

February 2, 2017 - Land Use Meeting
Agenda Item #9

Subject

Planning Commission member request for waiver of conflict of interest

Briefings

Briefing Provided Upon Request

Contact and/or Presenter Information

Sarah A. Schenk, Assistant County Attorney, Ext. 3750
Jo Ann Grace, Legal Assistant, Ext. 3750

APPROVED in Open Session
February 2, 2017
Manatee County Board of County
Commissioners

Action Requested

Motion to approve a waiver of conflict of interest for Planning Commission member William E. Conerly as requested in the attached letter from Mr. Conerly dated January 18, 2017, pursuant to the authorization contained in Section 112.313(12), Florida Statutes*

* A vote to approve the waiver requires a two-thirds vote of the Board (5 votes)

Enabling/Regulating Authority

Sections 125.01 and 112.313(12), Florida Statutes.

Background Discussion

- Planning Commission member William E. Conerly is currently employed with Kimley-Horn and Associates, Inc. ("Kimley-Horn").
- There are three current contracts between Manatee County and Kimley-Horn as detailed in the attached letter dated January 18, 2017, from Mr. Conerly.
- Section 112.313(7), Florida Statutes, prohibits a Planning Commissioner from having an employment relationship with a business entity that is doing business with Manatee County.
- William E. Conerly seeks to continue public service as a member of the Planning Commission as described in the letter dated January 18, 2017.
- The Board of County Commissioners may waive the conflict by a two-thirds majority vote if it deems appropriate to do so upon receiving a full disclosure of the transaction or relationship.
- On December 20, 2016, under Matter No. 2016-0858, the County Attorney opined on this matter. A copy of that memorandum is also attached.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

This is a County Attorney item.

Reviewing Attorney
Schenk

Instructions to Board Records
Please return a fully approved electronic copy of this agenda item and supporting documents to:
joann.grace@mymanatee.org.

Cost and Funds Source Account Number and Name
N/A

Amount and Frequency of Recurring Costs
N/A

Attachment: [Conerly Waiver Request Ltr.pdf](#)

Attachment: [CAO Memorandum.pdf](#)

Attachment: [Proof of Publication.pdf](#)

January 18, 2017

Chairman Betsy Benac
Manatee County Board of County Commissioners
1112 Manatee Avenue West
Bradenton, FL 34205

**RE: Request to Waive Conflict of Interest for Planning Commissioner William E. Conerly
CAO Matter No. 2016-0858**

Dear Chairman Benac:

As a result of the Memorandum from the Office of the County Attorney, CAO Matter No. 2016-0858, dated December 20, 2016 (attached), I am requesting that the Board of County Commissioners ("BOCC") waive the conflict of interest pursuant to the exemption contained in Section 112.313(12), F.S.

The conflict of interest exists as a result of my employer, Kimley-Horn and Associates, Inc. ("Kimley-Horn") being contracted for a work assignment through a competitive process (Request for Proposal) and subsequent negotiation to provide services to the Board of County Commissioners, which is my "Agency", per Section 112.313(3), F.S.

State Statute allows the conflict of interest to be waived by a two-thirds vote of the BOCC, upon full disclosure of the transaction or relationship.

I have contact the Manatee County Purchasing Division for a list of current contracts between Kimley-Horn and Manatee County and they are as follows:

12-0588BG	Utility & Architectural Engineering Services
15-1613FL	Professional Planning Services
16-0078FL	Parks and Recreation Open Space Master Plan

In addition to the disclosure of the relationship with and between Kimley-Horn and Manatee County, I would make it extremely clear that I have never acted in a private capacity, I have never attempted to influence or persuade my Agency or personnel for the benefit of Kimley-Horn nor have I ever participated in the preparation of a work assignment, contract or solicitation of work assignment while in the employ of Kimley-Horn.

In fact, Kimley-Horn has a strict confidentiality / nondisclosure policy to compartmentalize information and to protect the interest of our clients, in this case Manatee County. This is why I did not realize Kimley-Horn was contracted with Manatee County to propose amendments to the Comprehensive Plan regarding airport zoning standards and to provide map files to the County's online mapping tools for airports until it was scheduled for presentation to the Planning Commission. Once I was made aware, I contacted the County Attorney's Office and recused myself from the public hearing for this particular matter.

