

BOARD OF COUNTY COMMISSIONERS

NOVEMBER 16, 2010

COMMISSIONER'S COMMENTS

(No Backup Documentation)

PORT MANATEE WORK SESSION

EPA NUTRIENT LEVELS

CORTEZ VILLAGE COYOTES

SEXUAL ORIENTED BUSINESSES

G.T. BRAY TREE PAINTING

FORT HAMER ROWING FACILITY

CHRISTMAS POINSETTIAS

AUTHORS LUNCHEON

WATER SHORTAGE

W.G. MILLS

PORT MARKETING REPRESENTATIVE

PILL MILLS (see attachment)

CAKE BUSINESS (see attachment)

BUSINESS ADVERTISEMENTS

ABANDONED BARGE

PALM AIRE CELL TOWER (see attachment)

CRA BOUNDARIES

JEWFISH KEY

*Pat
Dinnice*

Chat (23)

Carol Whitmore
Edit My Profile

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Application Requests

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(no subject)

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Between You and Jan Spring

November 15 at 8:32pm Report

Thank you for your call today. We have a mutual friend, Pat (I didn't know until I told her you called). THANK YOU for all your work to help. My son was just a kid. A friend had an older brother who was an addict, visiting a pill mill & had hundreds of pills in the house. Didn't notice when his younger brother skimmed some pills to pass out at school (LWRH). This was almost 3 yrs ago, my son didn't know, he was told they wouldn't hurt him as they were 'prescription'. We didn't know, he lost his life. I don't know how to live without him, and I sure don't want it to happen to any one else. Thank you again.

Reply:

Attach: Reply

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Some "diet" foods can actually increase stomach fat. Learn to avoid these hidden junk foods. The Diet Solution Program.

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Cew
Pine Mace
11/15/10

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The Cake Zone

If You Can Dream It, We Can Make It!

Welcome to **The Cake Zone** where whimsy and fantasy collide in a dramatic explosion of color and cake artistry. If you can dream it we can make it. From traditional tiers to fabulous themed towers, anything goes and everything is possible. The Cake Zone specializes in one of a kind, custom-made cakes for all types of wonderful occasions.

Don't be surprised if you become instantly inspired to order a completely untraditional cake! Many of our clients are simply amazed at just how realistic our cakes look when completed. In fact, they are so realistic one of our customers reported that a cake designed to look like a houseplant was accidentally watered by the housekeeper.

Sorry about that, but we just can't help ourselves!

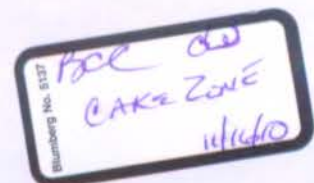
To View slideshow of our recent work, please [click here](#). To check our availability, please [click here](#).

Call us with any questions 941-799-CAKE (2253)

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MEMORANDUM



Planning Department
1112 Manatee Avenue West
Bradenton, FL 34205

Phone: 941.749.3070
Fax: 941.708.6156
www.myanatee.org

MANATEE COUNTY FLORIDA

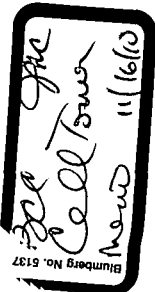
To: Board of County Commissioners
Thru: Ed Hunzeker, County Administrator
From: John Osborne, AICP, Director, Planning Department
Date: November 15, 2010
Subject: Palm Aire Cell Tower Application

We have received numerous emails with concerns about the review process for the Palm Aire Cell Tower Land Development Application. The concerns regarding this case have been primarily on three issues: 1) determination of completeness of the application; 2) development of a staff recommendation to the Hearing Officer; and 3) addressing citizen technical questions during staff review.

- 1) Completeness review is the responsibility of the County, not the applicant or the citizens. It is up to staff to determine if there is adequate information to complete the review of the project consistent with the Land Development Code.

