

JANUARY 8, 2002

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, January 8, 2002, at 9:07 a.m.

Present were Commissioners:

Joe McClash, Chairman
Amy Stein, First Vice-Chairman
Patricia M. Glass, Second Vice-Chairman
Jane W. von Hahmann, Third Vice-Chairman
Gwendolyn Y. Brown
Jonathan Bruce
George L. Harris

Also present were:

Ernie Padgett, County Administrator
Tedd Williams, Jr., County Attorney
R. B. Shore, Clerk of Circuit Court
Susan G. Romine, Board Records Supervisor

Invocation by Rev. Don Carter, Trinity Assembly of God Church.

AGENDA

Agenda of January 8, 2002, and agenda update memorandum.

[BC20020108DOC001](#)

(R. B. Shore, Clerk of Circuit Court, presiding)

ELECTION OF OFFICERS

R. B. Shore, Clerk of Circuit Court, opened the floor for nominations for Chairman of the Board of County Commissioners.

COUNTY COMMISSION

Chairman – Amy Stein

Nominations: Amy Stein - by Mr. McClash

Mrs. Stein was unanimously elected Chairman.

(Mrs. Stein presiding)

First Vice-Chairman – Jonathan Bruce

Nominations: Jonathan Bruce - by Mrs. von Hahmann
Patricia Glass - by Mr. Harris

Mr. Bruce was unanimously elected First Vice-Chairman.

Second Vice-Chairman – Patricia Glass

Nominations: Patricia Glass - by Mr. Harris

Mrs. Glass was unanimously elected Second Vice-Chairman.

Third Vice-Chairman – Jane von Hahmann

Nominations: Jane von Hahmann - by Mr. McClash

Mrs. von Hahmann was unanimously elected Third Vice-Chairman.

PORT AUTHORITY

Chairman – Jane von Hahmann

Nominations: Jane von Hahmann - by Mr. Bruce

Mrs. von Hahmann was unanimously elected Chairman.

First Vice-Chairman – George Harris

Nominations: Gwen Brown - by Mrs. Glass
George Harris - by Mr. McClash

Voting for Ms. Brown were Mrs. Glass and Ms. Brown. Voting for Mr. Harris were Mr. McClash, Mrs. Stein, Mrs. von Hahmann, Mr. Bruce and Mr. Harris. Mr. Harris was elected First Vice-Chairman.

Second Vice-Chairman - Gwen Brown

Nominations: Gwen Brown - by Mrs. Glass

Ms. Brown was unanimously elected Second Vice-Chairman.

Third Vice-Chairman – Patricia Glass

Nominations: Patricia Glass - by Mr. Bruce

Mrs. Glass was unanimously elected Third Vice-Chairman.

CIVIC CENTER

Chairman – George Harris

Nominations: George Harris - by Mr. McClash

Mr. Harris was unanimously elected Chairman.

First Vice-Chairman – Joe McClash

Nominations: Joe McClash - by Mr. Bruce

Mr. McClash was unanimously elected First Vice-Chairman.

Second Vice-Chairman – Jonathan Bruce

Nominations: Jonathan Bruce - by Mr. McClash

Mr. Bruce was unanimously elected Second Vice-Chairman.

Third Vice-Chairman – Gwen Brown

Nominations: Gwen Brown - by Mrs. von Hahmann

Ms. Brown was unanimously elected Third Vice-Chairman.

TOURIST DEVELOPMENT COUNCIL

Mr. McClash moved that **Amy Stein**, County Commission Chairman, be the representative on the Tourist Development Council. The motion was seconded by Mr. Bruce and carried 7 to 0.

[BC20020108DOC002](#)

CONSENT AGENDA

Motion was made by Mr. Harris, seconded by Ms. Brown, and carried 7 to 0, to approve the Consent Agenda, incorporating the language as stated in the recommended motions in the agenda memoranda with deferral of: **(1)** Lena Road Landfill Bid Award, and **(2)** Manatee Opportunity Council Appointment. Items APPROVED:

[BC20020108DOC003](#)

[BC20020108DOC004](#)

[BC20020108DOC005](#)

CLERK'S CONSENT CALENDAR

BONDS

Accept:

Sheriff's Public Employees and Deputy Sheriff's Blanket Bonds (12 additions, 9 deletions).

[BC20020108DOC006](#)

Foster's Creek, Unit 3

Release:

1. Performance Bond: \$322,153.38 (Page 1 **only** of Letter of Credit 01-91, Century Bank).
2. Performance Bond: \$19,890 (Page 1 **only** of Letter of Credit 01-92, Century Bank).

Accept:

1. Performance Bond: \$322,153.38 (Page 1 **only** of Letter of Credit 01-91, Century Bank).
2. Performance Bond: \$19,890 (Page 1 **only** of Letter of Credit 01-92, Century Bank).

[BC20020108DOC007](#)

Gates Creek, Unit 3

Release:

1. Agreement with Centex Homes warranting required improvements (\$61,626.05).
2. Defect Security: \$61,626.05 (Surety Bond 5944057, Safeco Insurance Company of America).

