affidavit**

Mr. Steve Gabor called the meeting to order at 8:35 a.m. Debbie Carpenter, recording secretary, said the County Attorney's office advised that the Affidavit of Posting was sufficient as to form and content and the meeting could proceed.

**Approval of Minutes**

**Mr. Bob Knight made a motion to approve the August 8, 2019 minutes. Mr. Steve Wojcechowskyj seconded. Called and carried.**

**Revenue and Expense Reports**

Mr. David Loveland referred to the Expenditure spreadsheet that was provided as requested at the August meeting. It showed total expenses through the end of the fiscal year at slightly under budget at 91% or just over \$9.2M. He said it may be another month or so before the figures are final due to a payroll carryover and the fact that the County is not yet fully connected to the Clerk's office as a result of the recent cyberattack. The fund balance is holding steady at \$12.9M, almost the same as it was in August.

**Fund Balance Report/Reserve Policy**

Mr. Loveland referred to a PowerPoint which looked at the current fund balance and summarized the House Bill 447 requirements and the provision which allows an advisory committee, such as the BIOC, to authorize a fund balance larger than the 4 year operating budget average required by statute. The committee's motion in August was to limit the fund to the 4-year operating average. The report listed the last 4 years' actual expenditures which averaged almost \$7.6M, but which clearly showed increases each year culminating with this year's expenses of \$9.5M. FY19/20 expenditures are projected at \$10.2M. Mr. Loveland said the budget has been increasing since 2015 - 24 positions added, department has been utilizing consultants, paying overtime and more competitive salaries, filling vacancies. He referred to the City of Fort Myers' fund balance target of 15 months,



and suggested that if the County's window was extended out to 18 months, the current fund balance would be right on target. As noted at the August meeting, Development Review, Zoning and Permitting have been undergoing in-depth performance reviews which is looking at all of the application review processes and what it costs to perform those services. As a result, there could be recommendations for procedural, organizational or structural changes. There is also the potential to add technology to make things more efficient, such as a queuing system for the lobby, a more attractive electronic plan review option, and the addition of other software modules for Accela. Theoretically fees are supposed to cover the cost of providing services, but although we have looked at other jurisdictions and our fees are competitive, we have not looked at actual costs in a long time so we will be doing a fee study as well. All of these things could impact the fund balance. The performance reviews should be completed and recommendations made within the next month. The fee study will require more time for collecting data but staff expected to have some of that information by year end.

Mr. Gabor stated that the Industry is looking for something to be done now. He pointed out the current fund balance is almost \$13M, is \$3M over next year's operating budget, and traditionally has been increasing by \$1M each year. He suggested reducing fees to get the fund balance down. There was a discussion about reserves and revenues, with staff saying that projections for next year is that revenue will fall. Mr. Knight said he was all right with waiting on more information but that we need to set the goal at that 4 year average and work toward it and then review and adjust as necessary going forward. He said the intent of the bill was to hold counties accountable for its spending, keep things from getting bad like before, yet maintain adequate levels of service. Staff wants to be sure there is an objective basis on which to base a reduction of fees, rather than a quick across the board cut that needs to be adjusted again in 6 months' time, but it will take some time to gather that information. The County understands the industry's concerns and has no wish to see the reserves continue to grow, but is expecting a leveling off where the gap between the reserves and the operating budget gets smaller. More discussion followed. The Committee asked when the results of the fee study would be available; staff hoped to have some preliminary data by the December meeting.

#### **County Computer Issues**

Mr. Salyer talked about the recent cyberattack. As a result of that, the County is looking at more ways to protect itself, such as segregation of systems in order to keep various programs, like Accela, protected and up and running during an attack. He said that during any given 3 hour period approximately 9000 spam messages come in, a large part of those are phishing and 4 are serious probing attacks. There was a brief discussion about working "in the cloud"; there are benefits but there are pitfalls as well.

#### **Adjournment**

There was no further discussion and no new business. Mr. Gabor adjourned the meeting at 9:10 a.m.

The next meeting was tentatively scheduled for December 12, 2019.