Consistent with the Code, the applicant was notified on multiple occasions via letter that the application was incomplete. Staff did make a mistake and advise the citizens that the application was complete at one point, but corrected that in a meeting with the citizens. On October 29, 2010, the application was deemed complete by County staff. For clarification, at any time in the application process an applicant can request to move forward to public hearing--threats of lawsuit or not. They would likely not have a positive staff recommendation being "incomplete", but they can move forward to hearing at their own risk.

- 2) A Land Development Application goes through many phases of review and the finalization of the staff report provides the information in a cohesive and understandable format for the applicant, hearing officer and citizens. Our goal is to provide a transparent review process, as citizens have access to all public records and correspondence as requested. Citizens have requested a copy of an early draft staff report which has been provided. That report is subject to change as it goes through managerial and legal review.
- 3) There were concerns about staff not responding to technical questions from citizens. Staff's responsibility is to review the land development application and provide, in this case to the Hearing Officer, a professional recommendation. This recommendation



may be different than the applicant and citizens, etc. However, all parties, including citizens, are provided an opportunity to present their case to the Hearing Officer. Citizens can certainly provide staff with comments prior to the hearing. However, it is not appropriate for staff to debate the completeness review, staff report responses or their creation with citizens. This could be looked upon by a future judge in a lawsuit as showing prejudice. This is why there is a public hearing to have the debate on the project in the Sunshine. In terms of staff recommendation, this is not finally determined until there is managerial and County Attorney review.

This case will come before the Hearing Officer in the Board Chambers at the County Administration Building in Downtown Bradenton on December 15 at 9 a.m. Again, the County Attorney has advised that as this case is a quasi-judicial matter, discussion of the merits of an application with County staff and interested parties should take place in the public hearing, through the offering of sworn testimony in the Sunshine. The application's merits should not be debated outside the public hearing process.

The employees of Manatee County are committed to a fair development review process. Copies of the final staff report will be sent to interested parties once the review is complete. I trust this satisfies the concerns of the citizens. Thank you.



To: Chuck Listowski (wcind@comcast.net) <wcind@comcast.net>
Cc:
Bcc:
Subject: Fw: Emergency Dredging proposal for Jewfish Key segment of the Intercoastal Waterway

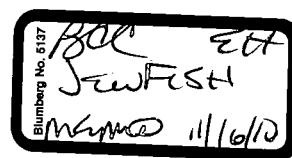
Here is the contact reference for the contractor working the Coral Shores project: Custom Built Marine Construction 772-288-4254. As mentioned, we would not object to you working an agreement with this contractor to arrange for the emergency dredging work to remove a sandbar impediment of approximately 30,000 cubic yards (or less, depending upon funding availability) inside the West Coast Inland Waterway at cut M-5 near Jewfish Key. The contractor would utilize the commercial dockage at the County owned facility at Longboat pass for the WCIND project , where he is currently mobilized to complete the Coral Shores project.

We recognize the emergency nature of this work would require the contractor to temporarily discontinue working the Coral Shores project to take no more than approximately 45 days to complete the WCIND emergency work, and then return back to working the Coral Shores project. You have indicated a desire to start this work no later than January 1, 2011 and complete the work to later than February 15 , 2011. In the event the Coral Shores contractor is unable to satisfactorily reach an agreement with you, you will utilize another contractor , working from a dockage site in the Village of Cortez to complete the dredging within the time specified. Final disposal of the emergency dredged material will take place on Palma Sola Causeway, in conjunction with a cooperative project arranged through the Keep Manatee Beautiful organization.

Need to reach me outside of e-mail?