[BC20020108DOC008](#)

Glenn Lakes, Phase 4

Release:

1. Agreement with Centex Homes warranting required improvements (\$88,411.19).
2. Defect Security: \$88,411.19 (Surety Bond 5921773, Safeco Insurance Company of America).

[BC20020108DOC009](#)

Glenn Lakes, Phase 6

Release:

1. Agreement with Centex Homes guaranteeing completion of required improvements and temporary construction easement for private improvements (\$309,294.86).
2. Performance Bond: \$309,294.86 (Surety Bond 6038313, Safeco Insurance Company of America).

[BC20020108DOC010](#)

Greenfield Plantation, Phase 1

Release:

1. Agreement with River Road Plantation Partnership warranting required improvements (\$219,902.55).
2. Defect Security: \$219,902.55 (Letter of Credit T525459 and Amendments 1, 3, and 4, Bank of America fka Barnett Bank, N.A.).

[BC20020108DOC011](#)

Kingsfield, Phase 1

Release:

1. Agreement with Centex Homes warranting required improvements (\$69,127.61).
2. Defect Security: \$69,127.61 (Surety Bond 5944058, Safeco Insurance Company of America). [BC20020108DOC012](#)

Pomello Park

Release:

1. Agreement with Paul L. Teel warranting required improvements (\$1,800).
2. Defect Security: \$1,800 (Cashier's Check 506595542, Barnett Bank). [BC20020108DOC013](#)

Ranch Lake Plaza

Accept:

1. Performance Bond: \$20,501 (Amendment to Letter of Credit S00-49, Republic Bank **extending** expiration date to 1/23/04).
2. Performance Bond: \$82,990 (Amendment to Letter of Credit S00-47, Republic Bank **extending** expiration date to 12/21/02). [BC20020108DOC014](#)

River Pointe, Phase 2-A

Release:

1. Agreement with Centex Homes warranting required improvements (\$127,524.77).
2. Defect Security: \$127,524.77 (Surety Bond 5977307, Safeco Insurance Company of America). [BC20020108DOC015](#)

Sabal Harbour, Phase 8

Release:

1. Agreement with Pulte Homes guaranteeing completion of required improvements (\$486,338.78).
2. Performance Bond: \$486,338.78 (Surety Bond 6114213, Safeco Insurance Company of America).

Accept:

1. Agreement with Pulte Homes warranting required improvements (\$37,410.68).
2. Defect Security: \$37,410.68 (Surety Bond 613139, Safeco Insurance Company of America). [BC20020108DOC016](#)

Summerfield Village, Subphase C, Unit 2

Release:

1. Agreement with SMR Communities Joint Venture warranting required improvements (\$1,483.18).
2. Defect Security: \$1,483.18 (Surety Bond 130187, Frontier Insurance Company).
3. Agreement with SMR Communities Joint Venture for Final Wearing Course of Asphalt on Roadways. [BC20020108DOC017](#)

Summerfield Village, Subphase C, Units 6B & 7B

Release:

1. Agreement with SMR Communities Joint Venture warranting required improvements (\$1,146.69).
2. Defect Security: \$1,146.69 (Surety Bond 130188, Frontier Insurance Company). [BC20020108DOC018](#)

Summerfield Village, Subphase C, Unit 9

Release:

1. Agreement with SMR Communities Joint Venture warranting required improvements (\$918.53).
2. Defect Security: \$918.53 (Surety Bond 130189, Frontier Insurance Company). [BC20020108DOC019](#)

Summerfield Village, Subphase C, Unit 10

Release:

1. Agreement with SMR Communities Joint Venture warranting required improvements (\$720.44).
2. Defect Security: \$720.44 (Surety Bond 130190, Frontier Insurance Company). [BC20020108DOC020](#)

Summerfield Village, Subphase C, Unit 11

Release:

1. Agreement with SMR Communities Joint Venture warranting required improvements (\$534.29).
2. Defect Security: \$534.29 (Surety Bond 130191, Frontier Insurance Company). [BC20020108DOC021](#)

Wallingford

Release:

1. Agreement with Wallingford, LLC guaranteeing completion of required improvements and temporary construction easement for private improvements (\$58,977.80).
2. Performance Bond: \$58,977.80 (Letter of Credit 3039815, Bank of America). [BC20020108DOC022](#)

REFUNDS

Centex Homes – Impact Fee	\$ 844.56
Steven Alafazanos – Application Withdrawal	\$ 1,953.08

[BC20020108DOC023](#)

WARRANT LIST

Approved: December 18, 2001 through January 7, 2002

Authorized: January 8, 2002 through January 21, 2002

[BC20020108DOC024](#)

MINUTES

November 13, 2001, and November 27, 2001

[BC20020108DOC025](#)

ACCEPT

Bayshore Gardens Park & Recreation District – Audited Financial Statements year ended September 30, 2001. [BC20020108DOC026](#)

Heritage Harbour South Community Development District – Minutes of Board of Supervisors meeting held November 14, 2001. [BC20020108DOC027](#)