I take my civic and professional obligations very seriously. I have been extremely diligent to ensure that my conduct as a Public Officer of Manatee County has been impeccable. In 2014, at my own expense, I attend the Florida Planning Officials Training Program in Jacksonville. I have participated in the Manatee County Government Law Seminar multiple times and attend the Sarasota Bar Association Training on Ethics.

I have served as a volunteer for over 14 years on various County boards and committees. My service on the Planning Commission is a continuation of that spirit of service to Manatee County. I think my education and experiences as a licensed engineer give me a perspective that is beneficial to the County in many of the matters that come before the Planning Commission. Should the Board find my continued service as a Planning Commissioner valuable, I would very much like to remain on the commission.

I appreciate your attention to this matter and respectfully request that the conflict of interest be waived as is allowed by State Statute. Should you have any further questions or require additional information, please contact me (941) 730-0361, or by email at bill.conerly@gmail.com.

Sincerely,



William E. Conerly, P.E.

Enclosures



OFFICE OF THE COUNTY ATTORNEY

MITCHELL O. PALMER, COUNTY ATTORNEY*
William E. Clague, Assistant County Attorney
Sarah A. Schenk, Assistant County Attorney**
Christopher M. De Carlo, Assistant County Attorney
Geoffrey K. Nichols, Assistant County Attorney
Pamela J. D'Agostino, Assistant County Attorney
Anne M. Morris, Assistant County Attorney
Katharine M. Zamboni, Assistant County Attorney

MEMORANDUM

DATE: December 20, 2016

TO: Board of County Commissioners

THROUGH: Mitchell O. Palmer, County Attorney *MOP 12/21/16*

FROM: Sarah A. Schenk, Assistant County Attorney *12/20/16*
Katharine M. Zamboni, Assistant County Attorney *KMZ*

RE: **Planning Commissioner Conflict of Interest
Request for Legal Services; CAO Matter No. 2016-0858**

ISSUES PRESENTED:

- (1) Does a prohibited conflict of interest exist where a Manatee County Planning Commissioner is employed as an engineer by a private consulting firm that is under contract with Manatee County to prepare airport zoning standards as amendments to the Comprehensive Plan and the Land Development Code?
- (2) If a prohibited conflict of interest exists, is it a conflict that can be waived?

BRIEF ANSWERS:

- (1) Yes, Section 112.313(7), Florida Statutes (F.S.), prohibits a Planning Commissioner from having an employment relationship with a business entity that is doing business with Manatee County.
- (2) Yes, pursuant to Section 112.313(12), F.S., the Board of County Commissioners may waive the conflict by a two-thirds majority vote, if it deems appropriate to do so.

RECOMMENDATION:

In order to avoid a conflict of interest prohibited by Section 112.313(7), F.S., this Office recommends that the Planning Commissioner make a full disclosure of his employment

* Board Certified in Construction Law

** Board Certified in City, County, & Local Government Law

relationship in a public hearing before the Board of County Commissioners. If the Board wishes to retain the individual as a Planning Commissioner, the Board should vote on whether to waive the conflict pursuant to the exemption contained in Section 112.313(12), F.S.

FACTUAL BACKGROUND:

The Manatee County Land Development Code (LDC) empowers the Planning Commission to act as a Local Planning Agency under Section 163.3174, F.S., and to make recommendations to the Board of County Commissioners on items including amendments to the text of the LDC and the Comprehensive Plan, and to coordinate planning efforts pursuant to the Comprehensive Plan, among other duties.

William Conerly has served as a member of the Manatee County Planning Commission since 2011 and currently serves as the Chair. He is also employed as an engineer with Kimley-Horn and Associates, Inc. (hereinafter "Kimley-Horn"). Kimley-Horn is a private design consulting firm. Prior to accepting the appointment to the Planning Commission, Mr. Conerly obtained a legal opinion from this Office, advising that his employment with Kimley-Horn does not create a per se ethical violation as long as the firm does not pursue business with developers coming before the Planning Commission. The legal opinion advised Mr. Conerly that case-specific conflicts may be required to be disclosed and that he may need to abstain from voting on those matters. The opinion did not address a scenario in which the firm contracts with the County for work.