Charlie Hunsicker, Director
Natural Resources Department
Manatee County Government
Mailing Address: P.O. Box 1000, Bradenton, FL 34206
Office Street Address: 415 10th Street West, Bradenton, FL 34205
Office Phone: 941.745.3727 Cell Phone: 941.737.4765 Fax: 941.741.3227

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Passage Key Inlet

Tampa Bay

N

Gulf Of Mexico

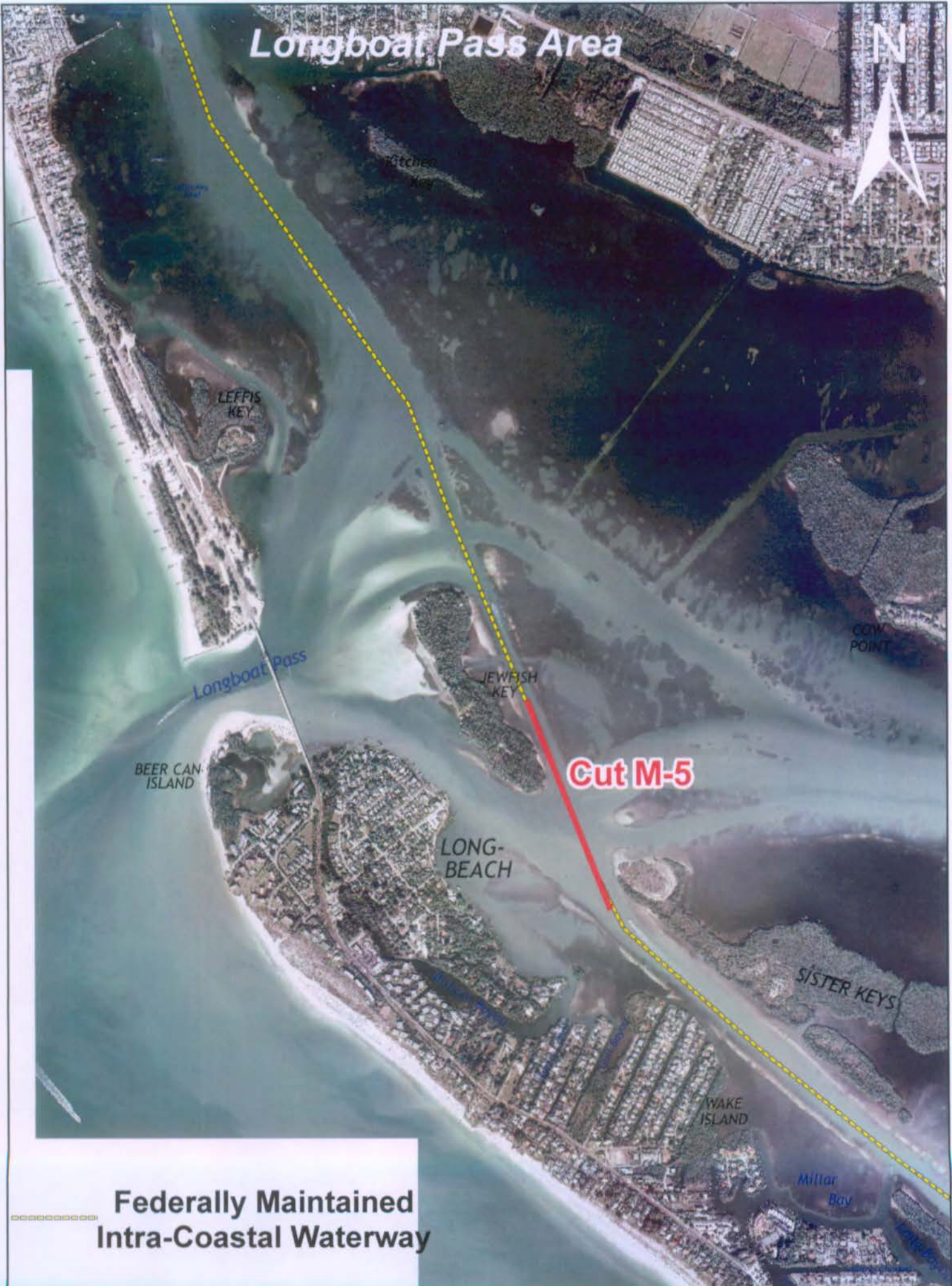
Palma Sola Bay

Cut M-5

Federally Maintained
Intra-Coastal Waterway

Gulf of Mexico

Longboat Pass Area



**Federally Maintained
Intra-Coastal Waterway**