Lakewood Ranch Community Development District 1 – Minutes of Board of Supervisors meetings held August 8, 2001 and November 1, 2001. [BC20020108DOC028](#)

Lakewood Ranch Community Development District 2 – Minutes of Board of Supervisors meetings held August 8, 2001 and October 4, 2001. [BC20020108DOC029](#)

Lakewood Ranch Community Development District 3 – Minutes of Board of Supervisors meetings held August 8, 2001, October 4, 2001 and November 1, 2001. [BC20020108DOC030](#)

Sarasota Manatee Airport Authority – 2002 meeting schedule. [BC20020108DOC031](#)

Trailer Estates Park & Recreation District – Audited Financial Statements year ended September 30, 2001. [BC20020108DOC032](#)

AUTHORIZE FEE WAIVERS (PUBLIC WORKS)

Waive Fee (\$30.00) for Margaret E. Bagge due to check fraud.

Waive fee (\$25.00) for David Scarbrough due to stolen checks. [BC20020108DOC033](#)

AUTHORIZE CHAIRMAN TO SIGN

Artificial Reef Program – Army Corps of Engineers Permit (R-00-118, 5/23/00)

199240373 (IP-PB) – One Mile Reef

199240369 (IP-PB) – Reef "A" 7 Mile North [BC20020108DOC034](#)

Partial Releases of Special Improvement Assessment Liens:

Projects 3100; 4210; and 5075 [BC20020108DOC035](#)

Satisfactions of Judgments:

Dusten Anglin – Case 96-2598M

Florence Brinson – Cases 98-1690JD and 99-706JD

Matthew Flanagan – Case 98-CF2510

Melissa Gabriel – Case 00-CF2729 (2)

Margaret Golday – Case 01-1059JD

Ronald Jenkins – Case 99-MM-4232

Gary Lane – Case 96-2083M (2)

Nathaniel Tomlinson – Case 00-2336F [BC20020108DOC036](#)

Sheriff – Federal Annual Certification Report for Fiscal Year ending September 30, 2001, to be forwarded to the U.S. Department of Justice and to U.S. Department of Treasury; and **2002 Federal Equitable Sharing Agreement.** [BC20020108DOC037](#)

COUNTY ADMINISTRATOR

PROCLAMATION

Proclamation designating January 14-18, 2002, as **Children's Week** and January 16, 2002, as **Children's Day** was accepted by **Juanine Lowery**, Child Advocate, and **Emily Ferraro.** [BC20020108DOC038](#)

BEACH RENOURISHMENT PROJECTS

1. Execution of Interlocal Agreement with the City of Anna Maria. [BC20020108DOC039](#)

2. Execution of Interlocal Agreement with the City of Holmes Beach. [BC20020108DOC040](#)

CARMIKE CINEMA – BANKRUPTCY CASE

Ratification of approval of reorganization plan and election to retain general unsecured creditor status in U.S. Bankruptcy Court/District of Delaware, Case No. 00-3302(SLR) (Eastwynn Theatres, Inc., Utilities accounts). [BC20020108DOC041](#)

LAWSUITS

1. **30th Avenue** - Approval of Stipulated Order Taxing Costs with Defendants, **June Cook** and **The Deli-Donut Shop, Inc.**, regarding expert witness fees of \$1,550 to Fred B. LaDue & Associates, Inc., and \$118.65 for attorney's costs to the law firm of Brigham Moore, LLP, in the case of Manatee County v Samuel Bergstresser, et al, Case 2001-CA-2638, Parcel 151. [BC20020108DOC042](#)

2. **63rd Avenue East/West** – Approval of a settlement with property owners **Barney L. and Mary Sadler** for a payment by the County of \$59,871, inclusive of compensation for the land taken, severance damages, costs to cure, attorney's fees and experts' fees, in eminent domain matter of Manatee County v RAK Enterprises, LP, et al, Case 2001-CA-1044, Parcel 183. [BC20020108DOC043](#)

GREENWAY AND MULTI-PURPOSE TRAIL

Execution of First Amendment to Easement and Agreement with Robinson Farms, Inc., and Florida Fancy, Inc. (amending Easement and Agreement dated 12/14/99 relating to The Estuary). [BC20020108DOC044](#)

CITY OF PALMETTO - BUILDING OFFICIAL SERVICES

Approve, ratify, and confirm temporary services (12/27/01 to 1/8/02) to the **City of Palmetto.** [BC20020108DOC045](#)

STAFFING LEVEL

R-02-05 RESOLUTION ESTABLISHING AUTHORIZED STAFFING LEVEL CHANGES FOR THE PLANNING AND BUILDING DEPARTMENTS (Planning Department decreases to 61; Building Department increases to 66). [BC20020108DOC046](#)

HISTORICAL COMMISSION

Confirmation and appointment of **Gib Bergquist**, **Pam Gibson**, **June Hartlieb**, and **Rodney Potter** to the Manatee County Historical Commission (terms to expire 1/1/06). [BC20020108DOC047](#)