In 2015, the County issued a Request for Proposal for Professional Planning Services and an Intent to Negotiate with three local firms, including Kimley-Horn. The three selected firms were identified as qualified to provide consulting services to the County. The County would generate work assignments to be negotiated with the selected firms as needed for specific assignments. In January 2016, the County generated a work assignment for Kimley-Horn to propose amendments to the Comprehensive Plan regarding airport zoning standards and to provide map files for the County's online mapping tool for airports. As a selected firm, Kimley-Horn may be issued other work assignments to perform work on behalf of the County. On December 8, 2016, the Planning Commission considered proposed text amendments prepared by Kimley-Horn on behalf of the County. Assistant County Attorney Schenk advised Mr. Conerly to disclose his conflict, refrain from participating in the discussion on the agenda item, and abstain from voting on the matter, in compliance with the requirements of Section 112.3143(3)(a), F.S., on voting conflicts.

DISCUSSION:

Part III of Chapter 112, F.S., is the State's Standards of Conduct for Public Officers and Employees. It is also referred to as the Code of Ethics for Public Officers and Employees. The two conflict of interest provisions relevant to Mr. Conerly's situation are contained in Sections 112.313(3) and 112.313(7), F.S.

A. A Public Officer Who Does Not Have an Ownership Interest In, or Officer or Director Position with, His Employer Is Not Acting in a Private Capacity to Sell Services in Conflict with the Code of Ethics.

Section 112.313(3), F.S., prohibits public officers from purchasing goods or services from their own business interests. It also prohibits public officers from representing their private interests by selling goods or services from their own business interests to their “agency.” See, Commission on Ethics Opinion (“CEO”) 16-8. Section 112.313(3), F.S., provides as follows:

DOING BUSINESS WITH ONE’S AGENCY. – No employee of an agency acting in his or her official capacity as a purchasing agent, or public officer acting in his or her official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for his or her own agency from any business entity of which the officer or employee or the officer’s or employee’s spouse or child is an officer, partner, director, or proprietor or in which such officer or employee or the officer’s or employee’s spouse or child, or any combination of them, has a material interest. Nor shall a public officer or employee, acting in a private capacity, rent, lease, or sell any realty, goods, or services to the officer’s or employee’s own agency, if he or she is a state officer or employee, or to any political subdivision or any agency thereof, if he or she is serving as an officer or employee of that political subdivision. The foregoing shall not apply to district offices maintained by legislators when such offices are located in the legislator’s place of business or when such offices are on property wholly or partially owned by the legislator. This subsection shall not affect or be construed to prohibit contracts entered into prior to:

- (a) October 1, 1975.
- (b) Qualification for elective office.
- (c) Appointment to public office.
- (d) Beginning public employment.¹

1. Mr. Conerly Is a Public Officer Under the Code of Ethics.

The Code of Ethics defines “public officer” to include “any person elected or appointed to hold office in an agency, including any person serving on an advisory body.” Section 112.313(1), F.S. The term “advisory body” is further defined to mean any “board, commission, council or authority, however selected, . . . whose powers, jurisdiction, and authority are solely advisory and do not include the final determination or adjudication of any personal or property rights, duties, or obligations, other than those relating to its internal operations.” Section 112.312(1), F.S. Based on these definitions, Mr. Conerly’s appointment to the Planning Commission makes him a public officer subject to the Code of Ethics. Furthermore, because the duties of the Planning Commission do not include making final determinations or the adjudication of rights, other than those relating to the Commission’s internal operations, the Planning Commission is an advisory body for the purposes of the Code of Ethics.

¹ The grandfathering provisions of Section 112.313(3), F.S., listed in subsections (a) through (d) are not applicable to the instant matter.

