

JANUARY 21, 2009

The Board of County Commissioners, Manatee County, Florida, met in JOINT SESSION with the Council of Governments at the Palmetto Library, 923 6th Street West, Palmetto, Florida, at 4:05 p.m.

Present were Commissioners:

Carol Whitmore, First Vice-Chairman
Lawrence E. Bustle, Jr., Third Vice-Chairman
John R. Chappie
Joe McClash

Absent were Commissioners:

Gwendolyn Y. Brown, Chairman
Donna Hayes, Second Vice-Chairman
Ron Getman

Also present were:

Ed Hunzeker, County Administrator
Tedd Williams, Jr., County Attorney
Susan G. Romine, Board Records Manager,
representing R. B. Shore, Clerk of Circuit Court

AGENDA

Agenda of January 21, 2009.

[BC20090121DOC001](#)

ECONOMIC STIMULUS ACTIVITIES

Ed Hunzeker, County Administrator, noted the County Commission will hold a work session to discuss economic stimulus. He is also planning meetings with the Chamber of Commerce and the Economic Development Council. The County's Capital Improvement Program could be provided at the next Council of Governments meeting to show the projects that are being planned. The County Purchasing Policy has been revised to allow a higher cost before projects must be bid.

Mayor Wayne Poston, City of Bradenton, noted the City changed its purchasing policy to allow the lowest, best bidder, not just lowest bidder, to allow for some leeway.

Discussion: Telephone bids; putting information on the website; etc.

[BC20090121DOC002](#)

PARTNERSHIP OPPORTUNITIES

Mr. Hunzeker recommended finding ways to partner with the cities to cut costs, but retain the same levels of service. He indicated all budgets will be reduced in the next fiscal year, so any way to save is being researched.

[BC20090121DOC002](#)

LEGISLATIVE INITIATIVE – POLICE JURISDICTION

Larry Bustle, County Commissioner, requested an update on an item discussed with the Legislative Delegation on December 19, 2008, regarding law enforcement in adjoining jurisdictions. Police officers can witness a drug deal on the other side of the street, but cannot make an arrest because they are not deputized to make arrests in the County. State Senator Arthenia Joyner has agreed to look at the situation through legislation.

Michelle Hall, counsel for the Sheriff, noted she spoke with Senator Joyner's aid, who indicated a bill had been submitted. She also discussed the issue with Maureen Sikora, Assistant County Attorney.

Discussion: Sheriff stopped deputizing officers due to liability issues; cost of the bond is now a budget issue; etc.

Mayor Rich Bohnenberger, City of Holmes Beach, spoke of enforcement issues with Kingfish Boat Ramp. He noted State Representative Ron Regan is filing a companion bill, which would allow for Interlocal Agreements among the jurisdictions, and the Florida Police Chiefs support the legislation.

Discussion: If Sheriff did not sign an Interlocal Agreement, there would be no agreement; Mutual Aid Agreements; invite the Sheriff to the next Council of Governments meeting; etc.

Mayor Poston spoke of the enforcement issues on S.R. 64 with the Florida Highway Patrol.

Mary Lancaster, City of Palmetto Commissioner, asked about liability if a bystander was injured.

Disposition: An update to be provided at the next meeting.

[BC20090121DOC002](#)

DISPOSAL OF FLUORESCENT BULBS

Carol Whitmore, County Commissioner, distributed information regarding proper ways to dispose of compact fluorescent light bulbs due to the mercury content.

Amy Merrill, Utilities Department, advised of the Household Hazardous Waste Program.

[BC20090121DOC003](#)

PORT DOLPHIN

Ms. Whitmore advised that Port Dolphin representatives would not be present at this meeting. She stated the site for the Port Dolphin natural gas pipeline has not been determined, as the company is researching sites.

Discussion: Offloading 26 miles offshore measured from the shore of Anna Maria Island; etc.

David Zaccagnino, City of Holmes Beach Commissioner, requested the Coast Guard in St. Petersburg be kept updated.

Charlie Hunsicker, Natural Resources Director, explained that Manatee County is monitoring the alignment of the undersea portion of the pipeline. He noted the Town of Longboat Key takes exception to the alignment, due to its affects on the sand resources used by Longboat Key in its beach renourishment project. The line has been rerouted to avoid a sand source used by Manatee County for Anna Maria Island beach renourishment. The relocated site passes through potential beach-compatible sands outside the primary borrow area, but sands that are reachable for harvesting. The financial impacts are not known at this time. Port Dolphin determined the geologic testing data regarding the nature of the sandy bottom is proprietary. The Federal Environmental Regulatory Commission must rule on the location of the pipeline.