LOCAL LAW ENFORCEMENT BLOCK GRANT

Execution of funding agreement with Manatee Glens Corporation to purchase therapist services in support of the **Manatee County Drug Court Program**, an element of the Bureau of Justice Assistance Local Law Enforcement Block Grant 2000-LB-VX-0007, \$120,275 (10/1/01 – 9/30/02). [BC20020108DOC048](#)

TOURISM – INTERNATIONAL REPRESENTATION

1. Agreement with The Holiday and Sun Agency, Berlin, Germany, for a tourism representative office for **Germany** and **Europe**. [BC20020108DOC049](#)
2. Agreement with World Wide Travel Marketing, Ltd., Sussex, England, for a tourism representative office for the **United Kingdom**. [BC20020108DOC050](#)

15TH STREET EAST/301 BOULEVARD

Execution of Change Order 2 to Work Assignment 6 with Parsons, Brinckerhoff, Quade & Douglas, Inc., for design and construction services; increase of \$16,360, adjusted total \$492,287.94. [BC20020108DOC051](#)

63RD AVENUE EAST/WEST

Execution of Work Assignment 72P with Professional Service Industries, Inc., for **construction materials testing**, \$49,949. [BC20020108DOC052](#)

BACKFLOW PREVENTION DEVICES, COLD WATER METERS, & RECLAIMED WATER METERS

1. Approve, ratify, and confirm vendor's name change from Schlumberger Resource Management Services to **Neptune Technology Group, Inc.**; all terms and conditions remain unchanged.
2. Issue Change Order 2 to Purchase Orders P0000782 through P0000784, and a new Purchase Order to Neptune Technology Group, Inc., to extend County-wide use through March 3, 2002, to multiple bidders: Badger Meter, Inc., Ferguson Underground, Hughes Supply, and Neptune Technology Group, Inc. [BC20020108DOC053](#)

BASHAW ELEMENTARY SCHOOL - MORGAN JOHNSON ROAD

Execution of Change Order 1 to Work Assignment 99-19 with Wade-Trim, Inc., for engineering services for the **sidewalk design** along the east side of Morgan Johnson Road from Bud Drive to 18th Avenue East; increase of \$6,759, adjusted total \$45,862. [BC20020108DOC054](#)

BUDGET AMENDMENT

Various Departments **B-02-014**
Transfer of Funds; Unanticipated Revenue Appropriations
Supporting Description and Detail Attached [BC20020108DOC055](#)

CORAL SHORES POTABLE WATER/RECLAIMED WATER

Execution of Work Assignment 11 with Greeley and Hansen for **engineering services**, \$69,893. [BC20020108DOC056](#)

CORRECTIONAL HEALTHCARE

Enter into negotiations with Prison Health Services, Inc., sole respondent, to provide services for Manatee County and the Correction Bureau of the Manatee County Sheriff's Office. [BC20020108DOC057](#)

DEBRIS REMOVAL/DISPOSAL

Issue Change Order 6 to Waste Management Inc. of Florida, adding disposal fees to Emergency Purchase Order E321; \$232,661.82, adjusted total \$2,078,828. [BC20020108DOC058](#)

SURPLUS PROPERTY

1. Authorization to classify excess property as surplus per *Florida Statute* 274.05 to enable appropriate and authorized disposition of said property in accordance with Procurement Code 99-37, Section 1.106; and authorize disposition of such property.
2. **R-02-01** RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, *FLORIDA STATUTES* (three Compaq Computers to **Bethany Baptist Church**). [BC20020108DOC059](#)
3. Authorization to classify excess vehicles as surplus per *Florida Statute* 274.05 to enable appropriate and authorized disposition of said property in accordance with Purchasing Code 99-37, Section 1.106; and authorize disposition of such property. [BC20020108DOC060](#)
4. Authorization to classify 3,500 cubic yards of fill dirt as surplus per *Florida Statute* 274.05 to enable appropriate and authorized disposition of said property in accordance with Purchasing Code 99-37, Section 1.106.
5. **R-02-10** RESOLUTION AUTHORIZING THE CONVEYANCE OF COUNTY OWNED PERSONAL PROPERTY UNDER THE PROVISIONS OF CHAPTER 125.38, *FLORIDA STATUTES* (3,500 cubic yards of fill dirt to **Housing Authority of the City of Bradenton**). [BC20020108DOC061](#)

FOUR CORNERS MINE

Execution of Work Assignment 3 with King Engineering Associates, Inc., **Development of Regional Impact consulting services**, \$39,736. [BC20020108DOC062](#)

INSPECTION AND CONSULTING SERVICES

Execution of Change Order 2 to Work Assignment 1 with Zoller, Najjar & Shroyer, L.C., for **professional engineering inspection and consulting services** for use by the Building Department; increase of \$4,000, adjusted total \$104,000. [BC20020108DOC063](#)

LIBRARY MATERIALS

Execution of Addendum 8 to agreement with Brodart Company to provide additional funding for library materials (books, videos, CD ROMs, etc.) from May 14, 2001, to May 13, 2002; increase of \$50,000, adjusted total \$80,000. [BC20020108DOC064](#)