2. Mr. Conerly's Agency Is the Board of County Commissioners for the Purposes of the Code of Ethics.

Identifying the relevant "agency" is a necessary step when assessing a potential conflict of interest under Section 112.313(3), F.S. The statute defines "agency" to mean "any state, regional, county, local, or municipal government entity of this state, whether executive, judicial, or legislative; any department, division, bureau, commission, authority, or political subdivision of this state therein; or any public school, community college, or state university." Section 112.312(2), F.S.

The Florida Commission on Ethics interprets this definition to identify the public officer's "agency" as "the lowest departmental unit within which the officer's influence might reasonably be considered to extend." See, e.g., CEO 15-14, CEO 98-1, CEO 91-56 and CEO 82-75. However, the Commission on Ethics has also found that for members of boards that are solely "advisory" in nature, the "agency" is the unit of the government served by that board. See, CEO 16-2, CEO 06-24, CEO 05-10, CEO 99-11, CEO 94-36, and CEO 91-26. In cases where the board advises a board of county commissioners, the board of county commissioners is the advisory board member's "agency." CEO 16-2, CEO 94-36, and CEO 91-26. As a result, in this case, because the Planning Commission serves to advise the Board of County Commissioners, Mr. Conerly's "agency" is the Board of County Commissioners.

3. Mr. Conerly Is Not Acting in a Private Capacity Prohibited by Section 112.313(3), F.S.

Finally, to determine whether there a conflict of interest prohibited by Section 112.313(3), F.S., it is necessary to analyze when a public officer is "acting in a private capacity." The Commission of Ethics has advised that one acts "in a private capacity" to sell realty, goods, or services when he or she is an officer or director of, or holds certain ownership in, the business entity selling such realty, goods, or services. See, e.g., CEO 16-7; CEO 78-39 (finding that owning more than 5% of the business constitutes "acting in a private capacity"); CEO 75-196 (finding that owning 30% of a business is a material interest that constitutes "acting in a private capacity").

As explained above, as a Planning Commissioner, Mr. Conerly is a public officer and his agency is the Board of County Commissioners. However, there is no indication that Mr. Conerly or his spouse or his child serves as an officer, partner, director, or proprietor of Kimley-Horn. Nor is there any indication that Mr. Conerly, or his spouse or his child hold a material interest in the firm. As a result, Mr. Conerly is not acting in a private capacity to sell his employer's services to the County. Therefore, Mr. Conerly's dual positions as a Planning Commissioner and an employee of Kimley-Horn are not prohibited by Section 112.313(3), F.S.

B. The Code of Ethics Prohibits Conflicting Contractual Relationships.

According to the Commission on Ethics, Section 112.313(7)(a), F.S., prohibits a public officer from taking "unfair advantage of his position in order to benefit himself or others through the use of information he gained through his public position." CEO 04-15. Section 112.313(7)(a), F.S., provides as follows:

CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP. –

(a) No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he or she is an officer or employee, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the state or any municipality, county, or other political subdivision of the state; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

The first part of Section 112.313(7)(a), F.S., prohibits a public officer from having any employment or contractual relationship with business entities or agencies that are subject to the regulation of, or are doing business with, the officer's "agency." The second part of Section 112.313(7)(a), F.S., prohibits a public officer from having employment or contractual relationships that create continuing or frequently recurring conflicts between their private interests and the performance of their public duties, or which impede the full and faithful discharge of their public duties.

1. Mr. Conerly Has an Employment Relationship with a Business Entity That Is Doing Business with His Agency.

In this case, Mr. Conerly is a public officer of an advisory body, the Planning Commission. His "agency" for the purposes of the Code of Ethics is the Board of County Commissioners. Mr. Conerly's employer, Kimley-Horn currently has a contractual relationship with the County and is doing business with the County. Therefore, Mr. Conerly has an employment relationship with a business entity that is doing business with his agency. Based on the foregoing, Mr. Conerly likely has a potential conflicting employment relationship with the County, based on the first part of Section 112.313(7)(a), F.S.

2. Mr. Conerly Has an Employment Relationship That Likely Creates Continuing or Frequently Recurring Conflicts Between His Private Interests and the Performance of His Public Duties.

The second part of Section 112.313(7)(a), F.S., prohibits public officers from having employment or contractual relationships that create continuing or frequently recurring conflicts between their private interests and the performance of their public duties, or which impede the full and faithful discharge of their public duties.