Sarah Schenk, Assistant County Attorney, advised it is early in the process, and Port Dolphin maintains they are doing core sampling. She advised the group to be cautious of opposing every action of the company, and that written questions can be submitted to Port Dolphin at a later date.

Bruce St. Dennis, Town of Longboat Key Manager, stated the route is going through an area which should be protected so that Longboat Key, Manatee County, and possibly Pinellas County could use as a borrow site at the mouth of Tampa Bay. If Port Dolphin would provide information about the sand sources, this concern could be addressed.

Ms. Schenk addressed prohibitions in meeting with other counsels.

Discussion: Do not want the original pipeline route; move the sand before the pipeline is laid; follow Gulf Stream route; Port Manatee has not reached an agreement with Port Dolphin; attorneys meet without violating attorney/client privilege; etc.

George Spoll, Town of Longboat Key Commissioner, stated that at the Barrier Islands conference, he did not get information from Port Dolphin as to following the Gulf Stream natural gas pipeline. He advised that if the pipeline goes through hard surface, it must be "mattressed" instead of buried in the sand, and that is costly to the company.

Brian Knapp, U.S. Coast Guard, stated the Environmental Impact Statement (EIS) for the project is on hold. When the EIS is done, public comment will be allowed. At this time, the Coast Guard is waiting for Port Dolphin to proceed.

Disposition: To be included on the next Council of Governments agenda. [BC20090121DOC002](#)

FIRE DISTRICT/EMERGENCY MEDICAL SYSTEMS CONSOLIDATION STUDY

Joe McClash, County Commissioner, noted he would like a study to evaluate delivery of Fire services and Emergency Medical Services (EMS) to address inefficiencies.

Discussion: Up to ten fire districts; duplication of services; how to pay for a study; etc.

Mayor Poston noted this would be appropriate to review.

Alan Zirkelbach, Palmetto City Commissioner, questioned the funding of the study; however, he supported a study if it included a component of identical rules and costs. He also addressed the time frame for issuing building permits based on having to wait for fire district comments.

Patrick Roth, City of Bradenton Council member, stated the Florida League of Cities has indicated that this discussion may be coming up in the general session of the legislature.

Mayor Bohnenberger noted the fire districts should come back with ideas.

Byron Teates, East Manatee Fire Rescue Chief, advised that the fire officials were not aware of Council of Governments meetings. He requested there be meetings with the fire officials and the boards of the fire districts. The fire districts meet with the County Administrator on a quarterly basis, and they are working with John Barnott, Building Department Director, regarding permit issues.

Discussion: Different rules for each fire district; request today is for discussion, not action; different fire inspectors asking for different things; Commissioners attend fire district meetings; etc.

Gary Lawson, East Manatee Fire Rescue Board Chairman, noted that cooperation is important. He has researched other consolidation, which increased costs tremendously.

Disposition: Mr. McClash and the fire districts to have discussions. An update is to be given at the next meeting. [BC20090121DOC002](#)

SCHOOL BOARD LEGISLATIVE PLATFORM

Tim McGonegal, School Board Superintendent, submitted a summary of 2009 Legislative Platform issues.

Walter Miller, School Board Chairman, stated while at the CEO Roundtable, he supported an internet sales tax.

Ms. Whitmore requested each municipality submit its legislative platform to the County to show united support in Tallahassee. [BC20090121DOC004](#)

COMMENTS

Addressing issues in their jurisdictions were: Mayor Poston; **Sandy Haas-Martin**, Holmes Beach City Commissioner; **Mayor Fran Barford**, City of Anna Maria; Mr. Zaccagnino; Mayor Bohnenberger; **Bob Gause**, School Board member; Mr. Hunzeker; **Mayor Shirley Groover Bryant**, City of Palmetto; Ms. Lancaster; Mr. Roth; **Marianne Barnebey**, City of Bradenton Council member; and Mr. Zirkelbach. [BC20090121DOC002](#)

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Adj: 5:35 p.m.
/sgr

Minutes Approved: February 24, 2009