TIME PAYMENT AGREEMENTS

1. **Release of Liens** - Execution of Release of Time Payment Agreement Liens on satisfied agreements with Ethel F. Mowbray and The Gospel Crusade, Inc. (4). [BC20020108DOC065](#)
2. **Agreements** - Execution of, and authorization to record, for water and sewer facility investment fees, connection fees, and line extension charges with Gale Deloris Youngs and Michael T. and Felicia G. Hunt. [BC20020108DOC066](#)

MAIL HANDLING SERVICES

Execution of Addendum 2 to agreement with Access Mail Processing Services, Inc., to extend the agreement for one year (4/4/02 to 4/3/03); estimated cost \$55,000, revised total \$165,000. [BC20020108DOC067](#)

INTERIOR DESIGN CONSULTANT

Authorization to enter into negotiations with SMRT of Florida, Inc., to provide services for the **Manatee Civic Center** and the **Crosley Mansion.** [BC20020108DOC068](#)

MATERIALS & SERVICES

1. **Master Lift Station Comminutors** – Award IFB 01-3769JS to the lowest responsive, responsible bidder, Franklin Miller, Inc., \$88,900. [BC20020108DOC069](#)
2. **Cab Tractors** – Authorization to purchase two **John Deere 7210/Cab Tractors** from Alamo Versa Side Mowers and an **Alamo Offset Rear Deck** from Southern Farm Supply, \$141,750. [BC20020108DOC070](#)

SOUTHWEST REGIONAL WASTEWATER TREATMENT PLANT

Execution of Work Assignment 12 with Greeley and Hansen LLP for engineering services for **operating permit assistance**, \$29,677. [BC20020108DOC071](#)

S.R. 64

Execution of Change Order 3 to Work Assignment 10 with Post, Buckley, Schuh & Jernigan, Inc., for **landscape design** from 27th Street East to Morgan Johnson Road; increase of \$8,183, adjusted total \$43,918. [BC20020108DOC072](#)

SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SYSTEM

Execution of agreement with Transdyn Controls, Inc., for a SCADA System to monitor and control the **Southwest, North, and Southeast Regional Wastewater Treatment Plants**, \$1,740,821. [BC20020108DOC073](#)

REFUNDS

1. Refund \$1,416.78 to Cortez Cove Marina due to customer being charged for solid waste on the wrong account. [BC20020108DOC074](#)
2. Refund \$3,112.65, minus any current billings, to Centex Homes, Inc., due to misread adjustment. [BC20020108DOC075](#)
3. Refund \$151.79, minus any current billings, to Sheldon C. Huber, due to payment of incorrect amount. [BC20020108DOC076](#)

PARKS AND RECREATION

Authorization to purchase concession, promotional items, equipment, and tennis merchandise for re-sale in order to help offset operational costs and to promote department programs. [BC20020108DOC077](#)

FINAL PLATS

Pony Trails Subdivision

1. Final Plat;
2. Mortgagee's Joinder In and Ratification Of a Subdivision Plat and All Dedications and Reservations Thereon from Norwest Bank Minnesota, N.A.; and
3. Notice to Buyers. [BC20020108DOC078](#)

Rosedale Highlands, Subphase D, Unit 1

1. Final Plat;
2. Mortgagee's Joinder In and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from Bank of America, N.A.;
3. Mortgagee's Joinder In and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from Suntrust Bank (Owner Name: Wozniak);
4. Mortgagee's Joinder In and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from Suntrust Bank (Owner Name: Christensen);
5. Mortgagee's Joinder In and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from Suntrust Bank (Owner Name: Lee);
6. Mortgagee's Joinder In and Ratification of Subdivision Plat and All Dedications and Reservations Thereon from Suntrust Bank (Owner Name: Wells);
7. Agreement with Newton Developments, Inc., guaranteeing completion of required improvements (\$41,500);
8. Performance Bond: \$41,500 (Cashier's Check No. 1747790, Bank of America);
9. Agreement with Newton Developments, Inc., guaranteeing completion of required sidewalks and/or bikeways and temporary construction easement for private improvements (\$45,407);
10. Performance Bond: \$45,407 (Letter of Credit 3034896, Bank of America);
11. Limited Appointment of Agent from Eileen M. Christensen;
12. Limited Appointment of Agent from Mark A. Lee;
13. Limited Appointment of Agent from William and Priscilla James;
14. Limited Appointment of Agent from Kenneth R. and Naomi D. Wells;
15. Limited Appointment of Agent from Conrad Walter and Deborah Ann Wozniak;
16. Limited Appointment of Agent from Marlene M. Desquitado;
17. Declaration of Covenants, Conditions, and Restrictions; and
18. Supplemental Master Declaration to Master Declaration of Covenants, Conditions, and Restrictions for Rosedale, a Golf and Tennis Club Community Subdivision. [BC20020108DOC079](#)

HERITAGE HARBOUR

1. Agreement with Harbourvest, LLC, guaranteeing completion of required improvements (\$6,057,000).
2. Performance Bond: \$6,057,000 (Letter of Credit No. FGAC-01129, Fidelity Guaranty and Acceptance Corp.). [BC20020108DOC080](#)

