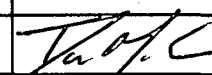


MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	Fee Removal	TYPE AGENDA ITEM	Consent
DATE REQUESTED	January 12, 2010	DATE SUBMITTED/REVISED	December 28, 2009
BRIEFINGS? Who?	None	CONSEQUENCES IF DEFERRED	Debt will continue on record
DEPARTMENT/DIVISION	Building Department/Permitting	AUTHORIZED BY TITLE	Cindi Blake, Permitting Services Division Manager
CONTACT PERSON TELEPHONE/EXTENSION	Cindi Blake ext 3802	PRESENTER/TITLE TELEPHONE/EXTENSION	Cindi Blake, Permitting Services Division Manager
ADMINISTRATIVE APPROVAL			

ACTION DESIRED
INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED

Authorization of the Building Department to write off fees of deceased contractor totaling \$425.00.

ENABLING/REGULATING AUTHORITY
Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy

Florida State Statute 17.041 requires Board of County commissioner approval of bad debt write off.

BACKGROUND/DISCUSSION

As of December 21, 2009 - 17 outstanding permits for Michael Ward, who is now deceased, remain with fees due in the amount of \$425.00. The Building Department followed established procedures in attempting to collect the outstanding fees.

COUNTY ATTORNEY REVIEW		APPROVED IN OPEN SESSION
Check appropriate box		JAN 12 2010
<input type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: _____)	BOARD OF COUNTY COMMISSIONERS MANATEE COUNTY, FLORIDA
<input checked="" type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)	
<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)	
<input type="checkbox"/>	OTHER	

ATTACHMENTS: (List in order as attached)	INSTRUCTIONS TO BOARD RECORDS:		
1. Memo requesting fee removal 2. List of outstanding permits 3. Minutes from 01/23/08 construction Trades Board Meeting 4. Copy of letter from Michael Ward's widow 5. Copy of Michal Ward's Obituary.	Please provide approved copy to the Building Department <i>Emailed Cindi Blake 1/13/2010 (W)</i>		
COST: \$425.00	SOURCE (ACCT # & NAME):		147.0006005.552000 Building Operating
COMMENTS: None	AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)		None

MEMORANDUM



Building Department
1112 Manatee Ave. W., 2nd Floor
P. O. Box 1000
Bradenton, FL 34206

MANATEE COUNTY
FLORIDA

Phone: 941-749-3047
Fax: 941-749-3098
www.mymanatee.org

To: John Barnott
From: Cindi Blake
Date: December 21, 2009
Subject: Fee removal – Michael Ward

In a Construction Trades Board Meeting held on January 23, 2008 on Michael Ward (now deceased) it was stated that Manatee County Building Department would send out letters to homeowners making them aware that there was an open permit against their property and listed the permit number, contractor and fee amount. This was done on February 26, 2008.

As of today, there remain 17 open permits with outstanding re-inspections fees which I have attached.

Our only two options in closing this case is to have the Board of County Commissioners waive the fees or send the open permits to Code Enforcement.

Please let me know how you want to proceed to close Case 070332.

attachments: List of Permits w/outstanding cost
Minutes from CTB Meeting on 1/23/2008

<u>PERMIT_NO</u>	<u>APPLY_DATE</u> <u>STAT</u>	<u>PERMIT_TYP</u>	<u>FEE_AMT</u>	<u>PD_TO_DATE</u> <u>GC_ID</u>
00010174				
00010174	1/7/2000 O	ALUM6	75.00	75.00 RX0053247
00010174	1/7/2000 O	ALUM6	4.32	4.32 RX0053247
00010174	1/7/2000 O	ALUM6	75.00	75.00 RX0053247
00010174	1/7/2000 O	ALUM6	25.00	0.00 RX0053247
	1			
00040184				
00040184	4/5/2000 O	ALUM4	50.00	50.00 RX0053247
00040184	4/5/2000 O	ALUM4	25.00	0.00 RX0053247
	1			
00110303				
00110303	11/7/2000 O	ALUM4	50.00	50.00 RX0053247
00110303	11/7/2000 O	ALUM4	25.00	0.00 RX0053247
	1			
00120461				
00120461	12/12/2000 O	ALUM4	50.00	50.00 RX0053247
00120461	12/12/2000 O	ALUM4	25.00	0.00 RX0053247
	1			
00120984				
00120984	12/27/2000 O	ALUM4	50.00	50.00 RX0053247
00120984	12/27/2000 O	ALUM4	25.00	0.00 RX0053247
	1			
01011062				
01011062	1/25/2001 O	ALUM4	50.00	50.00 RX0053247
01011062	1/25/2001 O	ALUM4	25.00	25.00 RX0053247
	1			
01051548				
01051548	5/30/2001 O	ALUM6	25.00	25.00 RX0053247
01051548	5/30/2001 O	ALUM6	50.00	50.00 RX0053247
01051548	5/30/2001 O	ALUM6	4.56	4.56 RX0053247
01051548	5/30/2001 O	ALUM6	25.00	0.00 RX0053247
	1			
01071393				
01071393	7/30/2001 O	ALUM4	50.00	50.00 RX0053247
01071393	7/30/2001 O	ALUM4	25.00	0.00 RX0053247
	1			
02010443				
02010443	1/11/2002 O	ALUM4	50.00	50.00 RX0053247
02010443	1/11/2002 O	ALUM4	25.00	0.00 RX0053247
	1			
02010444				