The Code of Ethics defines "conflict" or "conflict of interest" to mean "a situation in which regard for a private interest tends to lead to disregard of a public duty or interest." Section 112.312(8), F.S. As explained in Zerweck v. State Commission on Ethics, the second part of Section 112.313(7)(a), F.S., establishes an objective standard that requires an examination of the nature and extent of the public officer's duties together with a review of his or her private

employment to determine whether the two are compatible, separate and distinct, or whether they coincide to create a situation that “tempts dishonor.” 409 So. 2d 57, 62 (Fla. 4th DCA 1982). This prohibition is grounded in the common law principle that one cannot serve two masters. See, Lovejoy v. Grubbs, 432 So. 2d 678, 681 (Fla. 5th DCA 1983) (citing 1974 Op. Attorney General Fla. 074-159 (May 22, 1974)).

In this case, Mr. Conerly’s board, the Planning Commission, advises the Board of County Commissioners on amendments to the text of the LDC and the Comprehensive Plan, as well as recommends that special studies be performed to conduct the work of the Planning Commission. Thus, the Planning Commission can make recommendations to the Board of County Commissioners that would result in more work assignments for Mr. Conerly’s employer, thereby promoting his employer’s interest. Applying the objective standard required by Zerweck to the instant matter, it is likely that Mr. Conerly’s position as a Planning Commissioner creates a prohibited conflict of interest under the second part of Section 112.313(7)(a), F.S. This conclusion does not imply that Mr. Conerly would intentionally make recommendations as a Planning Commissioner to promote his private interests. Instead, the conclusion merely reflects that he would be in a position that objectively “tempts dishonor.” See CEO 16-2 (citing CEO 13-16, which stated that Section 112.313(7)(a), F.S., is “prophylactic in nature” and is designed to prevent situations where a public officer’s private economic interests could influence the officer’s ability to faithfully discharge his public duties.).

C. A Conflict of Interest Prohibited by Section 112.313(7), F.S., May be Waived by a Two-Thirds Majority Vote by the Board of County Commissioners.

Having concluded that Mr. Conerly’s private employment with Kimley-Horn creates a prohibited conflict of interest with his role as a Planning Commissioner under Section 112.313(7), F.S., the next issue is whether the conflict can be waived. Section 112.313(12), F.S., exempts certain conflicts otherwise prohibited by Sections 112.313(3) and 112.313(7), F.S. The relevant provisions of Section 112.313(12), F.S., are as follows:

EXEMPTION. – The requirements of subsections (3) and (7) as they pertain to persons serving on advisory boards may be waived in a particular instance by the body which appointed the person to the advisory board, upon a full disclosure of the transaction or relationship to the appointing body prior to the waiver and an affirmative vote in favor of waiver by two-thirds vote of that body. In instances in which appointment to the advisory board is made by an individual, waiver may be effected, after public hearing, by a determination by the appointing person and full disclosure of the transaction or relationship by the appointee to the appointing person. In addition, no person shall be held in violation of subsection (3) or subsection (7) if:

- (a) Within a city or county the business is transacted under a rotation system whereby the business transactions are rotated among all qualified suppliers of the goods or services within the city or county.
- (b) The business is awarded under a system of sealed, competitive bidding to the lowest or best bidder and:

1. The official or the official's spouse or child has in no way participated in the determination of the bid specifications or the determination of the lowest or best bidder;
2. The official or the official's spouse or child has in no way used or attempted to use the official's influence to persuade the agency or any personnel thereof to enter such a contract other than by the mere submission of the bid; and
3. The official, prior to or at the time of the submission of the bid, has filed a statement with the Commission on Ethics, if the official is a state officer or employee, or with the supervisor of elections of the county in which the agency has its principal office, if the official is an officer or employee of a political subdivision, disclosing the official's interest, or the interest of the official's spouse or child, and the nature of the intended business.