NEIGHBORHOOD ENHANCEMENT GRANTS

Execution of grant agreements with Historic Ware's Creek Neighborhood Coalition, \$1,275; Terra Ceia Island Village Improvement Association, \$2,310; and Riverview Landings Community Association, Inc., \$2,500. [BC20020108DOC081](#)

TROPICAL STORM GABRIELLE

R-01-267 A RESOLUTION OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT BETWEEN THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE STATE OF FLORIDA, DEPARTMENT OF COMMUNITY AFFAIRS, TO RECEIVE PUBLIC ASSISTANCE FOR ELIGIBLE DISASTER RELIEF ACTIVITIES RESULTING FROM TROPICAL STORM GABRIELLE AND DESIGNATING COUNTY ADMINISTRATOR'S OFFICE AS DESIGNATED APPLICANT'S AGENT (Disaster Relief Funding Agreement with the Florida Department of Community Affairs). [BC20020108DOC082](#)

DEEDS AND EASEMENTS

1. **17th Street East (Memphis Road)** – Warranty Deed from Woodruff Corp., for right-of-way at 1315 17th Street East, west of Canal Road, Palmetto; Affidavit of Ownership and Encumbrances; and Partial Release of Mortgage from American Bank. [BC20020108DOC083](#)
2. **Palma Sola Park Soccer Field** – Easement to Florida Power and Light Company for the installation of an underground power line and transformer in the soccer field located on 40th Avenue West, off 75th Street West. [BC20020108DOC084](#)
3. **5228 45th Street East** – Conservation Easement from Southern Manatee Fire and Rescue District required by Environmental Management to protect the **wetlands** on the property north of S.R. 70; Affidavit of Ownership and Encumbrances. [BC20020108DOC085](#)
4. **Lockwood Ridge Road** – Temporary Construction Easement from LaPetite Academy, Inc., for temporary access to tie in the existing driveway apron. [BC20020108DOC086](#)

TALLEVAST ROAD

1. Quit Claim Deed from The School Board of Manatee County, Florida, to Southern Manatee Fire and Rescue District;
2. Warranty Deed from Paul W. Lemieux, as Trustee of the Paul W. Lemieux Revocable Trust under Agreement dated December 12, 1995, and Barbara J. Lemieux, as Trustee of the Barbara J. Lemieux Revocable Trust under Agreement dated December 12, 1995, for right-of-way from **U.S. 301 to Lockwood Ridge Road**;
3. Affidavit of Ownership and Encumbrances;
4. Fee Simple Deed from Southern Manatee Fire and Rescue District to Paul W. and Barbara J. Lemieux; and
5. Resolution 2001-07 from Southern Manatee Fire and Rescue District authorizing conveyance of the property and execution of the deed. [BC20020108DOC087](#)

ONWEGO PARK/GLEN PARK – CLEANUP DAYS

Authorization for placement of four 20-yard roll-offs at the appointed sites on February 9-10, 2002, for the homeowners group neighborhood cleanup days; and waiver of the appropriate service and tipping fees at the landfill. [BC20020108DOC088](#)

COOPER CREEK – IMPACT FEES

Execution of Satisfaction of Fee Agreement acknowledging full payment and satisfaction of amounts due under the agreement with Wilbur Boyd Corporation. [BC20020108DOC089](#)

(End Consent Agenda)

MANATEE COUNTY FAIR

The 2001 Fair Queens extended a personal invitation for all to attend the 2002 Manatee County Fair scheduled January 17-26, 2002. [BC20020108DOC090](#)

MASTER GARDENERS

Sixteen graduates of the Agriculture and Natural Resources, Master Gardener Program, were presented with **Class of 2001 Manatee County Master Gardener** awards. [BC20020108DOC091](#)

EMPLOYEE OF THE MONTH

Larry Mau, Transportation Director, presented the January 2002 Employee of the Month award to **Art Chesley**, Engineering Technician III. [BC20020108DOC092](#)

BICYCLE/PEDESTRIAN ADVISORY BOARD

Troy Salisbury, Planning Department, presented the Florida Bicycle Association's Bicycle/Pedestrian Advisory Board of 2001 award to the Bicycle and Pedestrian Advisory Board Chairman, **Patricia Bond**. [BC20020108DOC093](#)

CITIZENS' COMMENTS

Charter Government

Marilyn Stasica, Ken Crayton, Nick Baden, James Keenan, and Cora Baus encouraged Commissioners to proceed with the January 24, 2002, meeting regarding the charter government proposal, educate the citizens and allow the citizens to make an informed choice regarding charter government. [BC20020108DOC094](#)

ENVIRONMENTAL LANDS MANAGEMENT AND ACQUISITION COMMITTEE

Motion was made by Mrs. Glass, seconded by Mrs. von Hahmann, and carried 7 to 0, to reappoint the following Environmental Lands Management and Acquisition Committee (ELMAC) members:

John Banks, Florida Engineering Society;
Arlene Sweeting, Local Environmental Group; and
Mike Burton, Chamber of Commerce Environmental Committee.