02010444	1/11/2002 O	ALUM4	50.00	50.00	RX0053247
02010444	1/11/2002 O	ALUM4	25.00	0.00	RX0053247
02060683					
02060683	6/14/2002 O	ALUM4	50.00	50.00	RX0053247
02060683	6/14/2002 O	ALUM4	25.00	0.00	RX0053247
02080807					
02080807	8/20/2002 O	ALUM4	50.00	50.00	RX0053247
02080807	8/20/2002 O	ALUM4	25.00	0.00	RX0053247
03080973					
03080973	8/19/2003 O	ALUM4	50.00	50.00	RX0053247
03080973	8/19/2003 O	ALUM4	30.00	0.00	RX0053247
03120376					
03120376	12/5/2003 O	ALUM4	30.00	30.00	RX0053247
03120376	12/5/2003 O	ALUM4	60.00	60.00	RX0053247
03120376	12/5/2003 O	ALUM4	30.00	0.00	RX0053247
03120376	12/5/2003 O	ALUM4	2.20	2.20	RX0053247
03120377					
03120377	12/5/2003 O	ALUM4	60.00	60.00	RX0053247
03120377	12/5/2003 O	ALUM4	60.00	0.00	RX0053247
04010799					
04010799	1/20/2004 O	ALUM4	60.00	60.00	RX0053247
04010799	1/20/2004 O	ALUM4	30.00	0.00	RX0053247
04020385					
04020385	2/6/2004 O	ALUM6	90.00	90.00	RX0053247
04020385	2/6/2004 O	ALUM6	2.58	2.58	RX0053247
			1,538.66	1,113.66	

425.00 Unpaid balance

LEO MAKA - JOURNEYMAN ELECTRICAL

Request: Permission to take the Journeyman Electrical examination for Manatee County.

Ms. Kersey stated the applicant has provided the necessary verification of experience. She recommended approval of the request.

Leo Maka, applicant, explained he had failed the test twice previously and wishes to try again.

Pursuant to the provisions of Manatee County Ordinances 96-05 and 96-20, and the evidence and testimony presented at the hearing, Ms. Adams moved that Leo Maka be granted permission to take the Journeyman Electrical examination; and the CTB adopt, as findings of fact, the statements contained in the staff summary report of the Building Official. The motion was seconded by Ms. Liegghio and carried 8 to 0. CT20080123DOC010

DISCIPLINARY HEARINGS

Mr. Hartsfield was present but did not participate in the Disciplinary Hearings due to employment with Manatee County during the time these permits were issued.

**MICHAEL WARD dba MICHAEL WARD
(LICENSE RX0053247) CASE 070332**

Complaint by the Building Official for violations of Manatee County Land Development Code, Section 513.1; Manatee County Code of Ordinances, Sections 2-6-75(a), 2-6-75(b), 2-6-37(a)(4), 2-6-37(a)(8), 2-6-37(a)(12), and 2-6-37(a)(16); Florida Statutes, Sections 489.129(1)(j) and 489.129(1)(o); Sections 104.5, 105.7, and 106.2 of the Standard Building Code, 1997 Edition, adopted by Ordinance 98-04; and Sections 105.7 and 106.2 of the 2001 Florida Building Code.