Section 112.313(12), F.S., contains two important limitations. First, it only applies to conflicts prohibited by either Section 112.313(3), F.S., or Section 112.313(7), F.S. Second, the exemptions provided by Section 112.313(12), F.S., are limited "to persons serving on advisory boards." In this case, the potential prohibited conflict of interest arises under subsection (7) of Section 112.313, F.S., and the person affected serves on an advisory board. Thus, Section 112.313(12), F.S., can be applied to Mr. Conerly's situation.

Pursuant to Section 112.313(12), F.S., Mr. Conerly's conflict of interest under Section 112.313(7), F.S., can be waived if the conditions set forth in subsection (12) are satisfied. Namely, the Board of County Commissioners, as the body that appointed Mr. Conerly to serve on the Planning Commission, must vote to waive the conflict, after holding a public hearing before the Board of County Commissioners, and after full disclosure of Mr. Conerly's employment relationship with Kimley-Horn and its on-going contractual relationship with the County. If the Board of County Commissioners deems it appropriate, it can vote to waive the conflict. A two-thirds majority vote is needed to obviate the conflict of interest otherwise prohibited by Section 112.313(7), F.S.

Section 112.313(12)(b), F.S., applies when the business between a public officer's employer and his agency is conducted pursuant to a sealed competitive bidding process, where the contract is awarded to the lowest or best bidder, and the public officer's spouse or children do not participate in determining the bid specifications or the award of the bid, and the officer files appropriate disclosures. The provisions of Section 112.313(12)(b), F.S., are self-effecting and do not require a vote or a specific determination. In this case, because the procurement of Kimley-Horn's services was conducted through an Intent to Negotiate and subsequent issuance of work assignments, Mr. Conerly cannot rely on this provision to obviate the otherwise prohibited conflict of interest. See, CEO 16-7 (finding that Requests for Proposals, Invitations to Negotiate, or other methods of procurement sometimes referred to as "bidding" do not satisfy the requirements of the exemption); CEO 15-2 (noting that Section 112.313(12)(b), F.S., requires that the process be a sealed competitive bidding rather than a Request for Proposals, Request for Qualifications, or other method of procurement, which may at times be referred to as "bidding").

CONCLUSION:

I trust this response adequately addresses your questions. Should you have any further questions please do not hesitate to contact this Office.

KMZ

Copies to: Ed Hunzeker, County Administrator
Karen Windon, Deputy County Administrator
Dan Schlandt, Deputy County Administrator
John Barnott, Director, Building and Development Services Department
Jan Brewer, Director, Financial Management Department
Melissa Wendel, Purchasing Official, Financial Management Department

BRADENTON HERALD

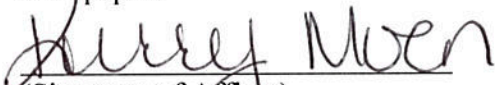
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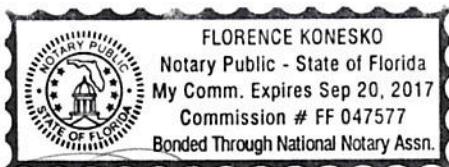
STATE OF FLORIDA
COUNTY OF MANATEE

Before the undersigned authority personally appeared Kerry Moen, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter **Notice of Meeting, Board of County Commissioners of Manatee County** was published in said newspaper in the issue(s) **1/24/17**.

Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


(Signature of Affiant)

Sworn to and subscribed before me this
29 Day of Jan, 2017



SEAL & Notary Public

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

NOTICE OF PROPOSED BOARD ACTION

NOTICE IS HEREBY GIVEN that the **Board of County Commissioners of Manatee County** at their meeting on **Thursday, February 2, 2017, at 9:00 a.m., or as soon thereafter as may be heard at the Manatee County Government Administrative Center, 1st Floor Chambers, 1112 Manatee Avenue West, Bradenton, Florida**, shall consider the request of a Member of the Planning Commission to waive a conflict of interest pursuant to the exemption contained in Section 112.313(12), Florida Statutes.

Interested parties may examine a copy of the written request for the exemption and supporting agenda materials at the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida; telephone number (941) 748-4501 x6878; e-mail to: planning_agenda@mymanatee.org

According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Americans with Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Building
and Development Services
Department
Manatee County, Florida
1/24/17