Nominations for two members schooled in **Natural Science**:

Doug Voltolina - by Mr. Harris
Patricia Hobson - by Mrs. Glass

Doug Voltolina and **Patricia Hobson** were unanimously appointed.

Nominations for one member with a **Background/Education in Active Outdoor Sports**:

Bradley Hawkins - by Mr. Bruce
Scott Tussing - by Mrs. von Hahmann

Scott Tussing was appointed by majority vote.

Nominations for two **Residents of Manatee County**:

David Wildes - by Mrs. Glass
Bernadette O'Brien - by Mr. Harris

David Wildes and **Bernadette O'Brien** were unanimously appointed.

Nominations for one member with a **Real Estate Background**:

Bradley Hawkins - by Mrs. Glass

Bradley Hawkins was unanimously appointed.

Nomination for one **Representative/Employee of the Manatee County School Board**:

John McDonald - by Mrs. Glass

John McDonald was unanimously appointed.

Nominations for four **At-Large Members**:

Jerolene Messick - by Mrs. Glass
Joan Dunn - by Mrs. von Hahmann
Cathy Williams - by Ms. Brown
Ann Huhn - by Mr. Bruce
Herbert Quinn - by Mr. Harris
Tracey Barta - by Mrs. von Hahmann
Beverly Birkitt - by Mrs. Glass

Jerolene Messick, **Joan Dunn**, **Tracey Barta**, and **Beverly Birkitt** were appointed by majority vote to serve as ELMAC members, which included a run-off on a tie vote for Ann Huhn and Beverly Birkitt.

These members will serve one-year terms, and the seat for an **Agricultural Community Representative** is vacant. [BC20020108DOC095](#)

CHARTER GOVERNMENT

Wayne Poston, Mayor of the City of Bradenton and representing the municipalities and constitutional officers, spoke in opposition to charter government (proposal submitted to various groups by Mr. McClash). He stated no decision should be made regarding charter government without a full hearing from all neighborhoods/citizens of Manatee County and following the completion of the visioning process. He indicated his planned attendance at the January 24, 2002, charter work session.

Charlie Wells, Manatee County Sheriff, expressed opposition to charter government. He stated all constitutional officers oppose charter government and prefer the elective process. He advised that Manatee County government should remain as is with the established checks and balances. [BC20020108DOC096](#)

TRUST FOR PUBLIC LAND

Will Abberger, representing The Trust for Public Land (TPL), used a slide presentation to review successful open space ballot measures, conservation real estate services, ballot measure basics and key variables in finance program design. TPL offered technical assistance leading to the November 2002 ballot referendum for the acquisition and management of environmentally sensitive lands (recommended by ELMAC).

Discussion: Source of funding; condition of sale with property holder; expeditious acquisition of properties; 85 percent of the measures over the last seven years have passed; letter to request technical assistance; expertise and manpower; County Attorney working on referendum; gathering polling information is included; etc.

Mrs. Glass moved to take advantage of the available technical assistance (not limited to the referendum issue) from TPL and directed the County Administrator and County Attorney to work out the details of the scope of services. Mrs. Stein seconded the motion with the understanding that the technical assistance is provided pro bono. Following discussion, the motion carried 7 to 0. [BC20020108DOC097](#)

Recess/Reconvene. All members present except Ms. Brown.

FLORIDA BUILDING CODE

George Devenport, Building Official, reported on the workload impact resulting from the new Florida Building Code that will take effect on March 1, 2002. He advised that a 28 percent increase in inspections is projected for FY 2001-02 and additional Field Inspectors will be required.

(Gavel to Mr. Bruce, presiding)

Motion was made by Mrs. Stein to direct the County Administrator to bring back recommendations for additional inspection fees and necessary staff increases for the 2002 required inspections. The motion was seconded by Mrs. Glass.

Discussion: Work with industry to combine inspections; cross train-inspectors; review existing inspection efficiencies; additional staffing level; revenues exceed expenditures; etc.

Mrs. Stein amended her motion to include the possibilities of dual inspections, cross-training personnel, and other efficiencies where possible. The seconder agreed and the motion carried 6 to 0.

[BC20020108DOC098](#)

(Enter Ms. Brown)

(Mrs. Stein presiding)

PAVEMENT MARKING DESIGN STANDARDS

Red Childs, Traffic Division Manager, reviewed the pavement marking design standards for four-lane, divided County jurisdiction roadways to include bike lane markings. A typical 24-foot roadway would have a 10-foot travel lane next to the median, an 11-foot travel lane and a 3-foot bike lane. A typical 26-foot roadway would have two 11-foot travel lanes and a 4-foot bike lane. He discussed several roadways considered for markings and noted that Lakewood Ranch Boulevard could be considered for the 26-foot roadway markings and Tara Boulevard for the 24-foot roadway markings. He requested approval for marking a trial area in order to garner citizen reaction, as well as to evaluate safety.