Mr. Devenport reported Mr. Ward was a Specialty Contractor, registered with the State, in violation of the following thirty-seven (37) open permits:

• 00010174	00040184	00110303	00110755	00120460	00120461
00120984	01011062	01020470	01031537	01051548	01071393
01091172	02010443	02010444	02021605	02021620	02021654
02022313	02060683	02060688	02080807	02080809	02100050
02110053	02110055	02121027	03080973	03091365	03100390
03110608	03120376	03120377	04010799	04020385	04050753
99100113					

Mr. Ward passed away on November 10, 2007. Of the 37 open permits, only two are construction related. One is for a pool cage with improper grounding where the owner will need a qualified person to resolve that issue, and the other is for a six-foot-high fence that has not been inspected. The other 35 permits have outstanding fees totaling \$974. Staff suggested contacting the owners of the residences of the two open permits to have the construction defects corrected to close the permits, and to present the outstanding fee issue to the Board of County Commissioners to be absolved and not held against the estate.

Ms. Sikora suggested referral of the fees to the County Attorney's office, to determine possible filing against the estate before referring the issue to the Board of County Commissioners.

Discussion: Set precedent; two homeowners responsible for costs to close permits; violation remains with the property; etc.

Motion was made by Mr. Hannel to refer the case to the County Attorney's office to pursue collection options for the 35 outstanding permits where only fees are due, and to instruct staff to contact the owners of the two open construction permits for closure. The motion was seconded by Mr. Ritzenhaller, and carried 6 to 1, with Ms. Adams voting nay. CT20080123DOC011

**KENNEY MCHENRY dba COOL BREEZE HEATING & COOLING
(LICENSE CAC058121) CASE 070803**

Complaint by the Building Official for violations of Manatee County Land Development Code, Section 513.1; Manatee County Code of Ordinances, Sections 2-6-75(a), 2-6-75(b), and 2-6-37(b)(2); Florida Statutes, Sections 489.129(1)(j) and 489.129(1)(o); and Sections 105.7 and 106.2 of the 2001 Florida Building Code.

Mr. Devenport reported Mr. McHenry is a Certified Air Conditioning Contractor, registered with the State, in violation of the following twenty-seven (27) open permits:

• 01060267	02041031	02080389	03031457	03041325	03060294
03071594	03100129	03110376	04010852	04040755	04040977
04041226	04080838	02040168	02080268	03010725	03050850
03060227	03061061	03080352	03100903	03120081	04021364
04040783	04040978	04051499			

Mr. McHenry was not present at the hearing.

Ms. Kersey verified all twenty-seven permits remain open with \$25 due in outstanding fees.

Discussion: Contractor was notified; company still in operation; etc.

CERT MAIL #

7007 1490 0002 8232 4502

November 27, 2007

Manatee County Government Bldg Dept.
Attn: George Devenport
1112 Manatee Avenue West, Suite #200
Bradenton, FL 34205

MANATEE COUNTY GOVT

NOV 30 2006

RECEIVED


RE: Case #070332 – Michael R. Ward, RX0053247

Mr. Devenport,

I regret to inform you that Michael Ward, License #RX0053247, will be unable to attend the 12/12/07 meeting before the Licensing Board. Due to the fact that Mr. Ward died on 11/10/07, and had closed his business in early 2006 prior to his death due to his declining health. His death is recorded as part of public record in Sarasota County.

Sincerely,

Mrs. Ward, widow

 [View/Sign Guestbook](#)

MICHAEL ROBERT "FLORIDA MIKE" WARD



Ward, Michael Robert
July 20, 1958 - Nov. 10, 2007

Michael Robert "Florida Mike" Ward, 49, Nokomis, died Nov. 10, 2007. A memorial gathering will be at 2 p.m. Saturday at the family's residence. Arrangements by Farley Funeral Home, Venice Chapel.

Survivors include his wife of 22 years, Lori; sons Jason of Port Charlotte, Michael Ball of North Dakota and Cody Shivley of Francisville, Ind.; daughters Catherine and Cierra, both of Nokomis; brothers Richard of Fernandina Beach and Carl of Fairview, N.C.; sisters Cynthia Abbott of Sarasota and Sheila Sheckells of North Port; his mother, Hilda Ward of North Port; and

two grandchildren, Riley and Ayva Ward, both of Port Charlotte. He was preceded in death last year by his father, Howard Ward.

He was born in Alexandria Bay, N.Y., on July 20, 1958. Mike had been a lifelong resident of Sarasota County, having attended Osprey Elementary and graduated from Riverview High School in 1976. He was a proud member of the Sons of Silence Motorcycle Club and was a loving husband and father. He was a Methodist. In lieu of flowers, memorial donations may be made at any branch of Wachovia Bank. To send condolences, visit www.farleyfuneralhome.com.

Published in the Herald Tribune on 11/14/2007.

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