Discussion: Set meeting with Tara residents; 10- and 11-foot travel lanes require speed cap of 35 mph; safety issue; staff to research 75th Street West north of 17th Avenue and 34th Street across from the high school; inside 10-foot lane is too narrow; explore on a case-by-case basis; staff to submit list of specific roadways 24 feet in width or greater; bring back information on 30th Avenue; consider Bayshore area; etc.

[BC20020108DOC099](#)

67TH AVENUE WEST/5TH STREET WEST

Motion was made by Mr. McClash, seconded by Mr. Bruce, and carried 7 to 0, to approve reversing the stop signs at the intersection of 67th Avenue West and 5th Street West.

[BC20020108DOC100](#)

COMMISSIONERS' COMMENTS

[BC20020108DOC101](#)

Whitfield Avenue/University Parkway

Mr. Bruce requested the status of a right-turn lane off University Parkway onto Whitfield Avenue.

Harry Mendenhall, Transportation Department, stated the project is in the design stage and will include a right-turn lane off University Parkway, as well as dual left turn lanes.

Columbia Drive Seawall Collapse

Mr. Harris requested that staff continue to investigate and resolve this matter.

Cameras at Intersections

Mr. McClash attended a Florida Department of Transportation (FDOT) meeting regarding the ITS System and noted that one proposal is cameras at intersections. He challenged FDOT to work with providers of telephone/cable services to avoid duplication of running hard lines throughout the County. David Twiddy, FDOT District Secretary, will respond to this issue in February.

Trolley System Map

Mr. McClash requested that staff review the development of a "fun" map to go along with the theme of the Trolley and to include the trolley stops and time schedule.

Piney Point Discharge

Mrs. Stein stated the anticipated sampling information has not been received, as samples were not taken from the double-lined and treated wastewater. She will follow up and report on this issue.

Charter Government

Mrs. Stein commented on the recent criticism regarding the charter government proposal and indicated the matter is entitled to a fair and full hearing, and citizen input will be solicited.

Discussion: Timing; citizens need to understand what charter government is; open discussion is necessary; visioning process; importance of a facilitator; decision to place on ballot; etc.

Recess/Reconvene. All members present.

CITIZEN VISIONING PROCESS AND IMPLEMENTATION PLAN

Rob Cuthbert, Purchasing Manager, introduced presentations by the two top-ranked proposers, and requested ranking of the proposers and authorization for staff to enter into negotiations for professional services for a Citizen Visioning Process and Vision Implementation Plan.

ACP Visioning and Planning, Ltd.

Jamie Greene and **Gianni Longo** submitted a proposal summary and used a slide presentation to outline the proposal. They advised that two Florida-based sub-consultants, **Neighborhood America** and **URS Corporation**, will help with the program.

Greg Blurton, Neighborhood America, and **Bruce Kaschyk**, URS Corporation, addressed the proposed roles of their companies in the program.

Question/Answer discussion: Timing; seasonal residents; Charter Government referendum; goals and ideas; facilitation methodology; implementation and outcome of vision process; maximize transitional phenomenon; outreach program; goals implemented in former projects; steering committee should be diverse; process will take at least 12 months; etc.

Recess/Reconvene. All members present except Mrs. Glass.

Analytica

Dr. Herbert Marlowe and **Larry Arrington** submitted a proposal and used a slide presentation to outline the proposal. They reviewed the input of the eight sub-consultants involved in the process: **Cobb, Cole, and Bell**; **Florida Conflict Resolution Consortium**; **Group Solutions**; **RMPK Group**; **Stetson University Institute for Social Research**; **Strategic Planning Group**; **Tucker-Hall**; and **Twilight, Inc.**

Allen Watts, Cobb, Cole, and Bell; and, **Tony Collins**, Tucker-Hall, discussed the proposed community plan.

Question/Answer discussion: Structure of government; timing for referendum; charter can be amended; legal restrictions/property rights issue; structures to maintain agricultural base; infrastructure; process will take 18 months to two years; etc.

Following the presentations, **ACP Visioning and Planning, Ltd.** was ranked number one by majority vote.

Mr. McClash moved to authorize staff to enter into negotiations with the top-ranked proposer, **ACP Visioning and Planning, Ltd.**, for professional services for a Citizen Visioning Process and Vision Process and Vision Implementation Plan. The motion was seconded by Mr. Bruce and carried 6 to 0. [BC20020108DOC102](#)

REDISTRICTING

[BC20020108DOC103](#)

Ernie Padgett, County Administrator, recommended that letters be sent to affected constituents to inform them of their new County Commission District.

Discussion: Only precincts that changed; coordinate with Supervisor of Elections' voter registration cards; no explanation provided with voter registration; mailing date by Supervisor of Elections; coordinate time table; etc.

COUNTY COMMISSION MEETINGS

Mr. Padgett stated due to vacation schedules in June and July consideration could be given to a one-month period of no scheduled meetings.

Following discussion, the consensus was to forego the meeting schedule for the last week of June through the third week of July 2002.

Tedd Williams, County Attorney, reminded Board members that a quorum should be available in case of an emergency meeting.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Adj: 3:40 p.m.
/tb/dev/njh

Minutes Approved: February 5, 2002